DRAFT

Agenda Item Number : 1A

Request For Council Action

Date Submitted	2015-12-11 13:07:22
Applicant	City of St. George
Quick Title	November 2015 Financials
Subject	Placeholder. Will attach soon.
Discussion	
Cost	$0.00
City Manager Recommendation	No real issues at this point in the budget year.
Action Taken	
Requested by	Deanna Brklacich
File Attachments	NOV 2015.pdf

Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	
Attachments	NOV 2015.pdf

City of St. George

MONTHLY FINANCIAL REPORT

FIVE MONTHS ENDED

NOVEMBER 30, 2015

CITY OF ST. GEORGE, UT

MONTHLY FINANCIAL REPORT

FIVE MONTHS ENDED NOVEMBER 30, 2015

ADMINISTRATIVE DIRECTOR'S COMMENTS:

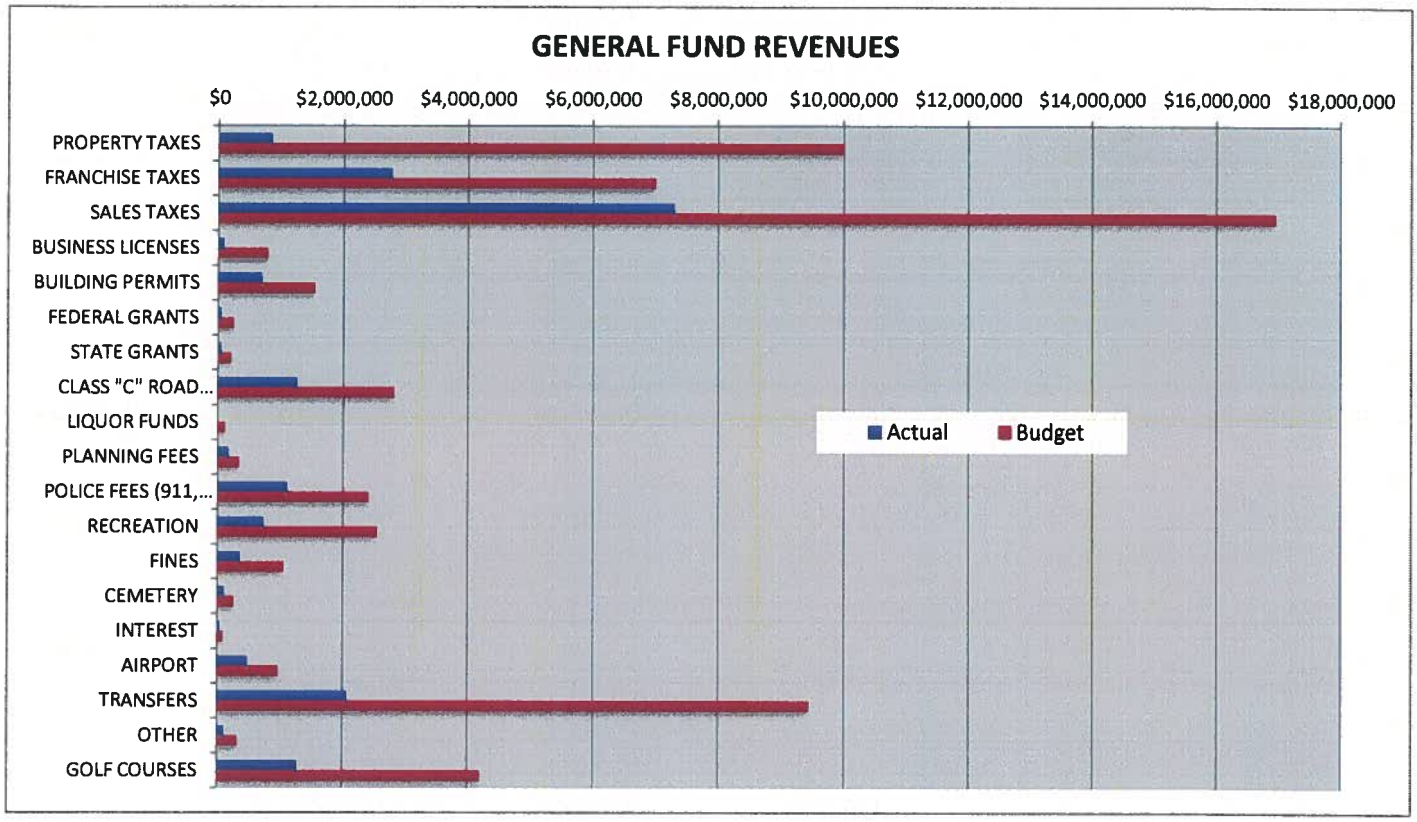
The attached report represents activity in the various city funds for the FIVE months ended November 30, 2015. This period represents 41.67% of the fiscal year.

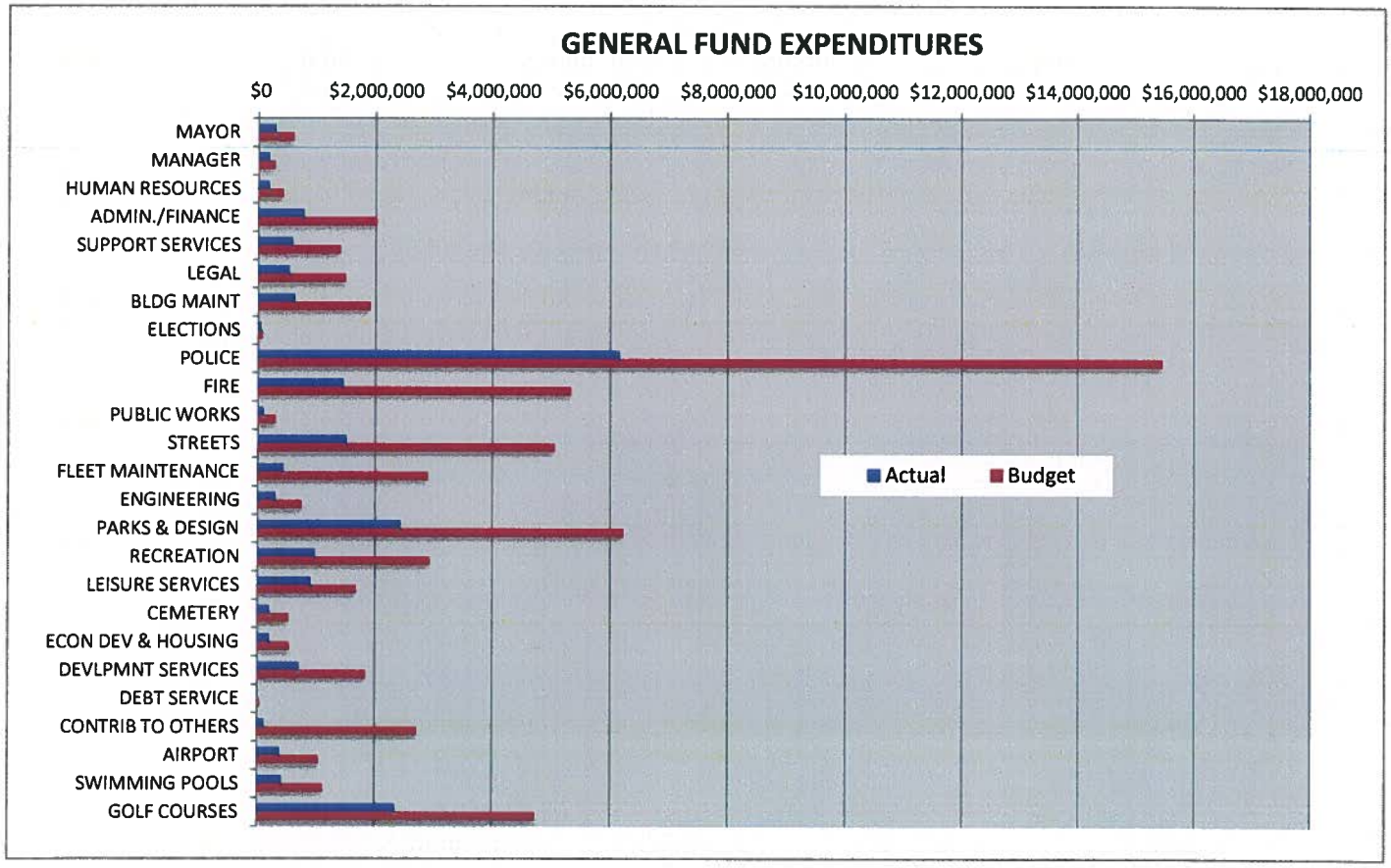
As you can see in reviewing the General Fund revenues and expenditures, each of the golf courses in the general fund is now shown separately.

1) General Fund revenues are at 31.74% of budget. The predominant revenues affecting the overall revenue percentage are Current Property Taxes, Fees Assessed (Personal Property Taxes) and Delinquent Taxes (Property Taxes) which typically are not received until December, January, and June. As such, the total actual revenue percentage will tend to lag the percentage of the year completed until these revenues are received.
2) Overall General Fund revenues are up 4.1% over the prior fiscal year. Sales taxes are up 7.79% over last year and franchise taxes are now equal to the prior year. Golf revenues are up 1.55% and now both comparison years should include the snack bars and merchandise sales at the various courses whereas in previous years these were operated by the golf professionals.
3) The attached general fund revenue schedule is good to give you a quick review of how revenues are trending in comparison with the budget.
4) General Fund expenditures are at 35.43% of budget for the year to date. Where we have completed 41.67% of the fiscal year on the time horizon, as compared to expenditures at 35.43% of the budget, we are continuing to do a good job of spending within the budget.
5) The revenue comparison schedule attached to this report does show a mixed bag. Most fund revenues are up in comparison to prior years, while a few others are down. In addition, some impact fee revenues are up while others are down. Those that are down are likely due to the new impact fee rates which became effective October 2014 and would have affected only part of Fiscal Year 2015, but all of Fiscal Year 2016.
6) The Dixie Center Operations revenues are up in comparison to the prior year due to receipt of $510,000 from Washington County as a contribution towards the City's economic development activities and programs.
7) The RAP Tax Fund's revenues include the recent bond issuance of $7.9 million. Actual tax revenues receipts to date for this current year total $408,242.
8) The City Treasurer's September 2015 deposit and investment report will be attached next month.

If there are any questions, comments, or concerns, please feel free to contact me at any time at either deanna.brklacich@sgcity.org or at 627-4004.

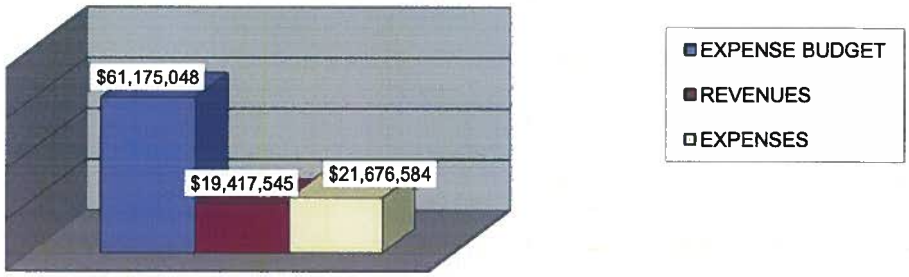
CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
11/30/2015



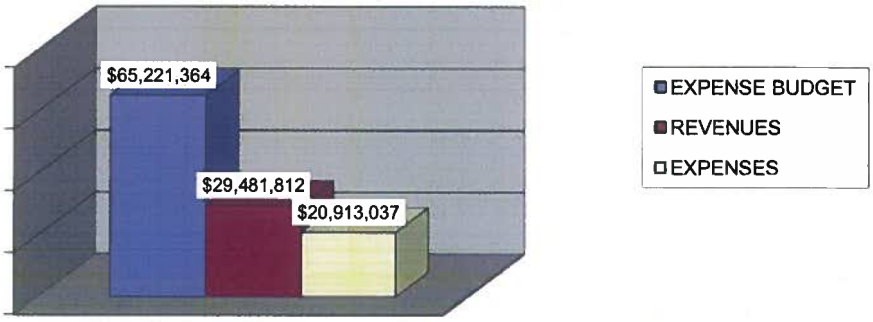


CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
11/30/2015

GENERAL FUND

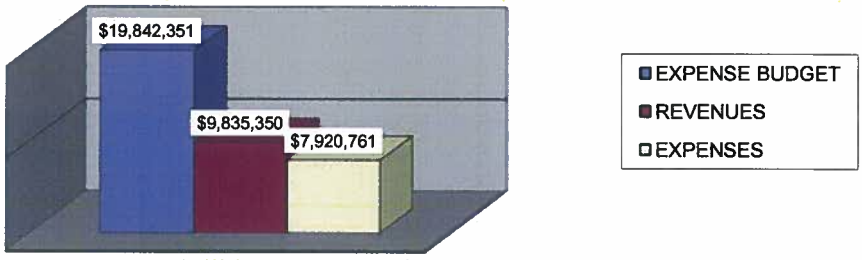


ELECTRIC UTILITY



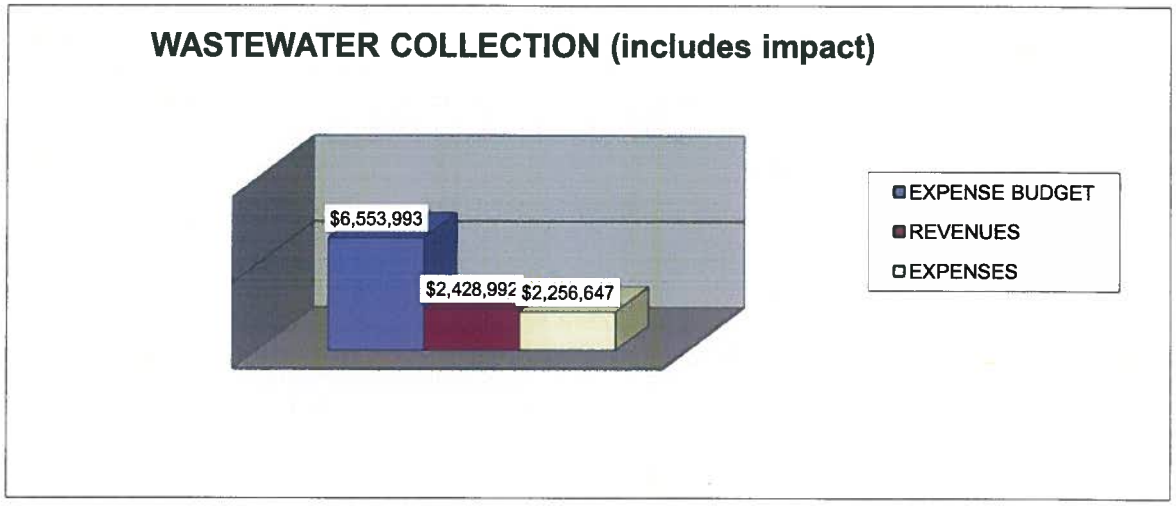
Note: Invoices for power purchases have a one-month lag and therefore expenses are generally understated in comparison to revenues.

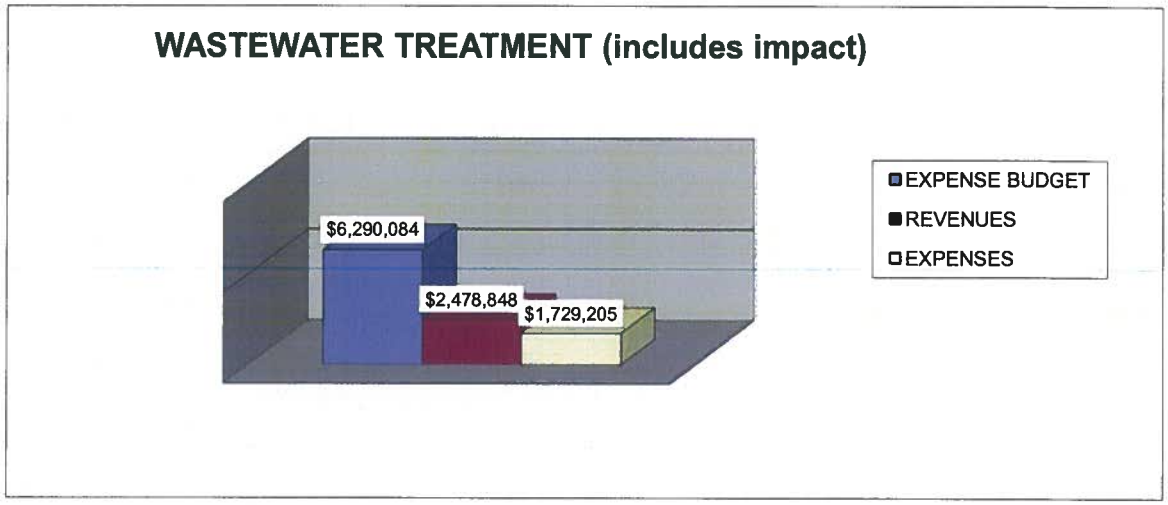
WATER UTILITY



Note: Invoices for water purchases from the Water Conservancy District have a one-month lag and therefore expenses are generally understated in comparison to revenues.

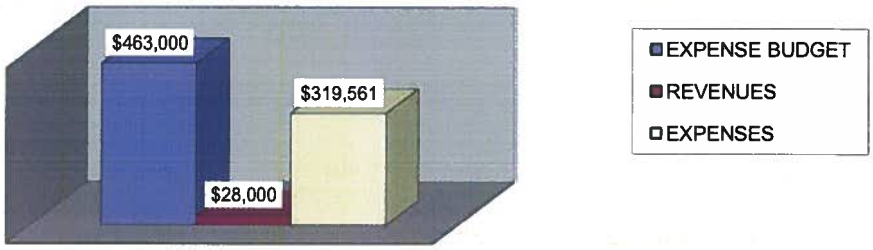
CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
11/30/2015



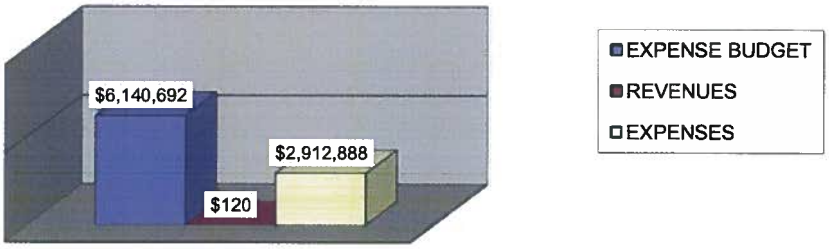


CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
11/30/2015

CDBG BLOCK GRANT FUND

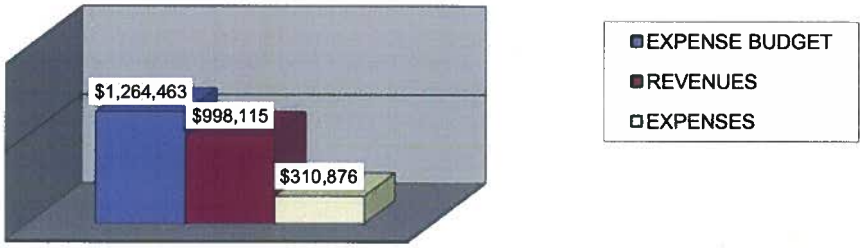


SALES TAX BOND CAP. PROJECT FUND



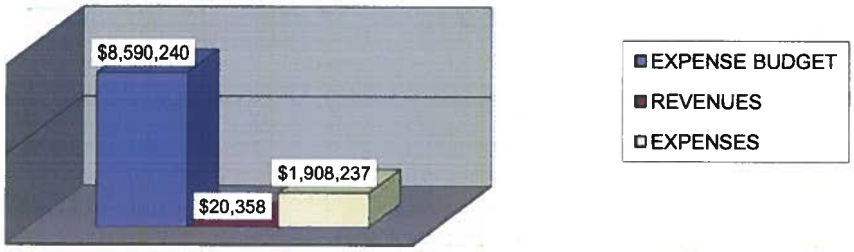
NOTE: Revenues are derived from year-end transfers from other City funds which received a portion of the bond proceeds and therefore participate in making the annual debt services payments.

DIXIE CENTER OPERATIONS

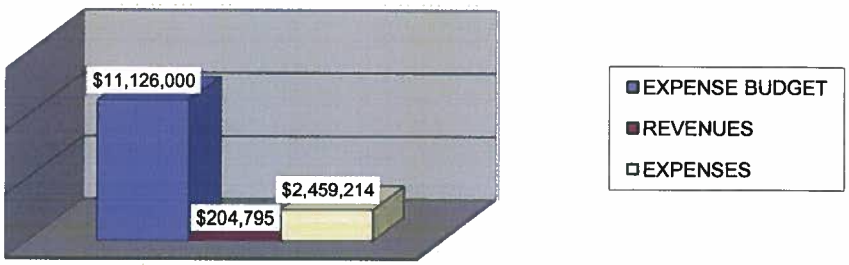


CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
11/30/2015

CAPITAL EQUIPMENT FUND

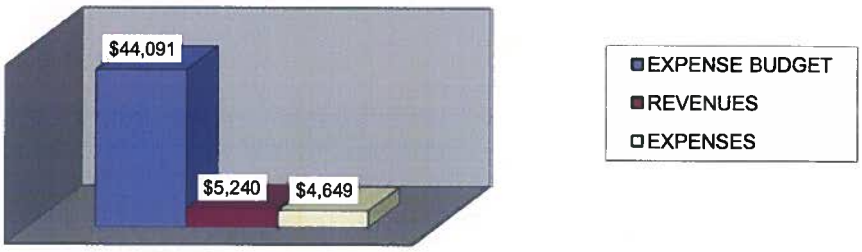


PUBLIC WORKS CAPITAL PROJECTS FUND



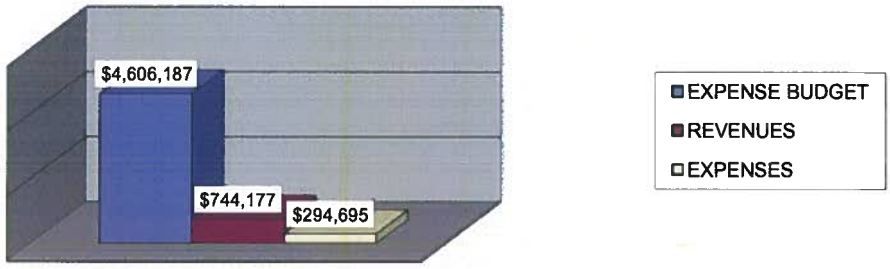
NOTE: Most of the Revenues are derived from year-end transfers from other City funds who collectively participate in funding each project (i.e. Transportation Fund, Street Impact, Drainage Impact, etc.)

REPLACEMENT AIRPORT FUND

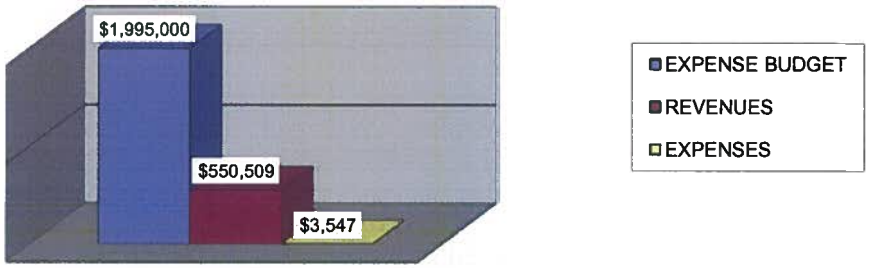


CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
11/30/2015

PARK IMPACT FUND

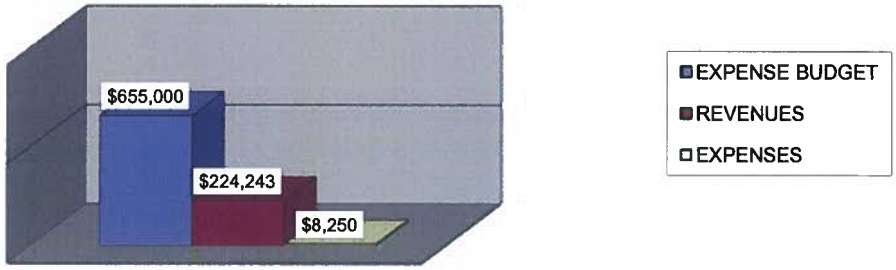


STREET IMPACT FUND



NOTE: Most of the budgeted Expenditures are in the form of a year-end transfer to the Public Works Capital Project Fund (PWCPF) based upon each project's actual costs in the PWCPF.

DRAINAGE IMPACT FUND



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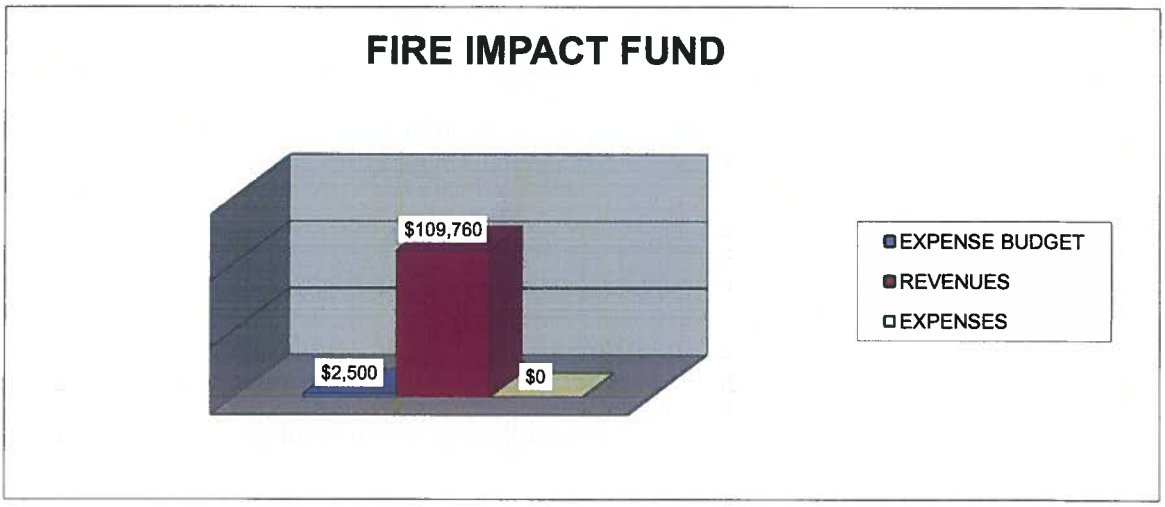
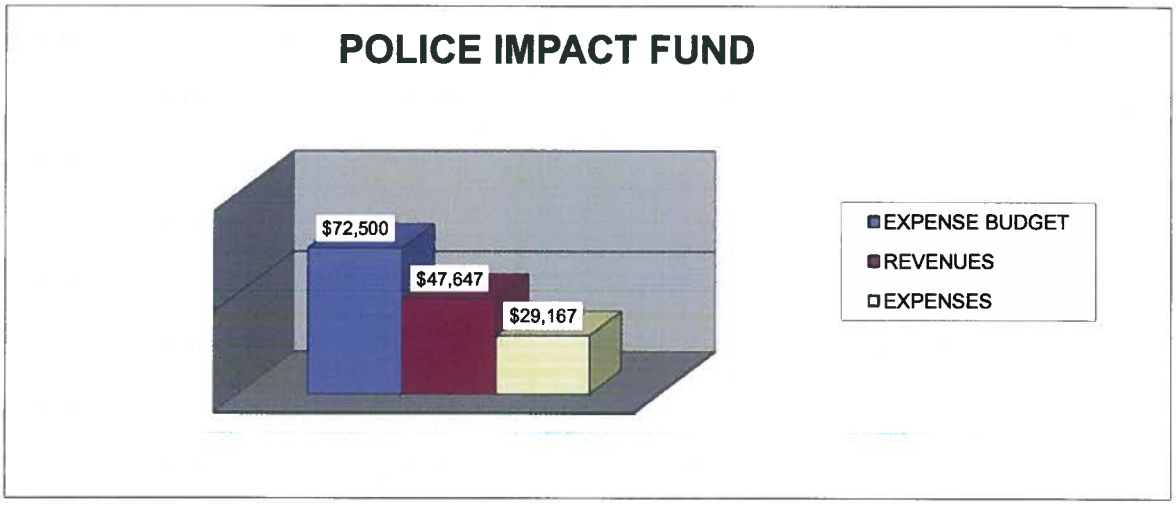
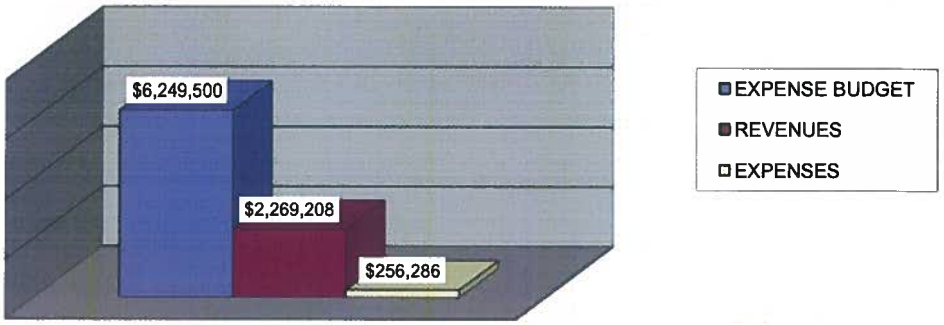
CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
11/30/2015





CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
11/30/2015

TRANSPORTATION IMPROVEMENT FUND (TIF)



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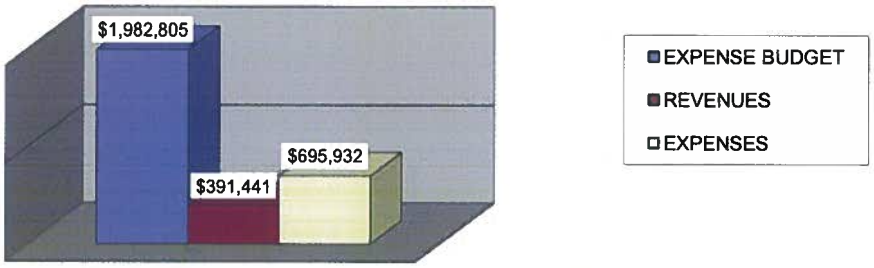
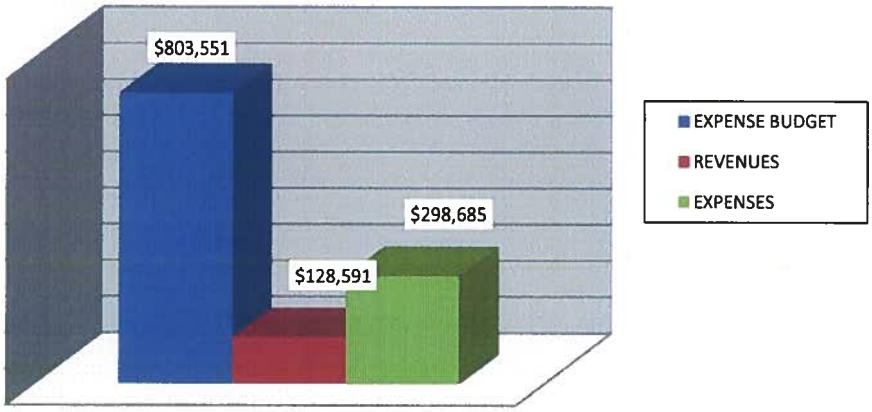
SUNTRAN TRANSIT FUND



SWITCHPOINT RESOURCE CENTER



CITY OF ST. GEORGE, UT
GENERAL FUND REVENUES
FIVE MONTHS ENDED NOV. 30, 2015

41.67% OF THE BUDGET YEAR

REVENUE SOURCE	ADJUSTED BUDGET	ACTUAL THRU NOV. 30, 2015	PCT RECEIVED
CURRENT PROPERTY TAXES	8,350,000.00	505,527.93	6.05%
FEES ASSESSED	1,300,000.00	287,494.59	22.11%
FRANCHISE TAXES	7,000,000.00	2,769,689.12	39.57%
DELINQUENT TAXES	350,000.00	52,513.81	15.00%
GENERAL SALES TAXES	16,950,000.00	7,297,009.22	43.05%
BUSINESS LICENSES	600,000.00	31,737.50	5.29%
LICENSE FEES - RENTAL ORDINANCE	180,000.00	53,070.00	29.48%
ELECTION FILING FEES	0.00	0.00	#DIV/0!
TRUCK-N-GO PERMITS	4,500.00	960.00	21.33%
BUILDING PERMITS	1,500,000.00	690,322.21	46.02%
DOG LICENSES	32,000.00	3,785.00	11.83%
FEDERAL GRANTS	240,543.00	44,391.82	18.45%
STATE GRANTS	198,408.00	41,350.52	20.84%
CLASS C ROAD ALLOTTMENT	2,810,000.00	1,257,942.41	44.77%
LIQUOR FUND ALLOTTMENT	104,000.00	0.00	0.00%
RESOURCE OFFICER CONTRIB.	602,932.00	301,466.00	50.00%
PLANNING FEES	300,000.00	156,036.99	52.01%
AIR QUALITY FEES	30,000.00	12,321.75	41.07%
SPECIAL POLICE SERVICES	55,000.00	38,398.59	69.82%
E-911 SERVICES	960,000.00	407,170.90	42.41%
OTHER CITIES DISPATCH FEES	773,198.00	351,292.14	45.43%
POLICE TRAINING CLASSES	2,000.00	6,787.50	339.38%
MUSEUM DONATIONS	475.00	235.00	49.47%
MUSEUM ADMISSION FEES	9,000.00	3,535.73	39.29%
NJCAA TOURNAMENT	0.00	0.00	#DIV/0!
COMMUNITY ARTS BLDG RENTALS	1,000.00	250.00	25.00%
OPERA HOUSE PERFORMANCES	1,500.00	0.00	0.00%
ELECTRIC THEATER RENTALS	60,400.00	0.00	0.00%
TRIPAK PASS SALES	0.00	-156.38	#DIV/0!
WALKING TOUR REVENUES	3,000.00	1,669.96	55.67%
SOCIAL HALL RENTALS	20,000.00	6,361.00	31.81%
EXHIBITS - COLLECTIONS	6,000.00	3,659.40	60.99%
NATURE CENTER	22,000.00	4,602.55	20.92%
AQUATIC CENTER	350,000.00	102,764.73	29.36%
YOUTH SPORTS	100,000.00	37,211.00	37.21%
ADULT SPORTS	50,000.00	15,781.00	31.56%
RACES	300,000.00	135,839.39	45.28%
SOFTBALL LEAGUES	360,000.00	155,983.39	43.33%
ARTS FAIR REVENUE	40,000.00	225.00	0.56%
SPECIAL COMMUNITY EVENTS	2,600.00	300.00	11.54%
SWIMMING POOL FEES	116,800.00	44,702.23	38.27%

CITY OF ST. GEORGE, UT
GENERAL FUND REVENUES
FIVE MONTHS ENDED NOV. 30, 2015

41.67% OF THE BUDGET YEAR

REVENUE SOURCE	ADJUSTED BUDGET	ACTUAL THRU NOV. 30, 2015	PCT RECEIVED
RECREATION FEES	5,000.00	1,668.50	33.37%
RECREATION CENTER FEES	143,000.00	44,345.77	31.01%
OPERA HOUSE RENTALS	12,000.00	0.00	0.00%
RECREATION FACILITY RENTALS	30,000.00	9,142.50	30.48%
TENNIS CLASSES ETC.	120,000.00	59,292.00	49.41%
MARATHON REVENUES	759,700.00	99,820.87	13.14%
RECREATION CLASS FEES	0.00	1,320.00	#DIV/0!
ST GEORGE CAROUSEL	30,000.00	0.00	0.00%
CEMETERY LOT SALES	120,000.00	57,915.00	48.26%
BURIAL FEES	125,000.00	50,020.00	40.02%
TRAFFIC SCHOOL FEES	45,000.00	16,673.55	37.05%
COURT FINES	940,000.00	314,821.94	33.49%
POLICE WARRANTS	16,000.00	6,750.00	42.19%
ACE PENALTIES	35,000.00	6,273.00	17.92%
ACE COSTS	10,000.00	1,495.00	14.95%
ACE ABATEMENTS	0.00	0.00	#DIV/0!
INTEREST EARNINGS	85,000.00	35,781.89	42.10%
RENTS AND ROYALTIES	30,000.00	8,388.45	27.96%
SALE OF PROPERTY	30,000.00	32,334.00	107.78%
POLICE EVIDENCE IMPOUND	2,500.00	3,765.89	150.64%
MISCELLANEOUS SUNDRY REVENUES	75,000.00	36,210.93	48.28%
ORTHOPHOTOGRAPHY MAPS	500.00	0.00	0.00%
MISS ST GEORGE PRINCESS	0.00	0.00	#DIV/0!
COMPOST SALES - REUSE	30,000.00	6,634.65	22.12%
ROADBASE SALES - REUSE	2,500.00	89.52	3.58%
AIRPORT REVENUES	961,562.00	471,096.10	48.99%
MAINTENANCE AT AIRPORT	7,100.00	2,965.65	41.77%
CONTRIBUTIONS FROM OTHER	100,000.00	500.00	0.50%
TRANSFERS FROM OTHER FUNDS	9,445,330.00	2,055,210.45	21.76%
CONTRIBUTIONS FROM PRIVATE	20,000.00	0.00	0.00%
MEDIAN LANDSCAPE FEES	15,000.00	2,040.00	13.60%
ANIMAL SHELTER DONATIONS	0.00	-396.50	#DIV/0!
ANIMAL TRAINING DONATIONS	0.00	4,428.51	#DIV/0!
POLICE PROJECT LIFESAVER	0.00	3,779.70	#DIV/0!
APPROPRIATED FUND BALANCE			
RED HILLS GOLF COURSE	762,885.00	223,636.10	29.31%
GOLF ADMINISTRATION	49,100.00	27,710.33	56.44%
SOUTHGATE GOLF COURSE	1,188,575.00	355,607.84	29.92%
ST GEORGE GOLF CLUB	697,240.00	174,480.48	25.02%
SUNBROOK GOLF COURSE	1,496,700.00	481,510.41	32.17%
TOTAL GENERAL FUND REVENUES	61,175,048.00	19,417,544.53	31.74%

CITY OF ST. GEORGE, UT
EXPENDITURE STATUS REPORT BY CATEGORY
FIVE MONTHS ENDED NOV. 30, 2015

41.67% OF THE BUDGET YEAR

GENERAL FUND	ADJUSTED BUDGET	ACTUAL THRU NOV. 30, 2015	REMAINING BALANCE	PCT USED
MAYOR & COUNCIL	596,200.00	278,204.20	317,995.80	46.66%
CITY MANAGER	270,803.00	172,454.12	98,348.88	63.68%
HUMAN RESOURCES	412,350.00	175,325.21	237,024.79	42.52%
ADMINISTRATIVE SERVICES (FINANCE)	2,007,015.00	765,753.24	1,241,261.76	38.15%
TECHNOLOGY SERVICES	1,386,412.00	576,212.23	810,199.77	41.56%
LEGAL SERVICES	1,298,092.00	472,019.30	826,072.70	36.36%
BUILDING MAINTENANCE	1,895,754.00	611,385.54	1,284,368.46	32.25%
ELECTIONS	69,000.00	47,009.28	21,990.72	68.13%
PLANNING COMMISSION	12,700.00	3,500.00	9,200.00	27.56%
POLICE	12,455,766.00	5,100,033.66	7,355,732.34	40.95%
HIDTA GRANT	153,573.00	46,422.34	107,150.66	30.23%
POLICE DISPATCH	2,739,282.00	971,772.45	1,767,509.55	35.48%
CCJJ GRANT	51,500.00	19,046.40	32,453.60	36.98%
SAFG (State Asset Forfeiture Grant)	49,860.00	11,047.00	38,813.00	22.16%
FIRE DEPARTMENT	5,331,584.00	1,445,374.03	3,886,209.97	27.11%
CODE ENFORCEMENT	182,299.00	50,952.57	131,346.43	27.95%
PUBLIC WORKS ADMINISTRATION	289,605.00	81,077.92	208,527.08	28.00%
STREETS	5,046,072.00	1,497,620.79	3,548,451.21	29.68%
FLEET MAINTENANCE	2,892,190.00	435,813.65	2,456,376.35	15.07%
ENGINEERING	737,188.00	290,156.78	447,031.22	39.36%
PARKS	5,501,420.00	2,112,301.27	3,389,118.73	38.40%
DESIGN	725,420.00	315,074.31	410,345.69	43.43%
NATURE CENTER & YOUTH PROGRAMS	99,086.00	35,936.81	63,149.19	36.27%
SOFTBALL PROGRAMS	358,685.00	82,540.54	276,144.46	23.01%
SPORTS FIELD MAINTENANCE	623,616.00	183,933.36	439,682.64	29.49%
SPECIAL EVENTS & PROGRAMS	319,845.00	86,032.97	233,812.03	26.90%
YOUTH SPORTS PROGRAMS	173,351.00	44,281.08	129,069.92	25.54%
ADULT SPORTS PROGRAMS	150,502.00	40,336.88	110,165.12	26.80%
RECREATION	595,947.00	198,509.83	397,437.17	33.31%
EXHIBITS AND COLLECTIONS	247,694.00	98,681.77	149,012.23	39.84%
COMMUNITY ARTS	301,033.00	120,808.07	180,224.93	40.13%
HISTORIC OPERA HOUSE	84,714.00	32,822.52	51,891.48	38.75%
HISTORIC COURTHOUSE	23,200.00	10,523.07	12,676.93	45.36%
LEISURE SERVICES ADMINISTRATN	333,030.00	129,491.68	203,538.32	38.88%
RECREATION CENTER	600,079.00	300,949.10	299,129.90	50.15%
MARATHON	652,142.00	501,675.60	150,466.40	76.93%
COMMUNITY CENTER	3,300.00	1,108.83	2,191.17	33.60%
ELECTRIC THEATER	29,200.00	4,982.53	24,217.47	17.06%
CEMETERY	516,464.00	192,309.09	324,154.91	37.24%
ECONOMIC DEVELOPMENT & HOUSING	527,128.00	193,133.34	333,994.66	36.64%
DEVELOPMENT SERVICES ADMIN.	1,826,184.00	692,875.98	1,133,308.02	37.94%
DEBT SERVICE	28,395.00	11,831.25	16,563.75	41.67%
TRANSFERS TO OTHER FUNDS	2,707,127.00	111,250.00	2,595,877.00	4.11%
AIRPORT	1,032,599.00	375,428.91	657,170.09	36.36%
SWIMMING POOL	237,537.00	107,349.02	130,187.98	45.19%
SAND HOLLOW AQUATIC CENTER	872,510.00	297,616.62	574,893.38	34.11%
RED HILLS GOLF COURSE	615,576.00	284,218.73	331,357.27	46.17%
GOLF ADMINISTRATION	362,665.00	61,718.62	300,946.38	17.02%
SOUTHGATE GOLF COURSE	1,058,392.00	592,240.92	466,151.08	55.96%
ST GEORGE GOLF CLUB	1,029,949.00	581,007.71	448,941.29	56.41%
SUNBROOK GOLF COURSE	1,661,013.00	824,432.94	836,580.06	49.63%
TOTAL GENERAL FUND	61,175,048.00	21,676,584.06	39,498,463.94	35.43%

CITY OF ST. GEORGE, UT
REVENUE COMPARISONS
FIVE MONTHS ENDED NOV. 30, 2015

GENERAL FUND:	FYE JUNE 2016	FYE JUNE 2015	FY2016 as a % of FY2015
PROPERTY TAXES	845,536	1,033,910	81.78%
FRANCHISE TAXES	2,769,689	2,755,948	100.50%
SALES TAXES	7,297,009	6,769,533	107.79%
BUSINESS LICENSES	85,768	87,398	98.13%
BUILDING PERMITS	694,107	619,814	111.99%
FEDERAL GRANTS	44,392	142,876	31.07%
STATE GRANTS	41,351	12,469	331.63%
CLASS "C" ROAD FUNDS	1,257,942	1,211,551	103.83%
LIQUOR FUNDS	-	-	#DIV/0!
PLANNING FEES	168,359	122,296	137.67%
POLICE FEES (911, ETC.)	1,105,115	1,108,747	99.67%
RECREATION	728,554	678,811	107.33%
FINES	346,013	382,978	90.35%
CEMETERY	107,935	107,288	100.60%
INTEREST	35,782	21,900	163.39%
AIRPORT	471,096	310,611	151.67%
TRANSFERS	2,055,210	1,929,167	106.53%
OTHER	100,741	114,443	88.03%
GOLF COURSES	1,262,945	1,243,699	101.55%
Total General Fund	19,417,545	18,653,436	104.10%
DIXIE CENTER OPERATIONS	$998,115	$605,845	164.75%
CDBG BLOCK GRANT FUND	$28,000	$19,476	143.77%
PARK IMPACT FUND	$744,177	$1,057,201	70.39%
STREET IMPACT FUND	$550,509	$386,276	142.52%
DRAINAGE IMPACT FUND	$224,243	$167,520	133.86%
FIRE DEPT IMPACT FUND	$109,760	$98,415	111.53%
POLICE DEPT IMPACT FUND	$47,647	$45,756	104.13%
WATER UTILITY FUND (w/ impact fees)	$9,835,350	$9,403,151	104.60%
WASTEWATER COLLECTION (w/impact fees)	$2,428,992	$2,563,205	94.76%
ELECTRIC UTILITY (w/impact fees)	$29,481,812	$29,461,614	100.07%
REGIONAL WASTEWATER (w/impact fees)	$2,478,848	$2,220,048	111.66%
SUNTRAN TRANSIT FUND	$391,441	$448,424	87.29%
TRANS. IMPROV. FUND	$2,269,208	$2,068,731	109.69%
REPLMNT AIRPORT FUND	$5,240	$0	#DIV/0!
SWITCHPOINT FUND	$128,591	$0	#DIV/0!
RAP TAX FUND	$8,306,242	$0	#DIV/0!

CITY OF ST. GEORGE, UT
MONTHLY COUNCIL REPORT
FIVE MONTHS ENDED NOV. 30, 2015

		ADJUSTED EXPENSE BUDGET	REVENUE	EXPENDITURES	
10	GENERAL FUND (includes Golf Courses)	$61,175,048	$19,417,545	$21,676,584	35.43%
53 & 83	ELECTRIC FUND (includes impact)	$65,221,364	$29,481,812	$20,913,037	32.06%
51 & 81	WATER FUND (includes impact)	$19,842,351	$9,835,350	$7,920,761	39.92%
52 & 82	WASTEWATER COLLECT (includes impact)	$6,553,993	$2,428,992	$2,256,647	34.43%
62 & 86	WASTEWATER TREATMNT (includes impact)	$6,290,084	$2,478,848	$1,729,205	27.49%
32	CDBG BLOCK GRANT FUND	$463,000	$28,000	$319,561	69.02%
84	SALES TAX BOND - CAPITAL PROJ FUND	$6,140,692	$120	$2,912,888	47.44%
30	DIXIE CENTER OPERATIONS	$1,264,463	$998,115	$310,876	24.59%
40	CAPITAL EQUIPMENT FUND	$8,590,240	$20,358	$1,908,237	22.21%
87	PUBLIC WORKS CAPITAL PROJ FUND	$11,126,000	$204,795	$2,459,214	22.10%
88	REPLACEMENT AIRPORT CONST. FUND	$44,091	$5,240	$4,649	10.54%
44	PARK IMPACT FUND	$4,606,187	$744,177	$294,695	6.40%
45	STREET IMPACT FUND	$1,995,000	$550,509	$3,547	0.18%
47	DRAINAGE IMPACT FUND	$655,000	$224,243	$8,250	1.26%
48	FIRE IMPACT FUND	$2,500	$109,760	$0	0.00%
49	POLICE IMPACT FUND	$72,500	$47,647	$29,167	40.23%
64	SUNTRAN TRANSIT FUND	$1,982,805	$391,441	$695,932	35.10%
27	TRANSPORTATION IMPROV FUND	$6,249,500	$2,269,208	$256,286	4.10%
21	SWITCHPOINT RESOURCE CENTER	$803,551	$128,591	$298,685	37.17%
80	RAP TAX FUND	$9,084,599	$8,306,242	$1,269,838	13.98%

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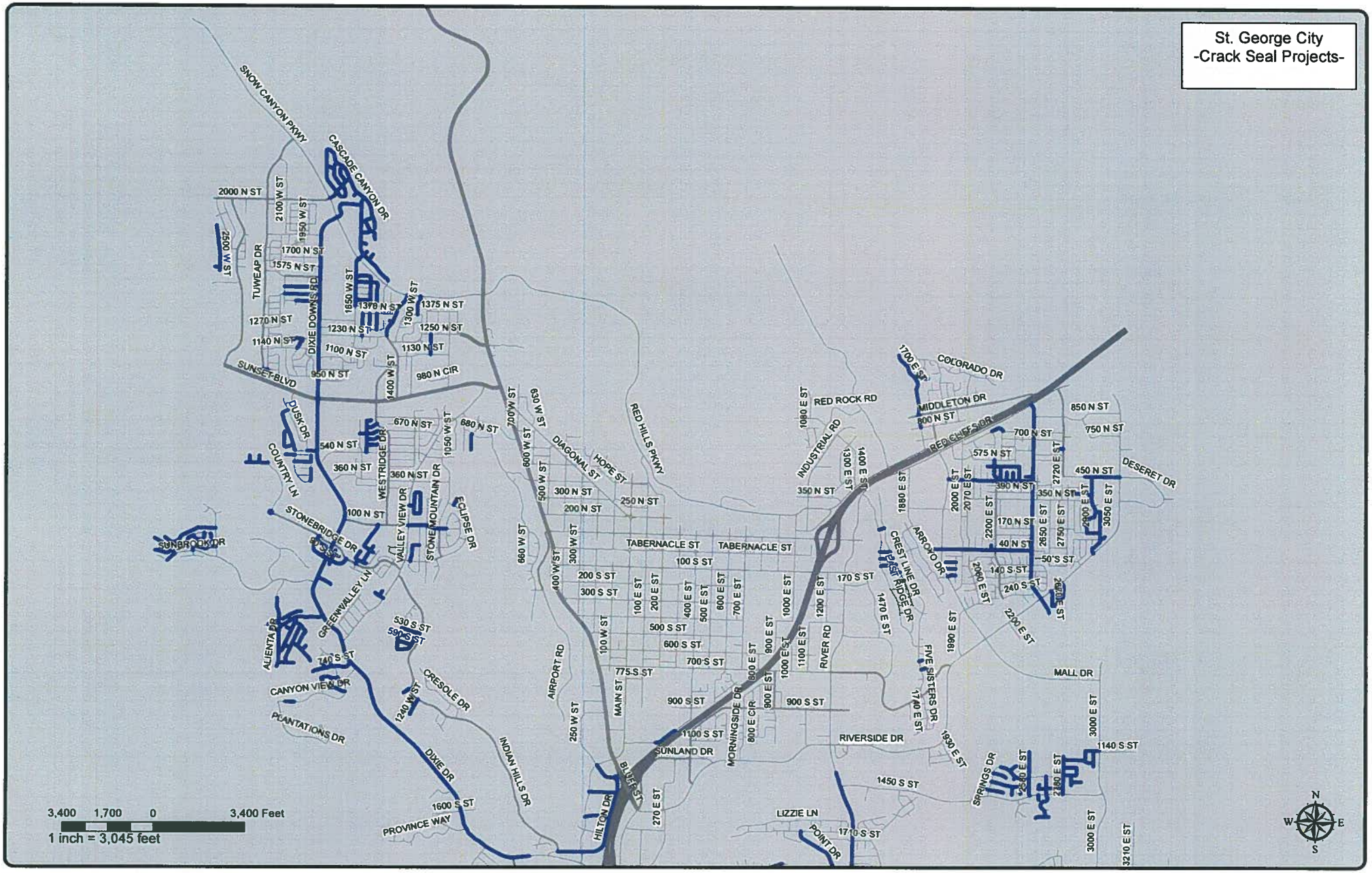
Agenda Item Number : 2A

Request For Council Action

Date Submitted	2015-12-11 06:20:46
Applicant	Jay Sandberg
Quick Title	Crack Seal Bid Award
Subject	Consider approval of an agreement with Superior Asphalt in the amount of $517,825 to perform the annual crack seal project.
Discussion	City received six bids. Unit prices were 7% lower than last year's project.
Cost	$517,825
City Manager Recommendation	Recommend approval we like those bids that are less than the previous year.
Action Taken	
Requested by	Cameron Cutler
File Attachments	City Council Crack Seal.pdf

Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	Project also includes Tonaquint Cemetery, Little Valley Softball Complex, and several city trails.
Attachments	City Council Crack Seal.pdf

Bidder	Bid Amount
Superior Asphalt	**517,825**
Ridge Rock	535,625
Engineer's Estimate	*549,375*
Holbrook Asphalt	552,125
Top Job Asphalt	559,165
Straight Stripe Painting	890,625
Morgan Pavement	897,000


St. George City
-Crack Seal Projects-
SNOW CANYON PKWY
CASCADE CANYON DR
2000 N ST
2100 W ST
1950 W ST
2500 W ST
TUWEAP DR
1700 N ST
1575 N ST
DIXIE DOWNS RD
1650 W ST
1370 N ST
1300 W ST
1375 N ST
1270 N ST
1230 N ST
1250 N ST
1140 N ST
1100 N ST
1130 N ST
SUNSET BLVD
950 N ST
1400 W ST
980 N CIR
DUSK DR
670 N ST
680 N ST
1050 W ST
540 N ST
COUNTRY LN
360 N ST
WESTRIDGE DR
360 N ST
100 N ST
STONEBRIDGE DR
VALLEY VIEW DR
STONE MOUNTAIN DR
ECLIPSE DR
SUNBROOK DR
GREENVALLEY LN
530 S ST
590 S ST
ALIENTA DR
740 S ST
CANYON VIEW DR
CRESOLE DR
1240 W ST
PLANTATIONS DR
DIXIE DR
1600 S ST
PROVINCE WAY
INDIAN HILLS DR
700 W ST
630 W ST
600 W ST
500 W ST
DIAGONAL ST
HOPE ST
RED HILLS PKWY
300 N ST
200 N ST
250 N ST
660 W ST
300 W ST
400 W ST
TABERNACLE ST
TABERNACLE ST
100 S ST
200 S ST
300 S ST
100 E ST
200 E ST
400 E ST
500 E ST
600 E ST
700 E ST
100 W ST
500 S ST
600 S ST
700 S ST
775 S ST
AIRPORT RD
MAIN ST
900 S ST
250 W ST
1100 S ST
SUNLAND DR
BLUFF ST
HILTON DR
270 E ST
MORNINGSIDE DR
800 E ST
800 E CIR
900 E ST
1000 E ST
1100 E ST
1200 E ST
RIVER RD
900 S ST
RIVERSIDE DR
1450 S ST
LIZZIE LN
POINT DR
1710 S ST
1080 E ST
RED ROCK RD
INDUSTRIAL RD
1300 E ST
1400 E ST
350 N ST
1700 E ST
COLORADO DR
MIDDLETON DR
800 N ST
RED CLIFFS DR
700 N ST
575 N ST
850 N ST
750 N ST
450 N ST
DESERET DR
390 N ST
350 N ST
2720 E ST
2000 E ST
2070 E ST
2200 E ST
170 N ST
40 N ST
2650 E ST
2750 E ST
2900 E ST
3050 E ST
50 S ST
140 S ST
240 S ST
2060 E ST
2070 E ST
2200 E ST
1880 E ST
CREST LINE DR
EAST RIDGE DR
ARROYO DR
170 S ST
1470 E ST
1990 E ST
FIVE SISTERS DR
1740 E ST
1930 E ST
MALL DR
3000 E ST
1140 S ST
SPRINGS DR
2580 E ST
2780 E ST
3000 E ST
3210 E ST
3,400 1,700 0 3,400 Feet
1 inch = 3,045 feet
N
W
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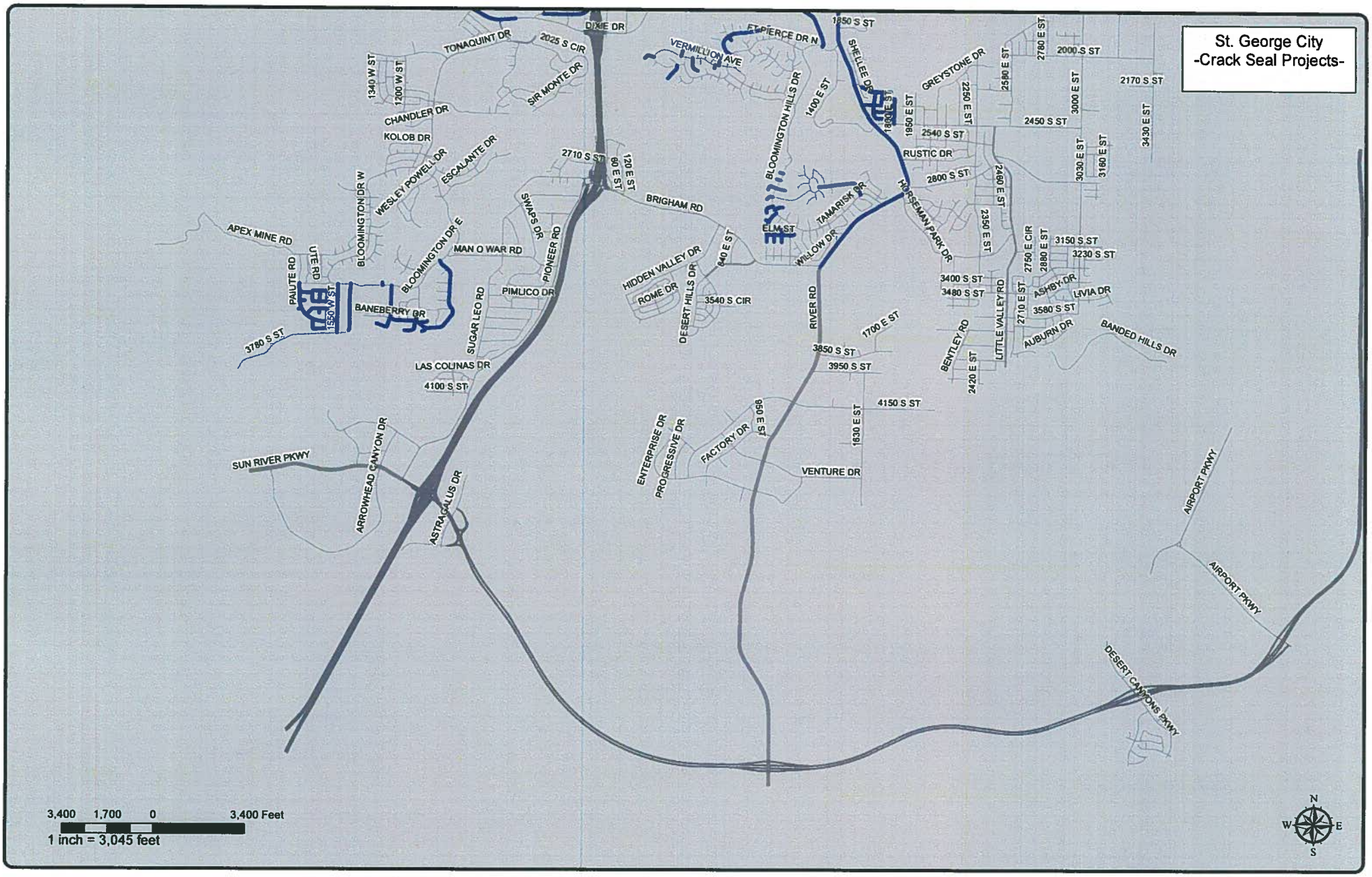
S


St. George City
-Crack Seal Projects-
DIXIE DR
TONAQUINT DR
2025 S CIR
SIR MONTE DR
VERMILLION AVE
E PIERCE DR N
1850 S ST
SHELLEE DR
GREYSTONE DR
2780 E ST
2000 S ST
2170 S ST
2580 E ST
3000 E ST
3430 E ST
1340 W ST
1200 W ST
CHANDLER DR
KOLOB DR
ESCALANTE DR
WESLEY POWELL DR
BLOOMINGTON DR W
BLOOMINGTON DR E
BLOOMINGTON HILLS DR
1400 E ST
1850 E ST
1880 E ST
2250 E ST
2450 S ST
2540 S ST
RUSTIC DR
2800 S ST
3030 E ST
3180 E ST
2710 S ST
60 E ST
120 E ST
BRIGHAM RD
SWAPS DR
PIONEER RD
TAMARISK DR
HORSEMAN PARK DR
2080 E ST
2350 E ST
APEX MINE RD
UTE RD
PAUTE RD
MAN O WAR RD
ELM ST
WILLOW DR
3150 S ST
3230 S ST
2750 E CIR
2880 E ST
HIDDEN VALLEY DR
640 E ST
ROME DR
DESERT HILLS DR
3540 S CIR
PIMLICO DR
3400 S ST
3480 S ST
ASHBY DR
LIVIA DR
2710 E ST
3580 S ST
AUBURN DR
BANDED HILLS DR
1050 W ST
BANEBERRY DR
SUGAR LEO RD
3780 S ST
RIVER RD
1700 E ST
BENTLEY RD
LITTLE VALLEY RD
3850 S ST
3950 S ST
2420 E ST
LAS COLINAS DR
4100 S ST
4150 S ST
1630 E ST
950 E ST
ENTERPRISE DR
PROGRESSIVE DR
FACTORY DR
VENTURE DR
SUN RIVER PKWY
ARROWHEAD CANYON DR
ASTRAGALUS DR
AIRPORT PKWY
DESERT CANYONS PKWY
3,400 1,700 0 3,400 Feet
1 inch = 3,045 feet
N
W
E
S

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Agenda Item Number : 2B

Request For Council Action

Date Submitted	2015-12-08 17:43:55
Applicant	Jeff Peay - Park Planning Manager
Quick Title	Bid Award - Virgin River FEMA Mitigation Project
Subject	Virgin River FEMA Mitigation Project
Discussion	This project is the next phase of improvements following the Dixie Center Erosion Protection Project that is currently under construction. This project includes installation of plant material and irrigation in the recently cleared off areas along 270 East and St. James Trailhead as well as installation of willow cuttings along the Virgin River. This project was put out to bid November 2015. The bid closed on December 3, 2015. We received three different bids. The lowest responsible bidder is Spring Creek Landscape out of Heber City, Utah with a bid of $156,981.96. It is proposed that we award Spring Creek Landscape in the amount of $156,981.96 for this project.
Cost	$156,981.96
City Manager Recommendation	Final part of the mitigation effort required by FEMA for the 2010 flood. Recommend approval.
Action Taken	
Requested by	Jeff Peay - Park Pla
File Attachments	Final Bid Tab Virgin River FEMA Mitigation Project - 12-4-2015.pdf
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	
Attachments	Final Bid Tab Virgin River FEMA Mitigation Project - 12-4-2015.pdf

FINAL BID TAB
VIRGIN RIVER FEMA MITIGATION PROJECT - INQUIRY # 15-0055

December 3, 2015

Item No.	Item Description	Unit	Bid Qty.	LA'S Estimate		Spring Creek Landscape		Progressive Contracting		A.C.E. Landscape	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	MOBILIZATION	LUMP	1	$ 8,400.00	$ 8,400.00	$ 12,772.00	$ 12,772.00	$ 5,150.00	$ 5,150.00	$ 9,599.00	$ 9,599.00
2	TRAFFIC CONTROL & SITE ACCESS	LUMP	1	$ 3,500.00	$ 3,500.00	$ 2,000.00	$ 2,000.00	$ 1.00	$ 1.00	$ 6,500.00	$ 6,500.00
3	TORO 1" BLUE STRIPE HOSE, T-EHD2667-066	FOOT	76,000	$ 0.45	$ 34,200.00	$ 0.19	$ 14,440.00	$ 0.33	$ 25,080.00	$ 0.58	$ 44,080.00
4	TORO 5/8" DRIP-IN, PCB1810-12	FOOT	8,020	$ 0.50	$ 4,010.00	$ 0.69	$ 5,533.80	$ 0.57	$ 4,571.40	$ 0.78	$ 6,255.60
5	RAIN BIRD 1/4" DISTRIBUTION TUBING, PT-025	FOOT	144,720	$ 0.10	$ 14,472.00	$ 0.06	$ 8,683.20	$ 0.08	$ 11,577.60	$ 0.11	$ 15,919.20
6	RAIN BIRD 2 GPH EMITTER, XB-20PC	EACH	14,472	$ 0.50	$ 7,236.00	$ 0.38	$ 5,499.36	$ 0.41	$ 5,933.52	$ 0.84	$ 12,156.48
7	RAIN BIRD 1/4" TUBING STAKE WITH BUG CAP, TS-025WCAP	EACH	14,472	$ 0.50	$ 7,236.00	$ 0.60	$ 8,683.20	$ 0.41	$ 5,933.52	$ 0.80	$ 11,577.60
8	TREE - 1 GALLON - NETLEAF HACKBERRY	EACH	148	$ 7.00	$ 1,036.00	$ 10.00	$ 1,480.00	$ 12.30	$ 1,820.40	$ 9.15	$ 1,354.20
9	TREE - 1 GALLON - DESERT WILLOW	EACH	208	$ 7.00	$ 1,456.00	$ 10.00	$ 2,080.00	$ 12.30	$ 2,558.40	$ 9.15	$ 1,903.20
10	TREE - 1 GALLON - FREMONT COTTONWOOD	EACH	514	$ 7.00	$ 3,598.00	$ 10.00	$ 5,140.00	$ 12.30	$ 6,322.20	$ 9.15	$ 4,703.10
11	TREE - 1 GALLON - HONEY MESQUITE	EACH	188	$ 7.00	$ 1,316.00	$ 10.00	$ 1,880.00	$ 12.30	$ 2,312.40	$ 9.15	$ 1,720.20
12	TREE - 1 GALLON - SCREWBEAN MESQUITE	EACH	92	$ 7.00	$ 644.00	$ 10.00	$ 920.00	$ 12.30	$ 1,131.60	$ 9.15	$ 841.80
13	TREE - 1 GALLON - ARIZONA VELVET MESQUITE	EACH	90	$ 7.00	$ 630.00	$ 10.00	$ 900.00	$ 12.30	$ 1,107.00	$ 9.15	$ 823.50
14	TREE - 1 GALLON - GOODDING BLACK WILLOW	EACH	460	$ 7.00	$ 3,220.00	$ 10.00	$ 4,600.00	$ 12.30	$ 5,658.00	$ 9.15	$ 4,209.00
15	SHRUB - 1 GALLON - FOUR-WING SALTBUSH	EACH	684	$ 7.00	$ 4,788.00	$ 10.00	$ 6,840.00	$ 10.80	$ 7,387.20	$ 9.15	$ 6,258.60
16	SHRUB - 1 GALLON - QUAILBUSH	EACH	684	$ 7.00	$ 4,788.00	$ 10.00	$ 6,840.00	$ 10.80	$ 7,387.20	$ 9.15	$ 6,258.60
17	SHRUB - 1 GALLON - MULE FAT	EACH	258	$ 7.00	$ 1,806.00	$ 10.00	$ 2,580.00	$ 10.80	$ 2,786.40	$ 9.15	$ 2,360.70
18	SHRUB - 1 GALLON - DESERT BROOM	EACH	258	$ 7.00	$ 1,806.00	$ 10.00	$ 2,580.00	$ 10.80	$ 2,786.40	$ 9.15	$ 2,360.70
19	SHRUB - 1 GALLON - RUBBER RABBITBRUSH	EACH	487	$ 7.00	$ 3,409.00	$ 10.00	$ 4,870.00	$ 9.70	$ 4,723.90	$ 9.15	$ 4,456.05
20	SHRUB - 1 GALLON - APACHE PLUME	EACH	258	$ 7.00	$ 1,806.00	$ 10.00	$ 2,580.00	$ 9.70	$ 2,502.60	$ 9.15	$ 2,360.70
21	SHRUB - 1 GALLON - LITTLELEAF SUMAC	EACH	362	$ 7.00	$ 2,534.00	$ 10.00	$ 3,620.00	$ 9.70	$ 3,511.40	$ 9.15	$ 3,312.30
22	SHRUB - 1 GALLON - THREE-LEAF SUMAC	EACH	174	$ 7.00	$ 1,218.00	$ 10.00	$ 1,740.00	$ 9.70	$ 1,687.80	$ 9.15	$ 1,592.10
23	SHRUB - 1 GALLON - COYOTE WILLOW	EACH	528	$ 7.00	$ 3,696.00	$ 10.00	$ 5,280.00	$ 9.70	$ 5,121.60	$ 9.15	$ 4,831.20
24	SHRUB - 1 GALLON - MEXICAN BLUE ELDERBERRY	EACH	528	$ 7.00	$ 3,696.00	$ 10.00	$ 5,280.00	$ 9.70	$ 5,121.60	$ 9.15	$ 4,831.20
25	SHRUB - 1 GALLON - GLOBEMALLOW	EACH	258	$ 7.00	$ 1,806.00	$ 10.00	$ 2,580.00	$ 9.70	$ 2,502.60	$ 9.15	$ 2,360.70
26	SHRUB - 1 GALLON - ARROW-WEED	EACH	340	$ 7.00	$ 2,380.00	$ 10.00	$ 3,400.00	$ 9.70	$ 3,298.00	$ 9.15	$ 3,111.00
27	SHRUB - 1 GALLON - CALIFORNIA ROSEWOOD	EACH	326	$ 7.00	$ 2,282.00	$ 10.00	$ 3,260.00	$ 9.70	$ 3,162.20	$ 9.15	$ 2,982.90
28	GRASS - 1 GALLON - SIDEOATS GRAMA	EACH	562	$ 7.00	$ 3,934.00	$ 10.00	$ 5,620.00	$ 8.70	$ 4,889.40	$ 9.15	$ 5,142.30
29	GRASS - 1 GALLON - SCRATCHGRASS	EACH	343	$ 7.00	$ 2,401.00	$ 10.00	$ 3,430.00	$ 8.70	$ 2,984.10	$ 9.15	$ 3,138.45
30	GRASS - 1 GALLON - DEERGRASS	EACH	430	$ 7.00	$ 3,010.00	$ 10.00	$ 4,300.00	$ 8.70	$ 3,741.00	$ 9.15	$ 3,934.50
31	GRASS - 1 GALLON - ALKALI SACATON	EACH	453	$ 7.00	$ 3,171.00	$ 10.00	$ 4,530.00	$ 8.70	$ 3,941.10	$ 9.15	$ 4,144.95
32	GRASS - 1 GALLON - TOBOSA	EACH	303	$ 7.00	$ 2,121.00	$ 10.00	$ 3,030.00	$ 8.70	$ 2,636.10	$ 9.15	$ 2,772.45
33	WILLOW POLE PLANTINGS	EACH	4,171	$ 8.00	$ 33,368.00	$ 2.40	$ 10,010.40	$ 8.00	$ 33,368.00	$ 8.80	$ 36,704.80
				TOTAL	*$ 174,974.00*	*TOTAL*	*$ 156,981.96*	*TOTAL*	*$ 182,695.64*	*TOTAL*	*$ 224,557.08*

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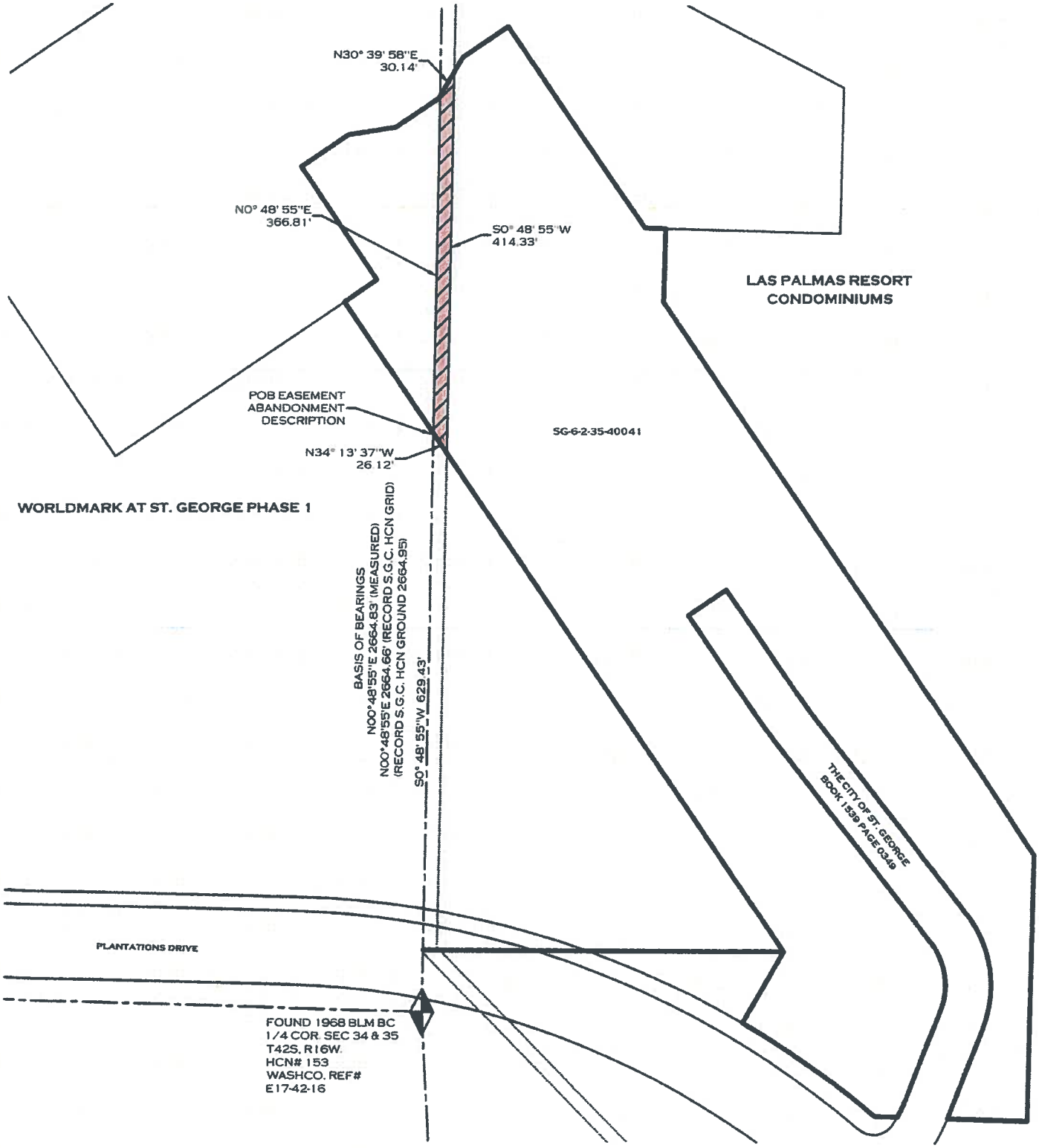
Agenda Item Number : 3A

Request For Council Action

Date Submitted	2015-12-10 16:22:03
Applicant	David Nasal
Quick Title	Public Hearing/Ordinance - Easement Vacation
Subject	Consider the vacation of a portion of an existing Power Easement located at approximately 1790 West and 970 South (Green Valley area).
Discussion	This power easement is currently not in use. The applicant is requesting this vacation so plans can move forward for a development on the property.
Cost	$0.00
City Manager Recommendation	Has been reviewed by staff and affected departments and recommendation is for approval.
Action Taken	
Requested by	Todd Jacobsen
File Attachments	Magnolia.pdf

Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	
Attachments	Magnolia.pdf


N30° 39' 58"E
30.14'
N0° 48' 55"E
366.81'
S0° 48' 55"W
414.33'
LAS PALMAS RESORT
CONDOMINIUMS
POB EASEMENT
ABANDONMENT
DESCRIPTION
SG-6-2-35-40041
N34° 13' 37"W
26.12'
WORLDMARK AT ST. GEORGE PHASE 1
BASIS OF BEARINGS
N00°48'55"E 2664.83' (MEASURED)
N00°48'55"E 2664.66' (RECORD S.G.C. HCN GRID)
(RECORD S.G.C. HCN GROUND 2664.95)
S0° 48' 55"W 629.43'
THE CITY OF ST. GEORGE
BOOK 1539 PAGE 0349
PLANTATIONS DRIVE
FOUND 1968 BLM BC
1/4 COR. SEC 34 & 35
T42S, R16W.
HCN# 153
WASHCO. REF#
E17-42-16

Power Easement Vacation

December 10, 2015

1:3,500

0 0.0275 0.055 0.11 mi

0 0.0475 0.095 0.19 km

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

When Recorded Return To:
City of St. George
City Recorder's Office
175 East 200 North
St. George, UT 84770

ORDINANCE NO.: _____

EASEMENT VACATION

Tax ID: SG-5-2-35-40051

WHEREAS, a Petition has been received by the City Council of the City of St. George requesting that a portion of an existing right-of-way easement for a power line, which is more fully described in the attached Exhibit A, which is incorporated herein by reference, which easement belongs to the City of St. George located at approximately 1790 West and 970 South, as on file in the Washington County Recorder's Office as Doc. #00217276, and presently not in use, be vacated; and

WHEREAS, the owner of the property traversed by the easement, as well as the City, have consented to this vacation; and

WHEREAS, it appears that it will not be detrimental to the general public interest, and that there is good cause for vacating said easement.

NOW, THEREFORE, BE IT RESOLVED by the St. George City Council:

The easement described in 'Exhibit A' is hereby vacated.

This ordinance shall become effective immediately upon adoption and recordation in executed form in the Office of the Washington County Recorder.

PASSED AND ADOPTED by the City Council of the City of St. George, this _____ day of _____, 2015.

CITY OF ST. GEORGE:

_____
Jonathan T. Pike, Mayor

ATTEST:

_____
Christina Fernandez, City Recorder

APPROVED AS TO FORM:

VHHales 12/16/15
Victoria H. Hales, Assistant City Attorney

Exhibit A

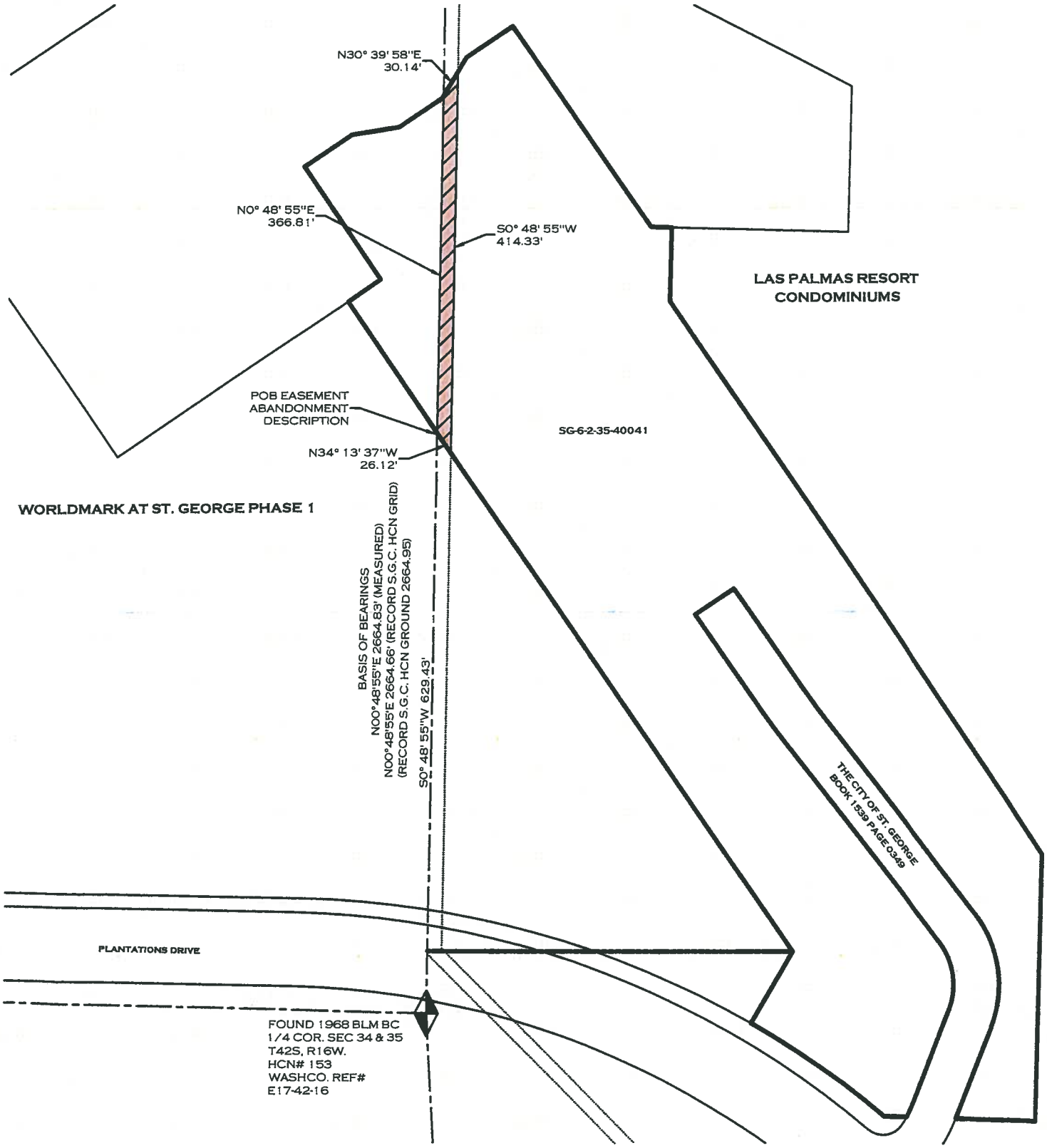
A PORTION OF A 15 FOOT WIDE RIGHT OF WAY EASEMENT FOR A POWER LINE AS DESCRIBED IN BOOK 273 PAGE 163 ON FILE IN THE WASHINGTON COUNTY RECORDERS OFFICE LOCATED IN ST. GEORGE UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

11-05-2015

BEGINNING AT A POINT ON THE WEST LINE OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING N00°48'55"E 629.43 FEET ALONG SAID SECTION LINE AND RUNNING THENCE N0°48'55"E 366.81 FEET ALONG SAID SECTION LINE; THENCE N30°39'58"E 30.14 FEET; THENCE S00°48'55"W 414.33 FEET ON A LINE 15 EAST AND PARALLEL TO SAID SECTION LINE; THENCE N34°13'37"W 26.12 FEET TOTHE POINT OF BEGINNING.

CONTAINS 5,858.56 SF

PROFESSIONAL LAND SURVEYOR
No. 334571
Michael W Purdy
11/05/2015
MICHAEL W. PURDY
STATE OF UTAH

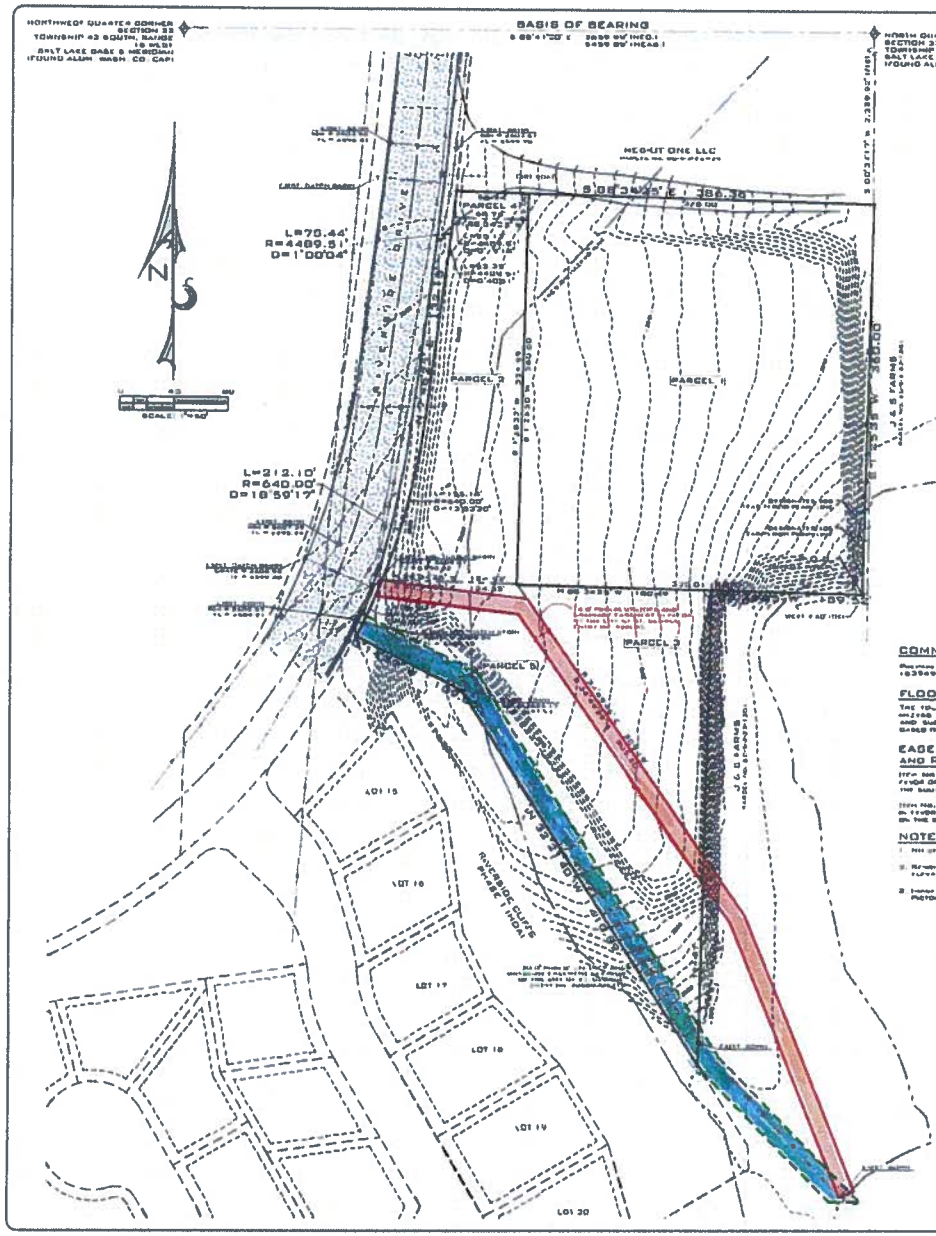

N30° 39' 58"E
30.14'
N0° 48' 55"E
366.81'
S0° 48' 55"W
414.33'
LAS PALMAS RESORT
CONDOMINIUMS
POB EASEMENT
ABANDONMENT
DESCRIPTION
N34° 13' 37"W
26.12'
SG-6-2-35-40041
WORLDMARK AT ST. GEORGE PHASE 1
BASIS OF BEARINGS
N00°48'55"E 2664.83' (MEASURED)
N00°48'55'E 2664.66' (RECORD S.G.C. HCN GRID)
(RECORD S.G.C. HCN GROUND 2664.95)
S0° 48' 55"W 629.43'
THE CITY OF ST. GEORGE
BOOK 1539 PAGE 0349
PLANTATIONS DRIVE
FOUND 1968 BLM BC
1/4 COR. SEC 34 & 35
T42S, R16W.
HCN# 153
WASHCO. REF#
E17-42-16

DRAFT

Agenda Item Number : 3B

Request For Council Action

Date Submitted	2015-12-10 16:25:35
Applicant	Advanced Health Care Corporation
Quick Title	Public Hearing/Ordinance - Easement Vacation
Subject	Consider to vacate an existing Public Utility and Drainage Easement located at approximately 1050 South Riverside Drive.
Discussion	This public utility easement is currently not in use. There is a 30" storm drain line that was placed in the ground southwesterly of this location by about a 100 feet or so away. The request is to vacate the easement that is not in use and dedicate a new easement over the existing 30" storm drain line. Please see the attached drawing for reference.
Cost	$0.00
City Manager Recommendation	Housekeeping item, vacation of an easement that is not in use or needed. A new easement will be granted over the existing storm drain easement.
Action Taken	
Requested by	Todd Jacobsen
File Attachments	Riverside Drive.pdf
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	
Attachments	Riverside Drive.pdf



LEGEND:

- EXISTING SEWER MANHOLE
- EXISTING STORM DRAIN MANHOLE
- EXISTING POWER POLE
- EXISTING WATER VALVE
- GLO CORNER - 5/8" x 30" REBAR & PLASTIC CAP - ROSENBERG ASSOCIATES
- LIGHTNING SET OR FOUND
- FOUND SECTION MONUMENTATION AS NOTED AND DESCRIBED
- EXISTING UNDERGROUND POWER LINE
- EXISTING 8" SEWER LINE
- EXISTING 27" SEWER LINE
- EXISTING 30" STORM DRAIN LINE
- EXISTING 12" STORM DRAIN LINE
- EXISTING 8" WATER LINE
- EXISTING 24" WATER LINE

COMMITMENT FOR TITLE INSURANCE:

Pursuant to Commitment for Title Insurance, Title Company, Inc. Commitment Number 163569, Effective Date: June 28, 2012.

FLOOD ZONE CLASSIFICATION:

THE FOLLOWING PARCELS ARE LOCATED WITHIN ZONE AE, WHICH IS A "SPECIAL FLOOD HAZARD AREA (SFHA) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE OF FLOOD" AND SUCH FLOOD INFORMATION IS SHOWN ON THE LATEST FIRM MAP REVISION 11/04/2011 BASED ON FEMA DFIRM MAP 11053C0293G, DATED AUGUST 19, 2011:

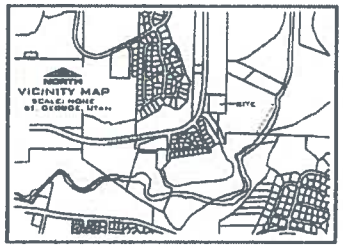
EASEMENTS, SERVITUDES, RIGHTS OF WAY, ACCESS AND RECORD DOCUMENTS: (SCHEDULE B - SECTION 2

ITEM NOS. 1 & 2 PUBLIC UTILITIES AND DRAINAGE EASEMENT, ENTRY NO. 438053 IN FAVOR OF THE CITY OF ST. GEORGE (THE FOLLOWING AFFECTS THE PROJECT PROPERTY ON THE SOUTHWEST END OF THE PROPERTY AS SHOWN)

ITEM NO. 10 - A PUBLIC UTILITIES AND DRAINAGE EASEMENT, ENTRY NO. 20080009318 IN FAVOR OF THE CITY OF ST. GEORGE (THE FOLLOWING AFFECTS THE PROJECT PROPERTY ON THE SOUTHWEST END OF THE PROPERTY AS SHOWN)

NOTES:

1. NO GRAVEYARDS FOUND ON SITE
2. REFERENCE FOR THE PROJECT IS THE NORTH QUARTER CORNER OF SECTION 33 ELEVATION = 3884.3'
3. IMPACT FEE UNIFORM SCHEDULE MARCH 3, 2011 MAY 15 2014, PURSUANT OF PROPOSED INFRASTRUCTURE, CORP. ROCHESTER HILLS 48032.



NARRATIVE:

THIS SURVEY WAS CONDUCTED TO PROVIDE AN ALTA SURVEY FOR THE FOLLOWING 5 PARCELS. PARCEL 1 BEARINGS SHOWN BEARINGS WITH NO EXPLANATION ARE A BASIS OF BEARING. PARCELS 2-5 HAVE A SIMILAR BASIS OF BEARING, THAT BEING THE NORTH WEST PARCEL 1 BEING THE FIRST CREATED FROM THE FIVE DESCRIPTIONS, IT BEING THAT THIS WAS DEEM ASSUMED TO BE ON A CENTER ROTATION, I HAVE REST OF PARCEL 1 TO MATCH THE EXISTING 4 OTHER PARCELS AND CREATED A. THE CORNERS ARE MARKED WITH 5/8" x 30" REBAR WITH PLASTIC CAP STAMPED "ROSENBERG ASSOCIATES" UNLESS OTHERWISE NOTED ON THIS PLAT.

SURVEYOR'S CERTIFICATE:

I HEREBY REPORT TO GRANTED HEALTH CARE CORPORATION, SENTRY, L.C., A UTAH LIMITED LIABILITY COMPANY, H & L LIMITED PARTNERSHIP, A UTAH LIMITED PARTNERSHIP, SOUTHERN UTAH TITLE COMPANY AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, THAT:

THIS IS TO CERTIFY THAT THIS MAP AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2011, AND INCLUDES ITEMS 1, 2, 4, 6, 11(A), 13, 16, AND 17 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON AUGUST 20, 2012.

DATE: 8-29-12

BRANDON L. ROSENBERG — LICENSE NO. 6036718

LEGAL DESCRIPTIONS:

PARCEL 1

BEGINNING AT A POINT 1980.0 FEET SOUTH OF THE NORTH QUARTER CORNER OF SECTION 33, TOWNSHIP 42 SOUTH, RANGE 15 WEST, S.L.B.&M., AND RUNNING, AND BEARING THENCE WEST 330.0 FEET; THENCE SOUTH 360.0 FEET; THENCE EAST 330.0 FEET; THENCE NORTH 360.0 FEET; MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL 2

BEGINNING AT A POINT BEING SOUTH 88°1'22" EAST 2 590.96 FEET ALONG THE SECTION LINE TO THE NORTH QUARTER CORNER OF SECTION 33, AND SOUTH 00°34'17" WEST, 30.00 FEET ALONG THE CENTER SECTION LINE AND SOUTH 89°3'23" WEST 312.00 FEET; FROM THE NORTHWEST CORNER OF SECTION 33, TOWNSHIP 42 SOUTH, RANGE 15 WEST SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 00°34'17" WEST 334.00 FEET; THENCE NORTH 89°3'23" WEST 134.93 FEET TO THE EASTERLY RIGHT OF WAY LINE OF RIVERSIDE DRIVE; THENCE NORTHWEST 159.10 FEET ALONG A NON TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 640.00 FEET AND HAVING A CENTRAL ANGLE OF 14°37'1" ALONG SAID EAST RIGHT OF WAY LINE; THENCE NORTH 07°8'22" EAST 133.13 FEET ALONG SAID EAST RIGHT OF WAY LINE; THENCE NORTHEAST 93.35 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4,489.51 FEET AND A CENTRAL ANGLE OF 00°40'31" ALONG SAID EAST RIGHT OF WAY LINE; THENCE SOUTH 88°54'58" EAST 48.75 FEET TO THE POINT OF BEGINNING

PARCEL 3

BEGINNING AT A POINT SOUTH 00°34'17" WEST 3,984.48 FEET ALONG THE SECTION LINE AND NORTH 90°00'00" WEST 147.90 FEET FROM THE NORTH QUARTER CORNER OF SECTION 33 TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 01°59'33" EAST 446.10 FEET; THENCE NORTH 88°34'33" WEST 180.00 FEET; THENCE SOUTH 34°00'00" EAST 309.19 FEET TO THE POINT OF BEGINNING

PARCEL 4

BEGINNING AT A POINT BEING SOUTH 88°41'33" EAST 2 590.96 FEET ALONG THE SECTION LINE TO THE NORTH QUARTER CORNER OF SECTION 33, AND SOUTH 00°34'17" WEST, 1,980.00 FEET ALONG THE CENTER SECTION LINE, AND NORTH 89°3'23" WEST, 410.32 FEET, FROM THE NORTH WEST CORNER OF SECTION 33 TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 01°59'33" WEST 39.00 FEET; THENCE NORTH 88°34'33" WEST 88.79 FEET TO THE EASTERLY RIGHT OF WAY LINE OF RIVERSIDE DRIVE; THENCE NORTHWEST 29.16 FEET ALONG A NON TANGENT CURVE TO THE LEFT OF WHICH THE RADIUS POINT LIES NORTH 87°43'0" WEST A RADIUS OF 4,489.31 FEET, AND HAVING A CENTRAL ANGLE OF 00°19'10" ALONG SAID EAST RIGHT OF WAY LINE; THENCE NORTH 88°34'33" EAST 88.34 FEET TO THE POINT OF BEGINNING

PARCEL 5

BEGINNING AT A POINT BEING SOUTH 88°41'33" EAST 4 889.94 FEET ALONG THE SECTION LINE TO THE NORTH QUARTER CORNER OF SECTION 33, AND SOUTH 00°34'17" WEST, 3,345.03 FEET ALONG THE CENTER SECTION LINE AND NORTH 89°3'23" WEST 334.40 FEET FROM THE NORTHWEST CORNER OF SECTION 34 TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 34°00'00" EAST 372.01 FEET; THENCE SOUTH 01°0'46" EAST 72.36 FEET; THENCE SOUTH 21°40'1" EAST 210.84 FEET; THENCE NORTH 88°34'33" WEST 90.00 FEET; THENCE NORTH 03°0'33" WEST 50.10 FEET; THENCE NORTH 33°1'40" WEST 409.11 FEET; THENCE NORTH 83°1'43" WEST 109.13 FEET TO THE EASTERLY RIGHT OF WAY LINE OF RIVERSIDE DRIVE, THENCE NORTHWESTERLY, 66.90 FEET ALONG A NON TANGENT CURVE TO THE LEFT OF WHICH THE RADIUS POINT LIES NORTH 83°1'43" WEST A RADIUS OF 640.00 FEET, AND HAVING A CENTRAL ANGLE OF 03°0'38" ALONG SAID EAST LINE; THENCE SOUTH 88°34'33" EAST, 14.53 FEET TO THE POINT OF BEGINNING.

LESS THE FOLLOWING:

BEGINNING AT A POINT SOUTH 88°34'17" WEST, 3,983.48 FEET ALONG THE CENTER SECTION LINE AND NORTH 00°00'00" WEST 147.90 FEET FROM THE NORTH 1/4 CORNER OF SECTION 33 (FOUND ALUM. MONUMENT) TOWNSHIP 42 SOUTH RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 34°00'00" EAST 46.93 FEET; THENCE SOUTH 21°0'46" EAST 72.36 FEET TO THE EAST LINE OF CENTER SECTION LINE OF SAID SECTION 33; THENCE SOUTH 21°40'1" EAST 210.84 FEET TO A POINT ON THE NORTHWESTERLY CORNER SECTION LINE; THENCE NORTH 88°34'33" WEST 90.00 FEET; THENCE NORTH 03°0'33" WEST 50.10 FEET; THENCE NORTH 42°0'40" WEST 88.40 FEET; THENCE NORTH 01°40'20" EAST 104.37 FEET TO THE POINT OF BEGINNING

SURVEY DESCRIPTION:

BEGINNING AT A POINT BEING SOUTH 88°41'33" EAST 5,889.99 FEET ALONG THE SECTION LINE TO THE NORTH QUARTER CORNER OF SECTION 33 AND SOUTH 00°34'17" WEST 3,339.93 FEET ALONG THE CENTER SECTION LINE AND WEST 88.00 FEET FROM THE NORTHEAST CORNER OF SECTION 33, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN

THENCE SOUTH 88°34'33" WEST 139.53 FEET;
THENCE SOUTH 01°59'33" WEST 446.93 FEET TO THE NORTHEASTERLY LINE OF RIVERSIDE CLIFFS PHASE 1;
THENCE NORTHWESTERLY THE FOLLOWING (3) COURSES ALONG SAID NORTHEASTERLY LINE OF RIVERSIDE CLIFFS
THENCE NORTH 38°21'40" WEST 410.89 FEET;
THENCE NORTH 42°1'0" WEST 109.06 FEET TO THE EASTERLY LINE OF RIVERSIDE DRIVE;
THENCE NORTHERLY THE FOLLOWING (3) COURSES ALONG SAID EASTERLY LINE OF RIVERSIDE DRIVE;
THENCE NORTHERLY 93.35 FEET ALONG AN ARC OF A 640.00 FOOT RADIUS CURVE TO THE LEFT HAVING BEARING NORTH 83°1'43" WEST, LONG CHORD BEARS NORTH 17°10'1" EAST 93.13 FEET WITH A CENTRAL ANGLE OF 10°40'31";
THENCE NORTH 07°40'22" EAST 133.13 FEET;
THENCE NORTHEAST 73.44 FEET ALONG AN ARC OF A 4,489.31 FOOT RADIUS CURVE TO THE LEFT HAVING BEARING NORTH 83°37'37" WEST, LONG CHORD BEARS NORTH 07°17'1" EAST 73.44 FEET WITH A CENTRAL ANGLE OF 01°00'04";
THENCE SOUTH 88°34'33" EAST 388.39 FEET;
THENCE SOUTH 01°59'33" WEST 360.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 8 | 0.324 SQUARE FEET OR 4.93 ACRES.

REFERENCE PLATS:

1. THE FINAL PLAT FOR RIVERSIDE CLIFFS PHASE 1, AS FOUND ON RECORD AT THE WASHINGTON COUNTY RECORDER'S OFFICE AS ENTRY NO. 01140000 DATED MARCH 7, 2014.

2. THE SUBD DEDICATION PLAT FOR A PORTION OF RIVERSIDE DRIVE AS FOUND ON RECORD AT THE WASHINGTON COUNTY RECORDER'S OFFICE AS ENTRY NO 938420, DATED MARCH 1, 2003.

LOCATED IN THE N.W. 1/4 OF SECTION 33
T.42S., R.15W., S.L.B.&M.

DATE: 08/29/09
JOB NO: R10-018
DRAWN BY: S.C.A.
CHECKED BY: S.C.A.
SCALE: 1"=50'
ENG. SURVEY: MLTA

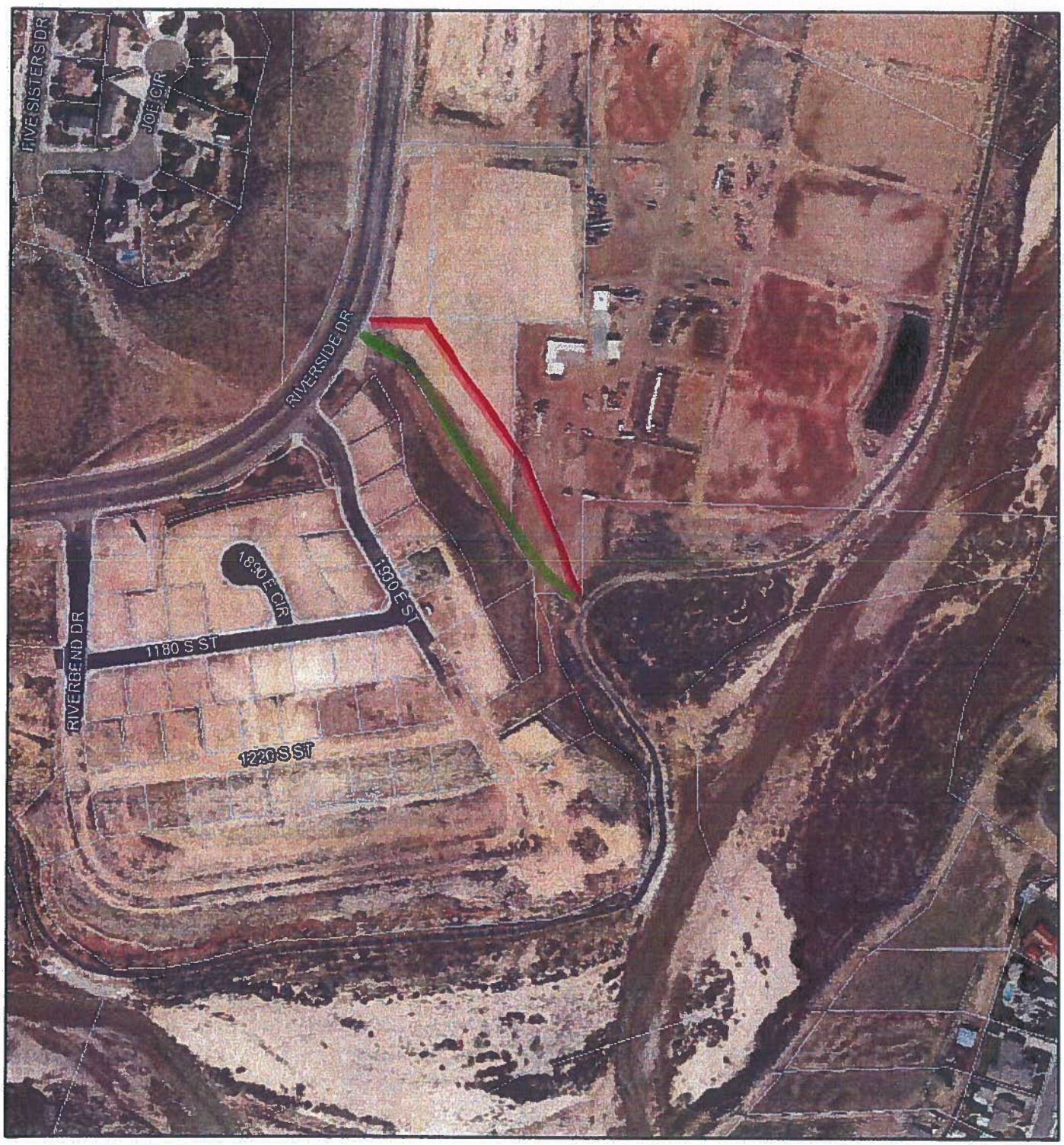
REVISIONS

ROSENBERG ASSOCIATES
CIVIL ENGINEERS · LAND SURVEYORS

ALTA/ACSM SURVEY
FOR
ADVANCED HEALTH CARE CORPORATION

SHEET 1 OF 1 SHEETS

Easement Vacation



December 10, 2015

1:3,500

0 0.0275 0.055 0.11 mi

0 0.0475 0.095 0.19 km

DEDICATE NEW EASEMENT

VACATE EXISTING EASEMENT

* NOTE: THE SERVICE LINE FOR THE UTILITY IS CURRENTY LOCATED IN THE GREEN AREA.

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

When Recorded Return To:
City of St. George
City Recorder's Office
175 East 200 North
St. George, UT 84770

ORDINANCE NO.: _____

EASEMENT VACATION

Tax ID: SG-5-2-33-1403 & SG-5-2-33-1405

WHEREAS, a Petition was received by the City Council of the City of St. George requesting that an existing utility and drainage systems easement, which is more fully described in the attached Exhibit A, which is incorporated herein by reference, which easement belongs to the City of St. George located at approximately 1050 South Riverside Drive, as on file in the Washington County Recorder's Office as Doc. #00926065 and presently not in use, be vacated; and

WHEREAS, the owner of the property traversed by the easement, as well as the City, have consented to this vacation; and

WHEREAS, it appears that it will not be detrimental to the general public interest, and that there is good cause for vacating said easement.

NOW, THEREFORE, BE IT RESOLVED by the St. George City Council:

The easement described in 'Exhibit A' is hereby vacated.

This ordinance shall become effective immediately upon adoption and recordation in executed form in the Office of the Washington County Recorder.

PASSED AND ADOPTED by the City Council of the City of St. George, this _____ day of _____, 2015.

CITY OF ST. GEORGE:

_____
Jonathan T. Pike, Mayor

ATTEST:

_____
Christina Fernandez, City Recorder

APPROVED AS TO FORM:

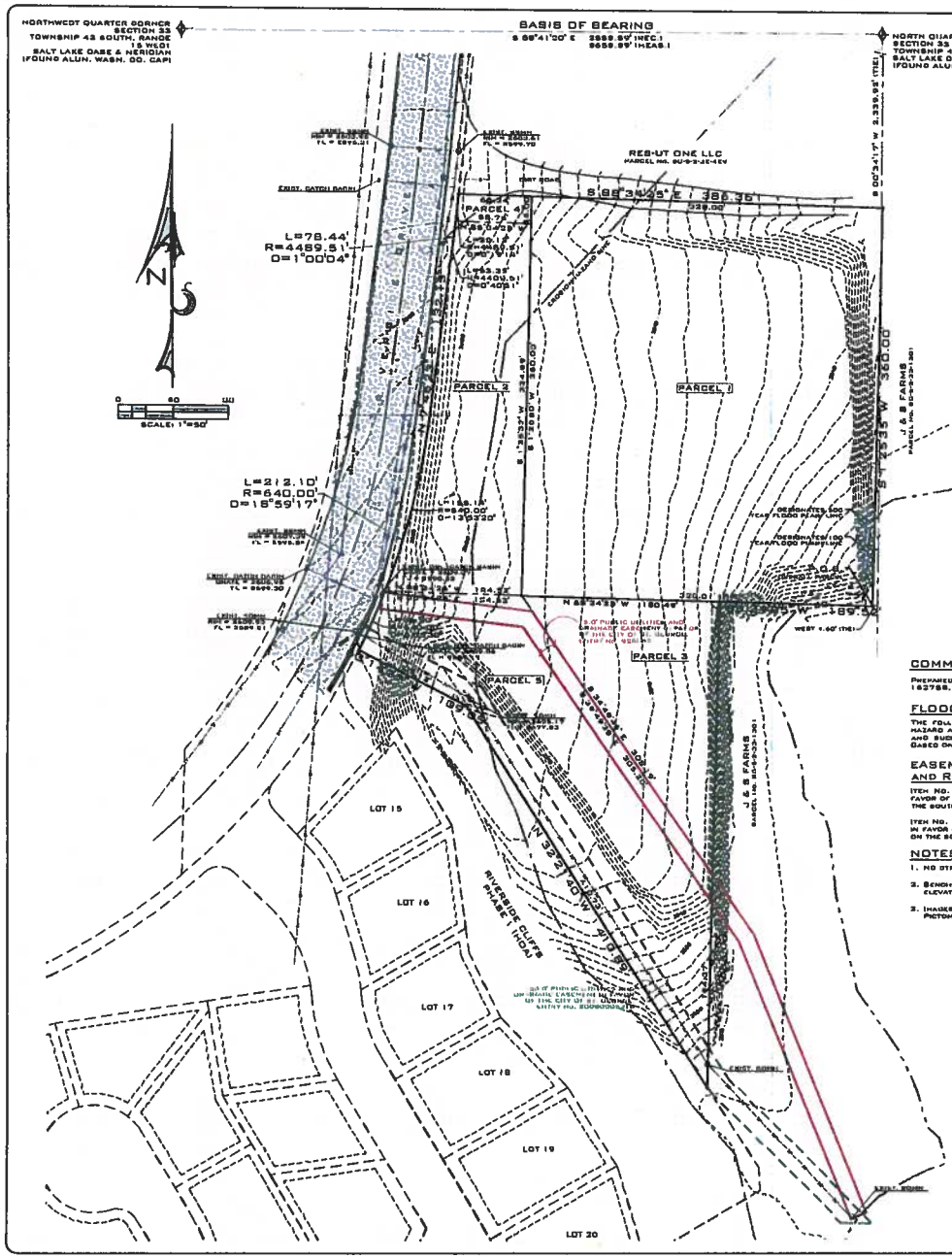
V. H. Hales 12/16/15
Victoria H. Hales, Assistant City Attorney

Exhibit A

Vacate a 15 foot wide easement for utility and drainage systems and
50 foot wide construction easement

A 15 foot wide easement for utility and drainage systems and the construction and maintenance thereof, and a 50 foot wide construction easement for the construction of a utility and drainage systems, the centerline of both easements is described as follows:

> Beginning at a point on the westerly right-of-way of Riverside Drive, said point being South 0°04'51" West, 2,337.12 feet along the center section line, and West 472.42 feet from the North quarter corner of Section 33 Township 42 South Range 15 West, Salt Lake Base & Meridian and running thence South 83°04'43" East, 134.21 feet; thence South 34°48'49" East, 350.14 feet; thence South 21°55'49" East, 275.90 feet to the point of terminus.



LEGEND:

- EXISTING SEWER MANHOLE
- EXISTING STORM DRAIN MANHOLE
- EXISTING POWER POLE
- EXISTING WATER VALVE
- SET CORNER - 5/8" X 30" REBAR & PLASTIC CAP - ROSENBERG ASSOCIATES
- NOTHING SET OR FOUND
- FOUND SECTION MONUMENTATION AS SHOWN AND DESCRIBED
- EXISTING QUENNEAU POWER LINE
- EXISTING 8" SEWER LINE
- EXISTING 27" SEWER LINE
- EXISTING 30" STORM DRAIN LINE
- EXISTING 12" STORM DRAIN LINE
- EXISTING 8" WATER LINE
- EXISTING 24" WATER LINE

COMMITMENT FOR TITLE INSURANCE:

PREPARED PURSUANT TO SOUTHERN UTAH TITLE COMPANY, INC. COMMITMENT NUMBER: 162768, EFFECTIVE DATE: JUNE 28, 2012.

FLOOD ZONE CLASSIFICATION:

THE FOLLOWING PARCELS ARE LOCATED WITHIN ZONE AE, WHICH IS A "SPECIAL FLOOD HAZARD AREA (SFHA) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE OF FLOOD", AND SUCH FLOOD DEPICTION IS SHOWN ON THE LETTER OF MAP REVISION (LOMR-F) BASED ON FEM. CASE NO. 10-08-0066A, DATED AUGUST 19, 2010.

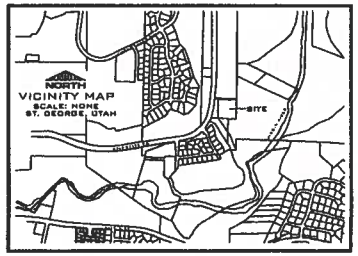
EASEMENTS, SERVITUDES, RIGHTS OF WAY, ACCESS AND RECORD DOCUMENTS: (SCHEDULE B - SECTION 2

ITEM NO. 15: A PUBLIC UTILITIES AND DRAINAGE EASEMENT, ENTRY NO. 920059, IN FAVOR OF THE CITY OF ST. GEORGE. (THE FOLLOWING AFFECTS THE INSURED PROPERTY ON THE SOUTHERLY END OF THE PROPERTY AS SHOWN)

ITEM NO. 15) A PUBLIC UTILITIES AND DRAINAGE EASEMENT, ENTRY NO. 20080009219, IN FAVOR OF THE CITY OF ST. GEORGE. (THE FOLLOWING AFFECTS THE INSURED PROPERTY ON THE SOUTHERLY END OF THE PROPERTY AS SHOWN)

NOTES:

1. NO STRUCTURES EXIST ON SITE.
2. BENCHMARK FOR THIS PROJECT IS THE NORTH QUARTER CORNER OF SECTION 33 ELEVATION = 2694.13'.
3. IMAGERY WAS OBTAINED BETWEEN MARCH 3 TO MAY 15 2014. PHOTOMAPPED BY PICTOMETRY INTERNATIONAL CORP. ROCHESTER NY, 14623.



NARRATIVE:

THIS SURVEY WAS CONDUCTED TO PROVIDE AN ALTA SURVEY FOR THE FOLLOWING 5 PARCELS. PARCEL 1 CONTAINED CARDINAL BEARINGS WITH NO EXPLANATION FOR A BASIS OF BEARING. PARCELS 2-5 HAVE A SIMILAR BASIS OF BEARING, THAT BEING THE NCH, WITH PARCEL 1 BEING THE ONLY ONE CREATED FROM THE FIVE DESCRIPTIONS. IT SEEMS THAT THIS HAS BEEN ASSUMED TO BE ON A CERTAIN ROTATION. I HAVE DEEMED IT PARCEL 1 TO MATCH THE EXISTING 4 OTHER PARCELS AND CREATED A. THE CORNERS ARE MARKED WITH 5/8" X 30" REBAR WITH PLASTIC CAP STAMPED "ROSENBERG ASSOCIATES" UNLESS OTHERWISE NOTED ON THIS PLAT.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY TO ADVANCED HEALTH CARE CORPORATION, SHI-EW, LC, A UTAH LIMITED LIABILITY COMPANY, M & L LIMITED PARTNERSHIP, A UTAH LIMITED PARTNERSHIP, SOUTHERN UTAH TITLE COMPANY AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, THAT:

THIS IS TO CERTIFY THAT THIS MAP AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2011, AND INCLUDES ITEMS 1, 3, 4, 5, 11(A), 13, 18, AND 17 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON AUGUST 20, 2012.

DATE: 8-25-12

BRANDON E. ANDERSON

CERTIFICATE NO. 4932716

LEGAL DESCRIPTIONS:

PARCEL 1:

BEGINNING AT A POINT 1320.0 FEET SOUTH OF THE NORTH QUARTER CORNER OF SECTION 33, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE WEST 320.0 FEET; THENCE SOUTH 360.0 FEET; THENCE EAST 320.0 FEET; THENCE NORTH 360.0 FEET; MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL 2:

BEGINNING AT A POINT BEING SOUTH 88°41'32" EAST 2,689.94 FEET ALONG THE SECTION LINE TO THE NORTH QUARTER CORNER OF SECTION 33, AND SOUTH 00°24'17" WEST, 3008.01 FEET ALONG THE CENTER SECTION LINE AND NORTH 88°34'28" WEST 319.60 FEET, FROM THE NORTHWEST CORNER OF SECTION 33, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 01°58'33" WEST 324.99 FEET; THENCE NORTH 88°34'28" WEST 134.82 FEET TO THE EASTERLY RIGHT OF WAY LINE OF RIVERSIDE DRIVE; THENCE NORTHERLY 168.14 FEET ALONG A NON TANGENT CURVE TO THE LEFT OF WHICH THE RADIUS POINT LIES NORTH 88°32'18" WEST A RADIUS OF 640.00 FEET, AND HAVING A CENTRAL ANGLE OF 13°32'31" ALONG SAID EAST RIGHT OF WAY LINE; THENCE NORTH 07°48'33" EAST 139.13 FEET ALONG SAID EAST RIGHT OF WAY LINE; THENCE NORTHERLY 83.39 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4,489.51 FEET AND A CENTRAL ANGLE OF 00°40'51" ALONG SAID EAST RIGHT OF WAY LINE; THENCE SOUTH 88°34'28" EAST 88.78 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

BEGINNING AT A POINT SOUTH 00°24'17" WEST 5586.48 FEET ALONG THE CENTER SECTION LINE AND NORTH 90°00'00" WEST 147.78 FEET FROM THE NORTH QUARTER CORNER OF SECTION 33 (WASH CO. BRASS CAP), TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 01°58'33" EAST 646.10 FEET; THENCE NORTH 08°34'28" WEST 100.49 FEET; THENCE SOUTH 34°49'55" EAST 305.18 FEET TO THE POINT OF BEGINNING.

PARCEL 4:

BEGINNING AT A POINT BEING SOUTH 88°41'32" EAST 2,689.94 FEET ALONG THE SECTION LINE TO THE NORTH QUARTER CORNER OF SECTION 33, AND SOUTH 00°24'17" WEST 1980.00 FEET ALONG THE CENTER SECTION LINE, AND NORTH 88°34'28" WEST, 318.23 FEET FROM THE NORTH WEST CORNER OF SECTION 33, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING; THENCE SOUTH 01°25'32" WEST 23.00 FEET; THENCE NORTH 88°34'28" WEST 65.78 FEET TO THE EASTERLY RIGHT OF WAY LINE OF RIVERSIDE DRIVE; THENCE NORTHERLY 25.18 FEET ALONG A NON TANGENT CURVE TO THE LEFT OF WHICH THE RADIUS POINT LIES NORTH 83°44'47" WEST A RADIUS 4,489.51 FEET; AND HAVING A CENTRAL ANGLE OF 00°19'14" ALONG SAID EAST RIGHT OF WAY LINE; THENCE SOUTH 88°34'28" EAST 66.34 FEET TO THE POINT OF BEGINNING.

PARCEL 5:

BEGINNING AT A POINT BEING SOUTH 00°41'32" EAST 2,689.94 FEET ALONG THE SECTION LINE TO THE NORTH QUARTER CORNER OF SECTION 33, AND SOUTH 00°24'17" WEST, 3,340.03 FEET ALONG THE CENTER SECTION LINE AND NORTH 88°34'28" WEST 324.60 FEET FROM THE NORTHWEST CORNER OF SECTION 33, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING; THENCE SOUTH 34°49'55" EAST 372.01 FEET; THENCE SOUTH 21°57'45" EAST 72.86 FEET; THENCE SOUTH 31°44'17" EAST 314.84 FEET; THENCE NORTH 88°34'07" WEST 88.80 FEET; THENCE NORTH 03°54'38" WEST 50.10 FEET; THENCE NORTH 32°31'40" WEST 899.11 FEET; THENCE NORTH 82°14'37" WEST 109.13 FEET TO THE EASTERLY RIGHT OF WAY LINE OF RIVERSIDE DRIVE; THENCE NORTHERLY, 56.00 FEET ALONG A NON TANGENT CURVE TO THE LEFT OF WHICH THE RADIUS POINT LIES NORTH 82°14'38" WEST A RADIUS OF 560.00 FEET, AND HAVING A CENTRAL ANGLE OF 05°58'28" ALONG SAID EAST LINE; THENCE SOUTH 88°34'28" EAST, 124.83 FEET TO THE POINT OF BEGINNING.

LESS THE FOLLOWING:

BEGINNING AT A POINT SOUTH 00°24'17" WEST, 5582.48 FEET ALONG THE CENTER SECTION LINE AND NORTH 90°00'00" WEST, 147.70 FEET FROM THE NORTH 1/4 CORNER OF SECTION 33 (WASH CO. BRASS CAP), TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE SOUTH 34°49'55" EAST 88.83 FEET; THENCE SOUTH 21°57'45" EAST 72.26 FEET TO THE EAST WEST CENTER SECTION LINE OF SAID SECTION 33; THENCE SOUTH 31°44'17" EAST 314.84 FEET TO A POINT ON THE NORTH-SOUTH CENTER SECTION LINE; THENCE NORTH 88°34'07" WEST 88.90 FEET; THENCE NORTH 03°54'38" WEST 50.10 FEET; THENCE NORTH 32°31'40" WEST 88.60 FEET; THENCE NORTH 01°25'32" EAST 184.37 FEET TO THE POINT OF BEGINNING.

SURVEY DESCRIPTION:

BEGINNING AT A POINT BEING SOUTH 00°41'32" EAST 2,689.94 FEET ALONG THE SECTION LINE TO THE NORTH QUARTER CORNER OF SECTION 33 AND SOUTH 00°24'17" WEST 3,338.93 FEET ALONG THE CENTER SECTION LINE AND WEST 4.50 FEET FROM THE NORTHWEST CORNER OF SECTION 33, TOWNSHIP 42 SOUTH, RANGE 15 SOUTH, SALT LAKE BASE & MERIDIAN, AND RUNNING

THENCE NORTH 88°34'28" WEST 139.93 FEET;
THENCE SOUTH 01°25'32" WEST 440.63 FEET TO THE NORTHEASTERLY LINE OF RIVERSIDE CLIFFS PHASE 1;
THENCE NORTHWESTERLY THE FOLLOWING 121 COURSES ALONG SAID NORTHEASTERLY LINE OF RIVERSIDE CLIFFS
THENCE NORTH 38°21'48" WEST 410.88 FEET;
THENCE NORTH 63°14'37" WEST 109.05 FEET TO THE EASTERLY LINE OF RIVERSIDE DRIVE;
THENCE NORTHERLY THE FOLLOWING 191 COURSES ALONG SAID EASTERLY LINE OF RIVERSIDE DRIVE:
THENCE NORTHERLY 313.10 FEET ALONG AN ARC OF A 640.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 53°14'38" WEST, LONG CHORD BEARS NORTH 17°16'01" EAST 311.13 FEET WITH A CENTRAL ANGLE OF 18°59'17");
THENCE NORTH 07°48'33" EAST 132.15 FEET;
THENCE NORTHERLY 70.44 FEET ALONG AN ARC OF A 4,400.91 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 82°12'37" WEST, LONG CHORD BEARS NORTH 07°52'11" EAST 70.44 FEET WITH A CENTRAL ANGLE OF 0°55'04");
THENCE SOUTH 88°34'28" EAST 353.36 FEET;
THENCE SOUTH 01°25'32" WEST 350.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 210,534 SQUARE FEET OR 6.55 ACRES.

REFERENCE PLATS:

1. THE FINAL PLAT FOR RIVERSIDE CLIFFS PHASE 1, AS FOUND ON RECORD AT THE WASHINGTON COUNTY RECORDER'S OFFICE AS ENTRY NO. 20140000903, DATED MARCH 7, 2014.
2. THE ROAD DEDICATION PLAT FOR A PORTION OF RIVERSIDE DRIVE AS FOUND ON RECORD AT THE WASHINGTON COUNTY RECORDER'S OFFICE AS ENTRY NO 928425, DATED MARCH 1, 2005.

LOCATED IN THE N.W. 1/4 OF SECTION 33
T.42S., R.15W., S.L.B.&M.

DATE:	08/25/09
JOB NO.:	9105-18
DRAWN BY:	S.E.A.
CHECKED BY:	S.E.A.
SCALE:	1"=50'
DWG.	SURVEY-ALTA

REVISIONS	DATE

ROSENBERG ASSOCIATES
CIVIL ENGINEERS · LAND SURVEYORS
522 East Riverside Drive, Suite A-2 St. George, Utah 84790
PH (435) 673-8586
FX (435) 673-8587
www.rasurv.com

ALTA/ACSM SURVEY FOR ADVANCED HEALTH CARE CORPORATION

SHEET 1 OF 1 SHEETS

DRAFT

Agenda Item Number : 3C

Request For Council Action

Date Submitted	2015-12-07 10:14:22
Applicant	Ivory Homes
Quick Title	Public Hearing, Zone Change, and Ord to Amend the PD-R
Subject	Consider a zone change amendment to the Hidden Valley PD (Planned Development) area by relocating the proposed church site 3.2 to the intersection of Road A (Hidden Valley Drive) and Road E (Athens Drive) and to move the school site 3.1 to the churchâ€™s previous location. The church site is currently 5.2 acres and with this amendment will be reduced to 4.7 acres. The school site is currently 13.3 acres and with this amendment will be reduced to 8 acres. The reduction in size of both the church and school creates a reminder of 5.8 acres which would become a part of residential site 3.4 at the density of 8 du/ac. Residential area 4.1 will be reduces in density from 12 du/ac to 8 du/ac. The development is generally located south of Hidden Valley Road and west of Brigham Road.
Discussion	Several amendments to the PD and site development plan is being proposed. The applicant is modifying the location of the church and school, as well as, reducing the size of the school site. The remaining acreage will be residential. No increase in overall density or units is being proposed. Planning Commission recommends approval.
Cost	$0.00
City Manager Recommendation	Planning Commission recommends approval. No density increase basically a refine of the areas for school and church.
Action Taken	
Requested by	John Willis
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

Zone Change Amendment

PLANNING COMMISSION AGENDA REPORT: **11/24/2015**
CITY COUNCIL SET DATE: **12/03/2015**
CITY COUNCIL MEETING: **12/17/2015**

Hidden Valley Master Plan
Case No. 2015-ZCA-031

Request: This is a request to consider a zone change amendment to the **Hidden Valley PD** (Planned Development) area by relocating the proposed church site 3.2 to the intersection of Road A (Hidden Valley Drive) and Road E (Athens Drive) and to move the school site 3.1 to the church's previous location. The church site is currently 5.2 acres and with this amendment will be reduced to 4.7 acres. The school site is currently 13.3 acres and with this amendment will be reduced to 8 acres. The reduction in size of both the church and school creates a reminder of 5.8 acres which would become a part of residential site 3.4 at the density of 8 du/ac. Residential area 4.1 will be reduces in density from 12 du/ac to 8 du/ac. The overall unit count and density will remain the same.

Current Zone: PD-R (Planned Development – Residential)

General Plan: MDR (Medium Density residential)

Development: Hidden Valley - Ivory Homes

Owner: SITLA (School and Institutional Trust Lands Administration)

Applicant: Ivory Homes, Mr. Darin Haskell

Location: The development is generally located south of Hidden Valley Road and west of Brigham Road.

Staff Comments: Staff recommends approval.

Options: The Planning Commission has several options:

1. Recommend denial of the zone change amendment
2. Recommend approval the zone change amendment as presented.
3. Recommend approval subject to proposed conditions.
4. Table the zone change amendment to allow for additional information to be provided as determined by the applicant.

EXAMPLE Motion to Approve:

The Planning Commission recommends approval of the zone change amendment as presented to relocate the proposed church site 3.2 to the intersection of Road A (Hidden Valley Drive) and Road E (Athens Drive) and to move the school site 3.1 to the church's previous location. The church site is currently 5.2 acres and with this amendment will be reduced to 4.7 acres. The school site is currently 13.3 acres and with this amendment will be reduced to 8 acres. The reduction in size of both the church and school creates a reminder of 5.8 acres which would become a part of residential site 3.4 at the density of 8 du/ac. Residential area 4.1 will be reduces in density from 12 du/ac to 8 du/ac. The overall unit count and density will remain the same.

Narrative

Changes Proposed this Amendment
For Planned Development Zone Change
Hidden Valley

11/05/2015

Owners: Ivory Homes
3143 South 840 East
St. George, UT 84790

Contact Persons:

Darin Haskell, Ivory Homes 801-520-9163, darinh@ivorydevelopment.com
Brandee Walker, Bush & Gudgell, Inc. 435-673-2337, bwalker@bushandgudgell.com

Propose of Amendment:

To relocate the proposed Church Site 3.2 to the intersection of Road A (Hidden Valley Drive) and Road E (Athens Drive) and move the School Site 3.1 to the Church's previous location. The Church Site is currently 5.2 acres and with this amendment will be reduced to 4.7 acres. The School Site is currently 13.3 acres and with this amendment will be reduced to 8.0 acres. The reduction in size of both the Church and School has created a remainder of 5.8 acres that will become a part of Residential Site 3.4 at the density of 8.0 dwelling units per acre. To keep the overall project unit total and density the same; Residential Area 4.1 has been reduced in density from 12.0 dwelling units per acre to 8.0 dwelling units per acre. The overall unit count and density have remained the same as shown in the amended Exhibit 3.2. Exhibit 3.5 shows the amended Parks, Community Facilities and Open Spaces.

No other changes are proposed or implied with this application.

The following Exhibits have been included with this application:

- Exhibit 3.1 – Land Use Plan
- Exhibit 3.2 – Land Use Data
- Exhibit 3.3 – Land Use Summary
- Exhibit 3.5 – Parks, Community Facilities, Open Space and Trails Plan

Exhibit 3.2 (Amended)
Hidden Valley Land Use Data
11/5/2015

P.A.	Acres	10,000 SF 2.5 DU/Ac	8,000 SF 3.2 DU/Ac	6,000 Sf 4.0 DU/Ac	PUD Patio 8.0 DU/Ac	PUD Townhomes 12.0 DU/Ac	PUD Apartments 18.0 DU/Ac	Total Units
1.1 Residential	9.8					118		118
1.2 Commercial	10.2							
1.3 Residential	12.3				98			98
1.4 Church	4.7							
1.5 Middle School	18.5							
1.6 High School	37.5							
1.7 Residential	5.8				19			19
1.8 Residential	29.4			118				118
1.9 Residential	20.7		66					66
Circulation & Open Space	67.0							
Subtotal	**215.9**	**0**	**66**	**118**	**117**	**118**	**0**	**419**
2.1 Residential	13.0					112		112
2.2 Park	12.5							
2.3 Residential	21.5			87				87
2.4 Residential	23.7			92				92
2.5 (now 3.1)	na							
2.6 (now 3.4)	na							
2.7 (now 4.1)	na							
Circulation & Open Space	97.6							
Subtotal	**168.3**	**0**	**0**	**179**	**0**	**112**	**0**	**291**
3.1 Elm. School	8							
3.2 Church	4.7							
3.3 (now 3.5 & 3.6)	na							
3.4 Residential	22.4				179			179
3.5 Residential	3.0				24			24
3.6 Swm	3.5							
3.7 Residential	13.1				105			105
3.8 Residential	10.7					128		128
3.9 Residential	18.0						324	324
Circulation & Open Space	65.3							
Subtotal	**148.7**	**0**	**0**	**0**	**308**	**128**	**324**	**760**
4.1 Residential	18.4				82			82
4.2 Residential	26.7	67						67
4.3 RV Storage	1.2							
5.2 Residential	32.0	80						80
6.1 Club Ivory	0.5							
6.2 Club Ivory	0.5							
6.3 Club Ivory	0.5							
Circulation & Open Space	40.0							
Subtotal	**125.8**	**147**	**0**	**0**	**82**		**0**	**229**
Total	**658.7**	**147**	**66**	**297**	**507**	**358**	**324**	**1699**
Total Percent		**8.7**	**3.9**	**17.5**	**29.8**	**20.1**	**19.1**	**100**

Note: Net acres excludes Brigham Road, Road A (Hidden Valley Road), Enterance Roads and major open space areas. Net acres includes internal open space corridors, local roadways and easements.

Exhibit 3.3 (Amended)
Hidden Valley Land Use Summary
11/5/2015

Land Use Summary

Land Use	Size (acres)	Percent
Residential	280.5	42.6
Open Space	267.3	40.7
Schools	64.0	9.7
Commercial	10.2	1.5
Major Collector and Entrance Roadways	14.8	2.2
Church	9.4	1.4
Parks	12.5	1.9
Total	**658.7 acres**	**100%**

Residential Density Summary

Neighborhood	Size (acres)	Total Units (DU)	Average Density (DU/Ac.)
One	215.9	419	1.94
Two	168.3	291	1.73
Three	148.7	760	5.11
Additional Acerage & Amendements	125.8	229	1.82
Total	**658.7**	**1,699**	**2.58**

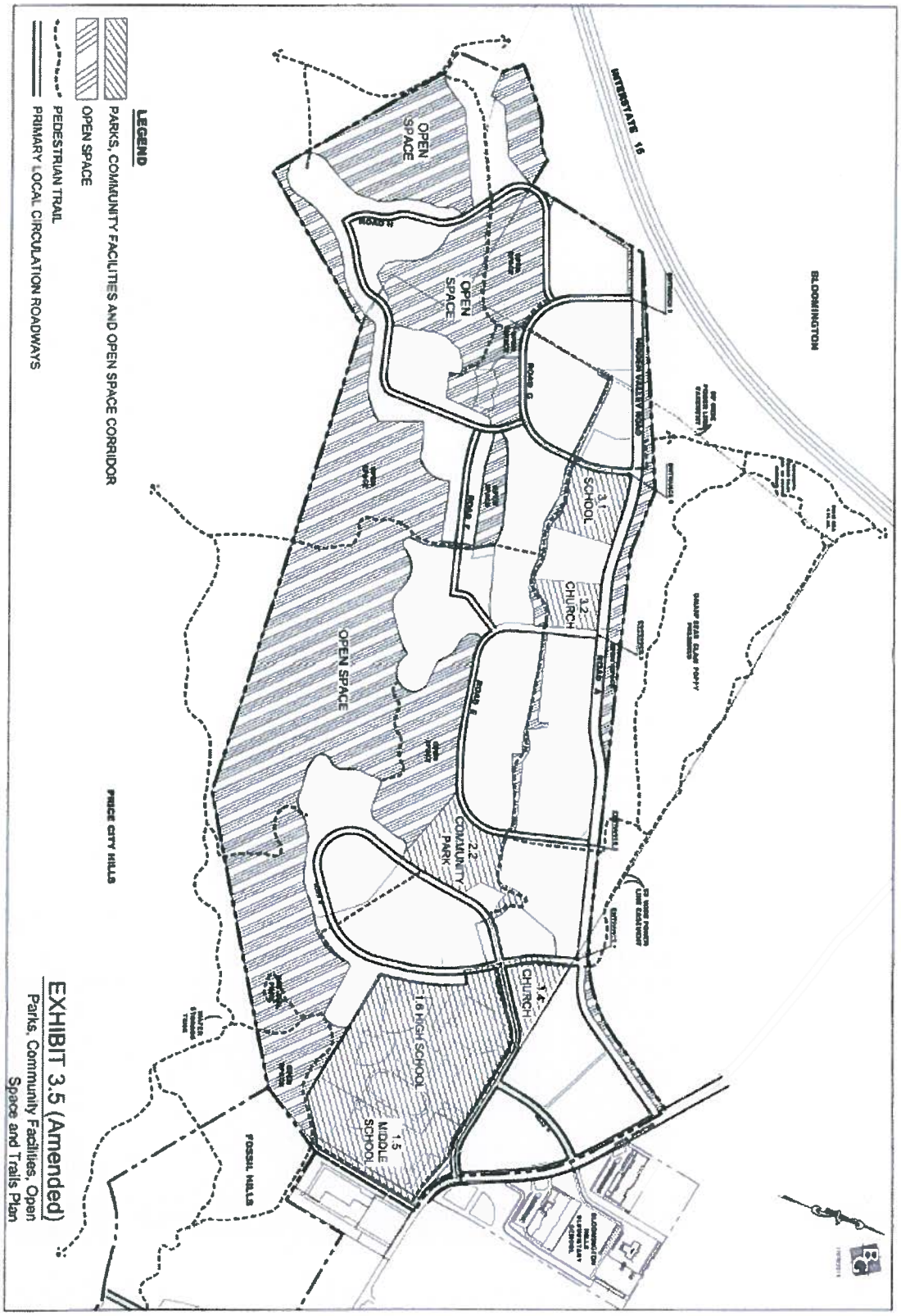
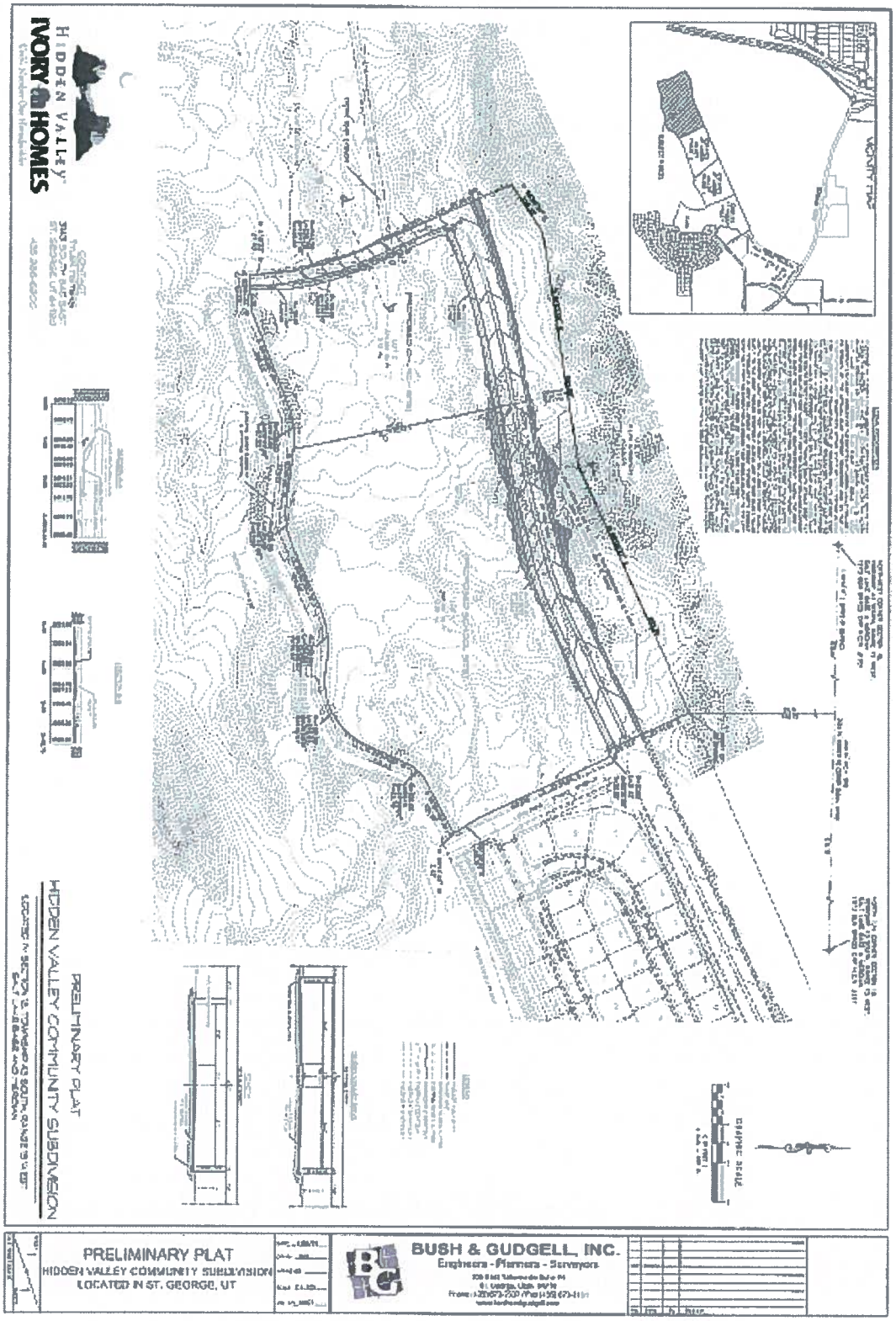


EXHIBIT 3.5 (Amended)
Parks, Community Facilities, Open Space and Trails Plan


HIDDEN VALLEY
IVORY HOMES
PRELIMINARY PLAT
HIDDEN VALLEY COMMUNITY SUBDIVISION
PRELIMINARY PLAT
HIDDEN VALLEY COMMUNITY SUBDIVISION
LOCATED IN ST. GEORGE, UT
BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors

Aerial Map

BRIGHAM RD
Bloomington Hills Elementary
ELM ST
SMOKETREE
Desert Hills Middle
Desert Hills High
HIDDEN VALLEY DR
Hidden Valley Park
MUNICH DR
PARIS DR
CALGARY DR
ROME DR
NAGANO DR
BARCELONA DR
3470 S ST
3510 S ST
3540 S CIR
DUCKI WAY
PIONEER RD
15

Festival Sounds
E Munich Dr
Calgary Dr S
Athens Dr

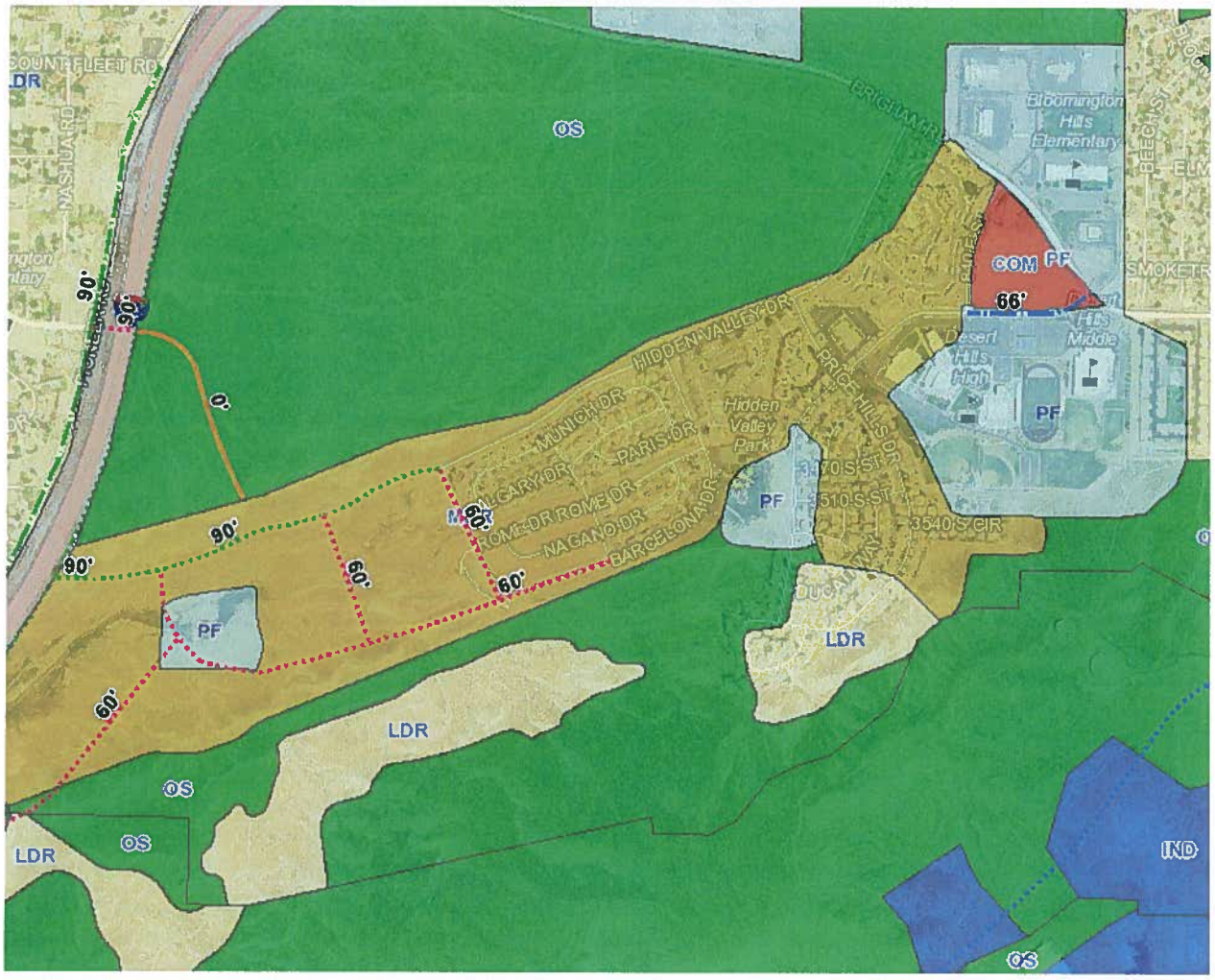
Photos of Vicinity

Athens Dr

Zoning Map

COUNT FLEET RD
OS
BRIGHAM RD
Bloomington Hills Elementary
RE-37.5
NASHUA RD
Bloomington Elementary
15
FRONTERA RD
840 E ST
Desert Hills Middle
Desert Hills High
HIDDEN VALLEY DR
PRICE HILLS DR
Hidden Valley Park
MUNICH DR
PARIS DR
CALGARY DR
ROME DR
NAGANO DR
BARCELONA DR
3470 S ST
3510 S ST
3540 S CIR
DUCATI WAY
OS

General Plan



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: S.I.T.L.A.

MAILING ADDRESS: 2303 North Coral Canyon Blvd Suite 100-A, Washington, UT 84780

PHONE: 435-652-2950 CELL: _____ FAX: _____

APPLICANT: Ivory Homes
(If different than owner)
MAILING ADDRESS: 3143 South 840 East, St. George, UT 84790

PHONE: 801-520-9163 CELL: _____ FAX: _____

EMAIL ADDRESS(ES): darinh@ivorydevelopment.com

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

PHONE: _____ CELL: _____ FAX: _____

EMAIL ADDRESS(ES): _____

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. _____

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

OFFICE STAFF USE ONLY

CASE #: 2015-ZCA-031 FILING DATE: 11/9/15 RECEIVED BY: _____ RECIEPT #: _____

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

II. ADDITIONAL INFORMATION

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

1. What is the present zoning on the property? PD
2. What zone or zones are requested by this application? PD amendment
3. Is the zone change in harmony with the present City General Plan? Yes x 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: 18.5 acres
6. Are there deed restrictions against the property that might affect the requested zone change?
   Yes _____ No x
   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 x 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 x No _____
   Please describe the projected demand for utility services:_____

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 Hidden Valley
*(Project name **must be** previously approved by the Washington County Recorder & City Planning Department)*
Developer/Property Owner Ivory Homes Phone No. 801-520-9163
Contact Person/Representative Darin Haskell Phone No. 801-520-9163
Licensed Surveyor Bob Hermandson Phone No. 435-673-2337

PD ZONE CHANGE PROCEDURE

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

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

Step #2 Document Submission Checklist*

Legal Description Documents:

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

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

Other Submission Documents:

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

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

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

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

Step #3 Planning Commission and City Council Hearings

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

Hearing Dates:

Planning Commission_____
City Council Set Date_____
City Council Hearing Date_____
Council Action_____

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

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IV. COMMENTS

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

   _____

   _____

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

   _____

   _____

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

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

. APPLICANT AGREEMENT

We the undersigned applicant(s) Jair Almaraz

is)(are) the owner(s) Ivory Homes

r (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 icensed surveyor, and/or property ownership plat must accompany application and must be attached ereto **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	Ivory Homes Address
Signature	Address
Signature	Address
Signature	Address
Signature	Address

Attach additional sheets if necessary for additional owners.

#3c

Ray Snyder

From: Brent Gardner [brentgardner@alphaengineering.com]
Sent: Thursday, December 17, 2015 9:41 AM
To: Ray Snyder
Cc: Craig Hammer (craig.hammer@washk12.org); Mel Ashcraft (mel.ashcraft@washk12.org); Glen E. Carnahan; Jair Almaraz (jaira@ivoryhomes.com)
Subject: FW: Updated Land Plan Exhibit - Exhibit of 66' Hidden Valley Drive.
Attachments: 032-133-2015-02 EXH.PDF; Hidden Valley Dr 121415.pdf; Hidden Valley Dr 120715.pdf; 1543 _001.pdf

Ray:

We received the information below from Ivory homes in relation to their proposed request to relocate the school site but do not have a formal agreement in place with Ivory Homes for this modification. The District is hesitant to provide a letter of support until a formal agreement is in place. The District concerns are as follows:

1) We just received the proposed boundary of the school site that has been identified and is attached. We need to configure the school site on the described property to assure that it will be adequate. The East boundary may need to be able to fluctuate. This may be a contingent item for city approval.
2) Hidden Valley Drive ROW width needs to be reduced to 66 feet in front of the school. The centerline profile of Hidden Valley Road also needs to be lowered approximately 15 feet from the natural ground level fronting the school property. The proposed site currently has too much elevation differential to accommodate a school site.
3) The cost of relocation of existing utilities on the proposed school site need to be provided by others as there were none on the previous site.

When the District has a formal agreement in place they would be willing to write a letter of support.

Let us know if you need any additional information for your meeting.

Thanks

Brent E. Gardner, PE
brentgardner@alphaengineering.com
ALPHA ENGINEERING
43 South 100 East, Suite 100 • St George, Utah 84770
T: 435.628.6500 • F: 435.628.6553 • alphaengineering.com

From: Jair Almaraz [mailto:jaira@ivoryhomes.com]
Sent: Monday, December 14, 2015 12:49 PM
To: Brent Gardner <brentgardner@alphaengineering.com>
Cc: Craig Hammer (craig.hammer@washk12.org) <craig.hammer@washk12.org>; Mel Ashcraft (mel.ashcraft@washk12.org) <mel.ashcraft@washk12.org>; Glen E. Carnahan <glencarnahan@alphaengineering.com>
Subject: RE: Updated Land Plan Exhibit - Exhibit of 66' Hidden Valley Drive.

Brent,

Thank you for your reply. Let me respond to the questions you asked in your email.

1. Acreage. Attached is PDF file "032-133-2015-02 EXH.PDF prepared by Glen and sent to us by Mel on June 11, 2015 when we last visited about the proposed site change with the LDS Church. We provided this to Bush and Gudgell (B/G) for their use in preparing the PDZ Amendment. While it appears B/G correctly sized parcel 3.1 on the Land Use Exhibit at 8 acres, they did not correctly adjust the eastern boundary line on the "Hidden Valley Dr 120715.pdf" sketch. We asked them to make this correction and attached is "Hidden Valley Dr 121415" sketch that shows this correction. The only item on city council agenda is the PDZ Amendment with Exhibit 3.1 that correctly shows the proposed school parcel at 8 acres. Subdivision plats and construction drawings will be in future applications to the city once the Amendment is approved.

2. Hidden Valley Drive ROW width. Attached is "1543_001.pdf" which is a scan of the roadway section of the PDZ passed in 1999. Hidden Valley Drive is identified at Road "A" in the PDZ and the exhibit indicates is should be a 66' wide road. We are going to remind the city of the 66' requirement and not support a widening to 92' that was required on prior plats. This discussion is not part of the PDZ Amendment application because the PDZ already requires a 66' road. I think Ivory and WCSD are aligned on the objective of 66' ROW on Hidden Valley Drive. Since the existing ROW in Hidden Valley is 92' the reduction to 66' will occur with a taper across parcel 3.2 (proposed church site), the new proposed location for the school could have the 66' ROW frontage, but the current location of the school will never have that possibility.

3. Relocation of water and sewer line. Relocation is a cost to Ivory as developer and may be shared by SITLA as land owner. This is not an obligation for WCSD, although other costs for improving Hidden Valley Drive will require participation by WCSD as always anticipated. We are supportive of getting a contract in place between Ivory and WCSD to address these type of issues.

Let me know if you have other questions or concerns. If you are not going to provide a letter of support, please advise as quickly as possible so we can notify the LDS Church to cancel their contract so they can begin looking for another chapel site.

Jair

From: Brent Gardner [mailto:brentgardner@alphaengineering.com]
Sent: Wednesday, December 09, 2015 11:06 PM
To: Jair Almaraz
Cc: Craig Hammer (craig.hammer@washk12.org); Mel Ashcraft (mel.ashcraft@washk12.org); Glen E. Carnahan
Subject: FW: Updated Land Plan Exhibit - Exhibit of 66' Hidden Valley Drive.

Jair:

Craig asked me to respond to your email below. At this point we do not have enough information to provide a letter of support. We have the following concerns:

1) As we have indicated before the school district needs at least 8 acres of property to build the elementary school. There may be a possibility of reducing this acreage in the future if it is determined that the two story elementary currently under construction performs adequately. The updated land plan exhibit shows 8 acres but the Hidden Valley Dr 120715 drawing appears to show less than 5 acres and appears to have the east boundary in a different location than the land plan exhibit.
2) It is our understanding that approval is being sought to narrow the roadway from a 92 foot to a 66 foot right-of-way. This would be necessary for the elementary school to be constructed at the proposed location. In addition we have requested that the roadway be lowered approximately 15 feet at the northeast property corner per the attached drawings (032-133-2015-02 EXH) that were sent previously.

3) There is a water line and a sewer line that are crossing the proposed school property as shown on the attached drawing (032-133-2015-02 EXH) which need to be relocated. It is anticipated that Ivory would be responsible to relocate these lines as they were not located on the property previously being considered.

It may be appropriate to work out these details in the form of an agreement between the parties at which point a letter of support could be written.

Brent E. Gardner, PE
brentgardner@alphaengineering.com
ALPHA ENGINEERING
43 South 100 East, Suite 100 • St George, Utah 84770
T: 435.628.6500 • F: 435.628.6553 • alphaengineering.com

From: Craig Hammer [mailto:craig.hammer@washk12.org]
Sent: Monday, December 07, 2015 3:49 PM
To: Brent Gardner <brentgardner@alphaengineering.com>; Glen E. Carnahan <glencarnahan@alphaengineering.com>; Mel Ashcraft (MAINT) <mel.ashcraft@washk12.org>
Subject: Fwd: Updated Land Plan Exhibit - Exhibit of 66' Hidden Valley Drive.

IS this ok or do we need more????

Craig
---------- Forwarded message ----------
From: **Jair Almaraz** <jaira@ivoryhomes.com>
Date: Mon, Dec 7, 2015 at 3:07 PM
Subject: Updated Land Plan Exhibit - Exhibit of 66' Hidden Valley Drive.
To: "craig.hammer@washk12.org" <craig.hammer@washk12.org>
Cc: Darin Haskell <darinh@ivorydevelopment.com>

Craig,

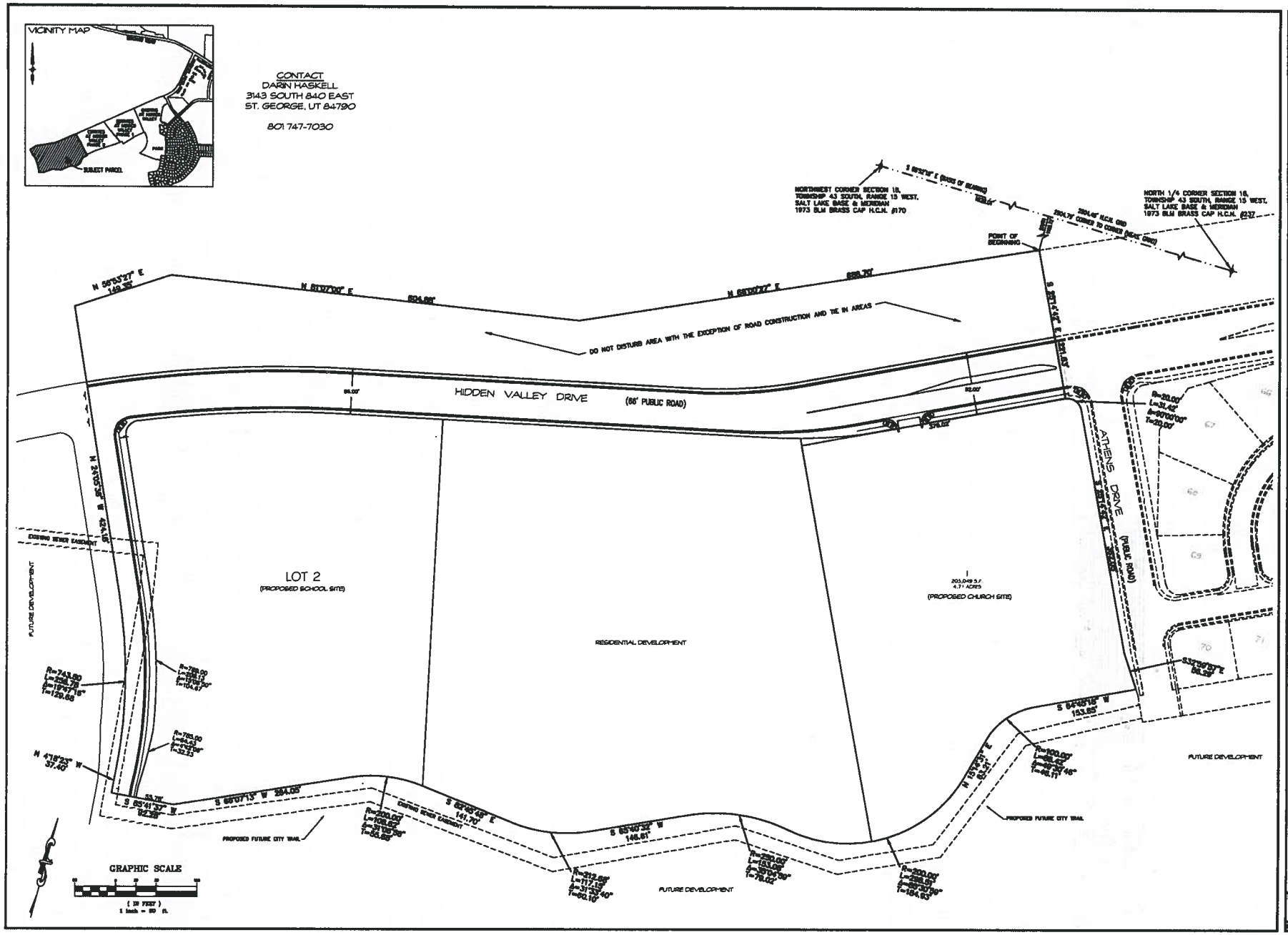
I have attached two documents for your perusal. The first is the updated land plan exhibit that demonstrates what we are going to the city of Saint George to update. The second is the exhibit of what we anticipate the road reduction of 66'. Please review and let me know if you have any questions. Please note, our developer agreement with the city of Saint George indicates that Hidden Valley Drive is 66'. I would appreciate a letter from you in support of this since we are seeking to appease both the school district and the church with this updated land swap.

Thanks Craig,

Jair Almaraz

Area Sales Manager

--
N. Craig Hammer
Executive Director of Secondary Ed/Physical Facilities/Activities/Transportation
Washington County School District
(435) 673-3553 ext. 5166
craig.hammer@washk12.org



BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St. George, Utah 84770
Phone (435) 673-3237 / Fax (435) 673-3161
www.bushandgudgell.com

CHURCH & SCHOOL

HIDDEN VALLEY
LOCATED IN ST. GEORGE, UT

SHEET 1 OF 1

P:\032-133-2015-02\Drawings\Exhibit Drawings\032-133-2015-02 EXH.dwg, SEC PLAN, 6/10/2015 12:57:53 PM, jmadsen, AutoCAD PDF (General Documentation).pc3

in Neighborhood Two is connected by trails to the residential areas and the surrounding natural open space. Small pocket parks are located along these trails. Supplementing these recreation areas are the improved sports fields and recreation areas included within the plans for the schools. Total open space and parks, exclusive of school areas, comprise 40.9 percent of the Hidden Valley Master Plan area.

Commercial

An approximately 10-acre parcel located at the intersection of Brigham Road and Road A is proposed for neighborhood commercial development. It is envisioned as providing retail and commercial services to residents of Hidden Valley, Fossil Hills and Bloomington Hills. It is planned to be complimentary to the retail and commercial services located near I-15 and potential future commercial services that may be included in the industrial areas to the south along River Road. Retail services may include grocery store, drug store and pharmacy, convenience food, specialty shops and personal and professional services.

Church

One site (P.A. 1.7) in Neighborhood One is reserved for a church or other place of worship. Other potential sites are available within the Hidden Valley residential neighborhoods. The most suitable additional sites may be near the entrances from Road A into the residential areas. The designated site or other sites will be available for purchase by church groups who wish to build church facilities serving this area of St. George.

Schools

The three schools within Hidden Valley include kindergarten through twelfth grade. The middle school and high school are located in Neighborhood One. The construction of the middle school began in July 1998 and is scheduled for completion in January 2000. The high school is projected to be completed prior to the buildout of Neighborhood One (estimated 2003). An elementary school is located in Neighborhood Three. Prior to development of this elementary school, the Bloomington Hills Elementary School on Brigham Road will provide for students living in the Hidden Valley area. In total, schools comprise 11 percent of the total Hidden Valley Master Plan Area.

3.3 INFRASTRUCTURE

Roadways

The plan for roadways in Hidden Valley is illustrated in Exhibit 3.3. Road A is a roadway identified diagrammatically in the City of St. George General Plan, Road Master Plan. Upon buildout of the General Plan area, it will connect Brigham Road to a new I-15 interchange at Milepost 2. This roadway is classified as a major collector. The development plan for Hidden Valley identifies a total of five public street intersections (Entrances 1 through 5) with Road A. Additional access points to Road A may be to the commercial center (P.A. 1.1) and the

residential area south of the commercial center (P.A. 1.2) No residential units will have direct frontage on Road A.

Exhibit 3.3
Hidden Valley Land Use Summary

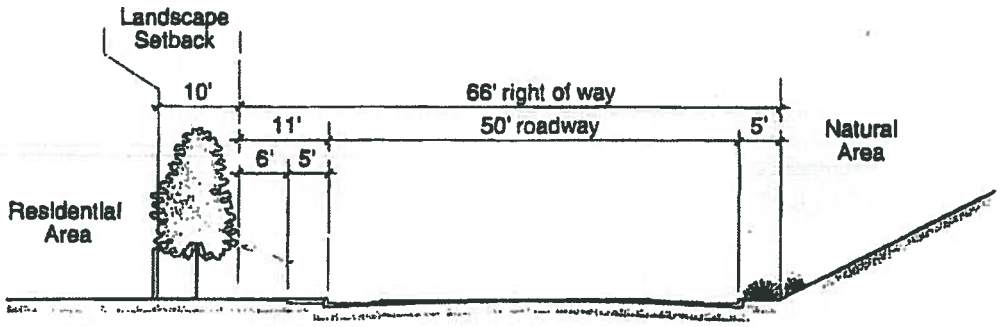
Land Use Summary

Land Use	Size (acres)	Percent
Residential	251.9	43.1
Open Space	226.9	38.8
Schools	64.5	11.0
Commercial	10.6	1.8
Major Collector and Entrance Roadways	14.8	2.5
Church	3.7	0.7
Parks	12.5	2.1
Total	**584.9**	**100%**

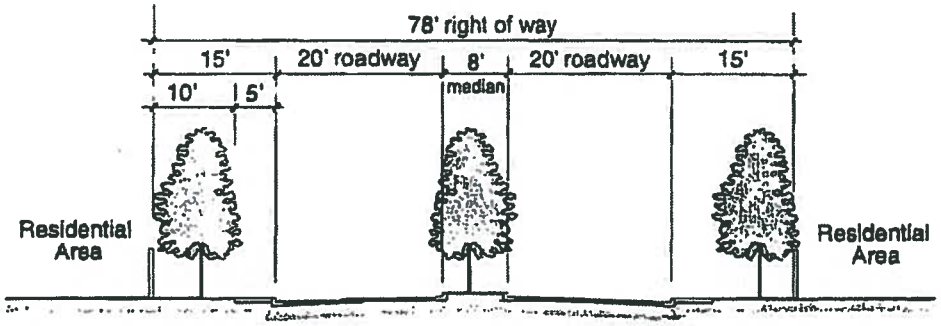
Residential Density Summary

Neighborhood	Size (Ac.)	Total Units (DU)	Average Density (DU/Ac.)
One	216.3	446	2.06
Two	198.6	467	2.35
Three	170.0	597	3.51
Total	**584.9**	**1,510**	**2.58**

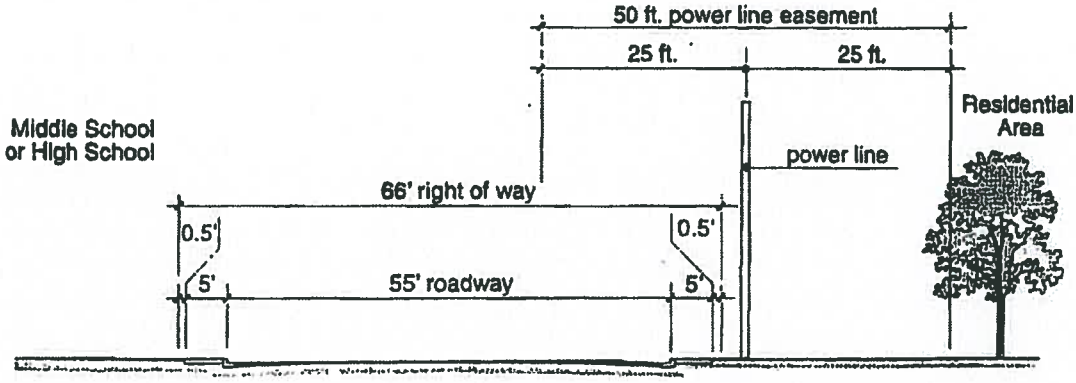
Each of the five neighborhood entrances to Hidden Valley will have a short segment of roadway featuring a median and widened parkway. This neighborhood entrance will continue from Road A to the first intersection of a local public or private street. No individual residential units will have direct access to a neighborhood entrance road. Design guidelines for these entrances are illustrated in Exhibit 3.4.



Road 'A'

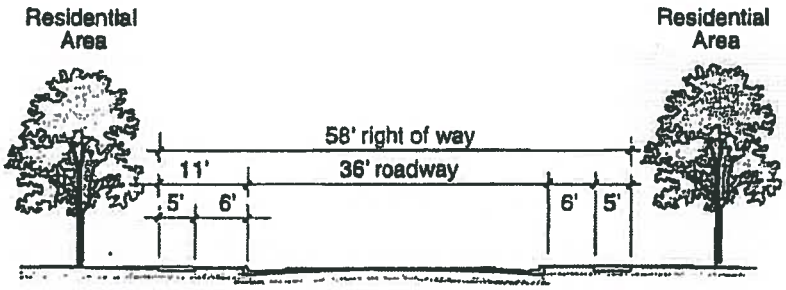


Neighborhood Entrance Road

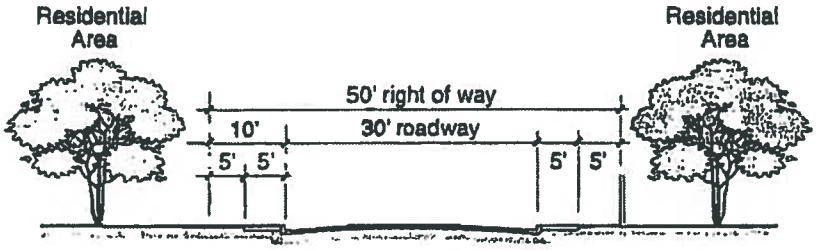


Major Collector (Road C)

Exhibit 3.4
Hidden Valley Typical Street Sections



Neighborhood Collector (Roads B, D, E, F, & G)



Local Street

continued **Exhibit 3.4**

Hidden Valley Typical Street Sections

The roadways connecting to the neighborhood entrances and providing access into the residential neighborhood are classified as neighborhood collectors. The neighborhood collectors are designated as Roads B, C, D, E, F and G. Individual residential units will have direct access to neighborhood collector roads.

The roadways within residential clusters will typically be local streets. Individual residential units will have direct access to these local streets.

Traffic Impact

A traffic impact study has been jointly prepared by the Trust and the developers of the Sun River Ranch (Atkinville and State Trust Lands Traffic Impact Study, April 1997). This joint study was prepared to ensure that the existing and future expanded road network in the southern area of St. George is adequate to accommodate future traffic volumes generated by these two projects. The report also addresses the phasing of development and the construction of road and intersection improvements in a coordinated manner to avoid short-term problems. Construction of road improvements will be phased in accordance with the findings and recommendations of this study. A copy of the Traffic Impact Study has been submitted separately with this Planned Development Zone Plan.

Drainage Plan

Hidden Valley is located in two drainage basins. The Neighborhood One area drains to the north and northeast. Two existing culverts under Brigham Road convey stormwater to the east and west of the Bloomington Hills Elementary School. These two swales converge near the west side of the Bloomington Hills residential neighborhood and extend through the residential area north and east to the Fort Pearce Wash. Neighborhoods Two and Three drain to the southwest to an existing culvert under I-15 and then west to the Virgin River.

Prior to Preliminary Plat approval for development in the Neighborhood One area, a Drainage Master Plan for Neighborhood One will be submitted to the City for approval. A detailed Hydrology Report will be prepared to accompany the Drainage Master Plan. Existing swales through Bloomington Hills have limited capacity to convey additional stormwater. Detention areas will be required in the Neighborhood One area so as to release stormwater at a controlled rate that does not exceed the current stormwater flow rates from the undeveloped site. This will be addressed in the Drainage Master Plan.

Prior to Preliminary Plat approval for development in the Neighborhood Two area, a Drainage Master Plan and Hydrology Report for Neighborhoods Two and Three will be submitted to the City for approval. The stormwater in the Neighborhood One and Two areas is planned to be conveyed in an open, naturalized swale which is adjacent to a linear open space and trail system connecting the residential areas with the schools and park. Stormwater flows from offsite open space areas to the north and south of Hidden Valley will also be conveyed to this swale. Detention areas onsite or offsite near the I-15 culvert may be necessary to control the flow of stormwater. This will be addressed in the Drainage Master Plan.

ORDINANCE NO._____

AN ORDINANCE AMENDING THE HIDDEN VALLEY PLANNED DEVELOPMENT (PD) AREA MASTER PLAN BY RELOCATING THE PROPOSED CHURCH SITE 3.2 TO THE INTERSECTION OF ROAD 'A' (HIDDEN VALLEY DRIVE) AND ROAD 'E' (ATHENS DRIVE) AND TO MOVE THE SCHOOL SITE 3.1 TO THE CHURCH'S PREVIOUS LOCATION. THE CHURCH SITE IS CURRENTLY 5.2 ACRES AND WITH THIS AMENDMENT WILL BE REDUCED TO 4.7 ACRES. THE SCHOOL SITE IS CURRENTLY 13.3 ACRES AND WITH THIS AMENDMENT WILL BE REDUCED TO 8 ACRES.

WHEREAS, the property owner has requested a zone change amendment to the Hidden Valley Master Plan on approximately 12.7 acres zoned Planned Development Residential (PD-R); and

WHEREAS, the City Council held a public hearing on this request on December 17, 2015; and

WHEREAS, the Planning Commission recommends approval of the requested zone change amendment; and

WHEREAS, the City Council has determined that the requested change to the Hidden Valley Master Plan Map is justified at this time, and is in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

NOW, THEREFORE, BE IT ORDAINED, by the St. George City Council, as follows:

Section 1. Repealer. Any provision of the St. George City Code found to be in conflict with this ordinance is hereby repealed.

Section 2. Enactment. The City Zoning Map is hereby ordered to be changed to reflect the zone change amendment to the Hidden Valley Master Plan by relocating the church site (3.2) to the intersection of Hidden Valley Drive and Athens Drive, and to move the school site (3.1) to the church's previous site, and more specifically described on the attached property legal description, Exhibit "A." The project must comply with all conditions, requirements, and restrictions as approved by City Council.

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately on the date executed below.

APPROVED AND ADOPTED by the City Council of the City of St. George, this 17th day of December, 2015.

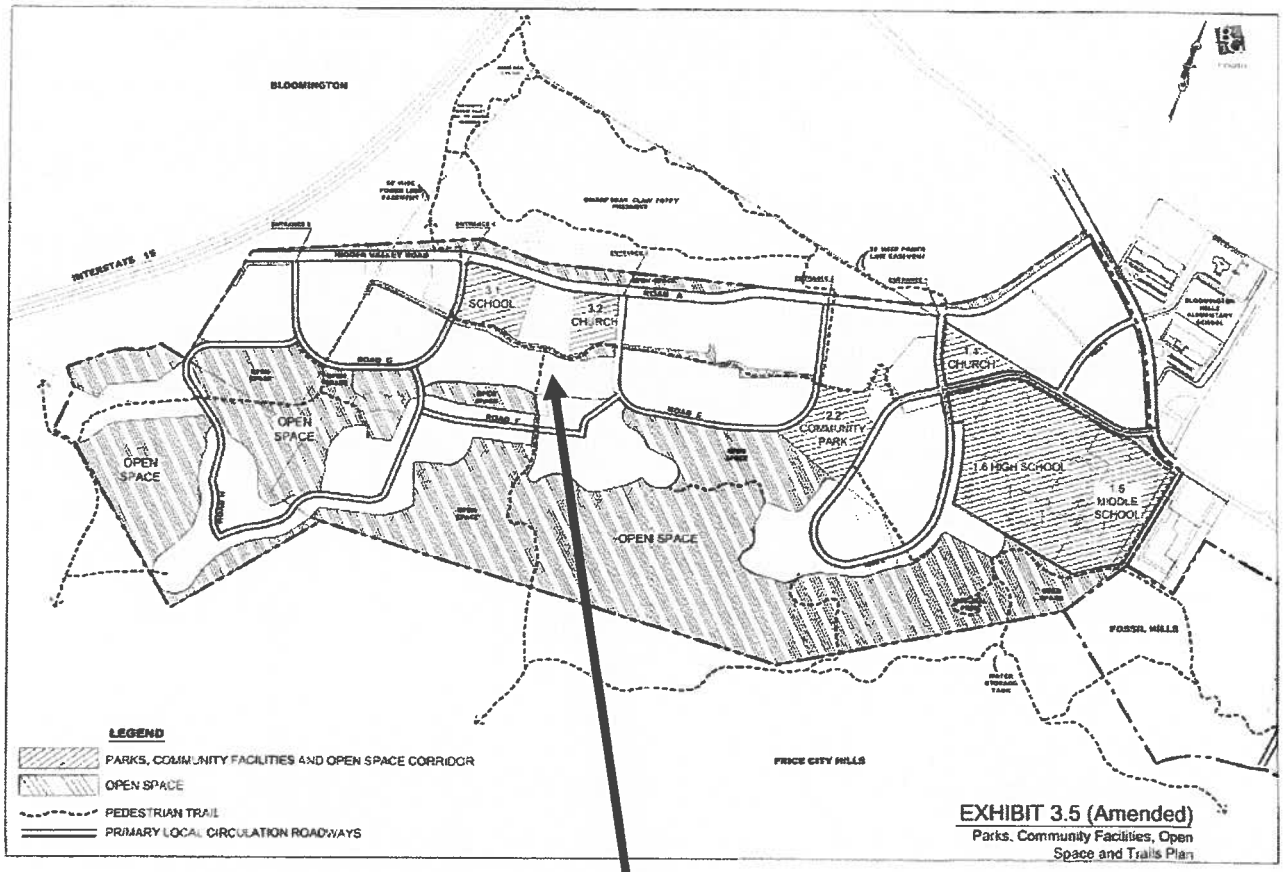
_____
Jonathan T. Pike, Mayor

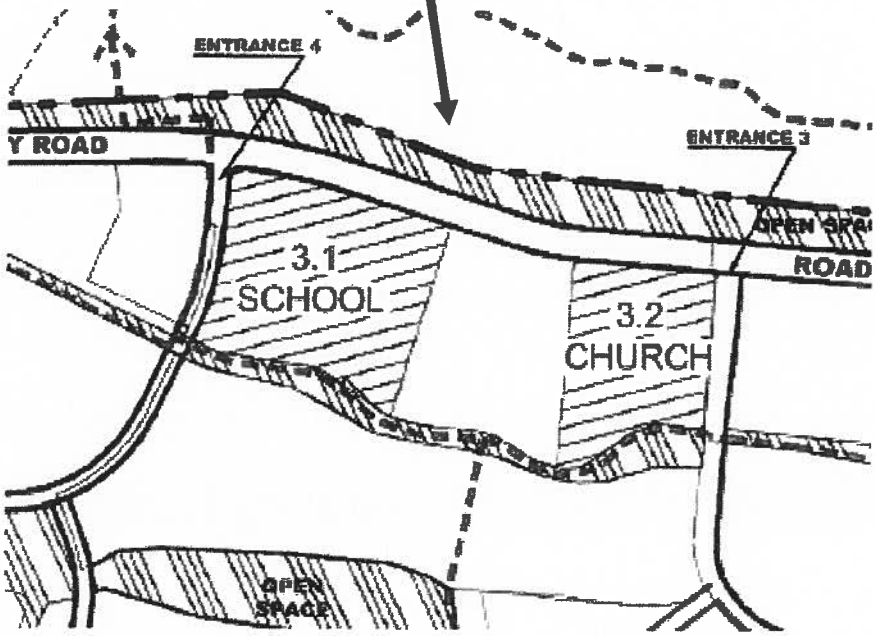
ATTEST:

_____
Christina Fernandez, City Recorder

Exhibit "A"

(Exhibit 3.5)





DRAFT

Agenda Item Number : 3D

Request For Council Action

Date Submitted	2015-12-07 10:01:15
Applicant	Mr. Don Cannon
Quick Title	Public Hearing, Zone Change, and Ord From RE-37.5 to R-1-10
Subject	Consider a zone change from RE 37.5 (Residential Estate 37,500 sq. ft. minimum lot size) to R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) on 3.131 acres, Located north of 750 North Street between 1300 West Street and Picturesque Drive.
Discussion	The applicant is request R-1-10 zoning designation on the property. The property is surrounded by R-1-10 and meets the General Plan. Planning Commission recommends approval.
Cost	$0.00
City Manager Recommendation	Seems consistent with surrounding existing uses. PC recommends approval.
Action Taken	
Requested by	John Willis
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

Zone Change

PLANNING COMMISSION AGENDA REPORT: **11/24/2015**
CITY COUNSIL SET DATE: **12/03/2015**
CITY COUNCIL MEETING: **12/17/2015**

ZONE CHANGE AMENDMENT
Cannon
Case No. 2015-ZC-032

Request:	This is a request to consider a zone change from RE-37.5 (Residential Estates 37,500 sq. ft. minimum lot size) to R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) on approximately 3.131 acres to accommodate the future development of residential lots.
Project Name:	Cannon Zone Change
Owner:	Mr. Don Cannon
Applicant:	Mr. Todd West
Representative(s):	Mr. Todd West
Location:	This site is located on 750 North between 1275 West Street and Picturesque Drive.
APN:	SG-6-2-23-11321 SG-6-2-23-11341
Acreage:	3.131 acres (136,377 sq. ft.)
General Plan:	LDR (Low Density Residential)
Zoning:	Existing is RE-37.5 (Residential Estate 37,500 sq. ft. minimum lot size)
Adjacent zones:	To the north is C3 To the south is R-1-10 To the west is R-1-10 To the east is R-1-10
Ordinance:	This project is submitted for review in compliance with Section 10-1-11.

Options (Motions):

The City Council has several options:

1. Deny the zone change
2. Approve the zone change as presented
3. Approve the zone change with additional conditions
4. Table the zone change to allow for additional information to be provided as determined.

EXAMPLE
Motion to Approve:

Note that any motion to approve this zone change would need to include:

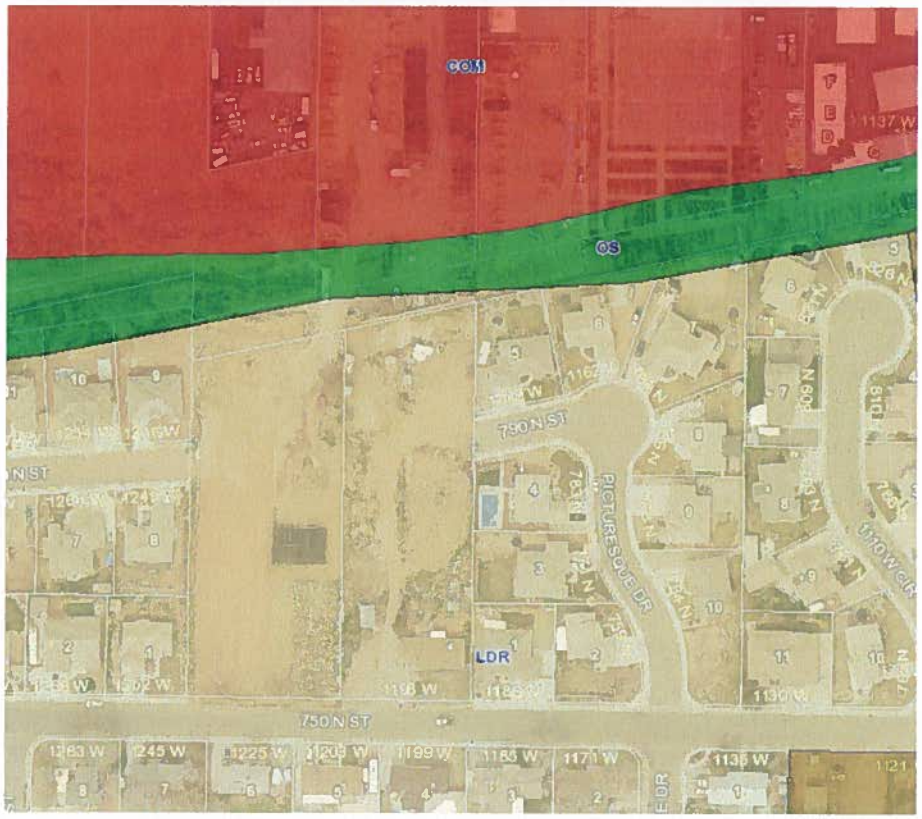
1. The City Council approves the zone change from RE-37.5 to R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) on approximately 3.131 acres to accommodate the future development of residential lots.

SUNSET BLVD
1300 W
790 N ST
1300 W ST
750 N ST

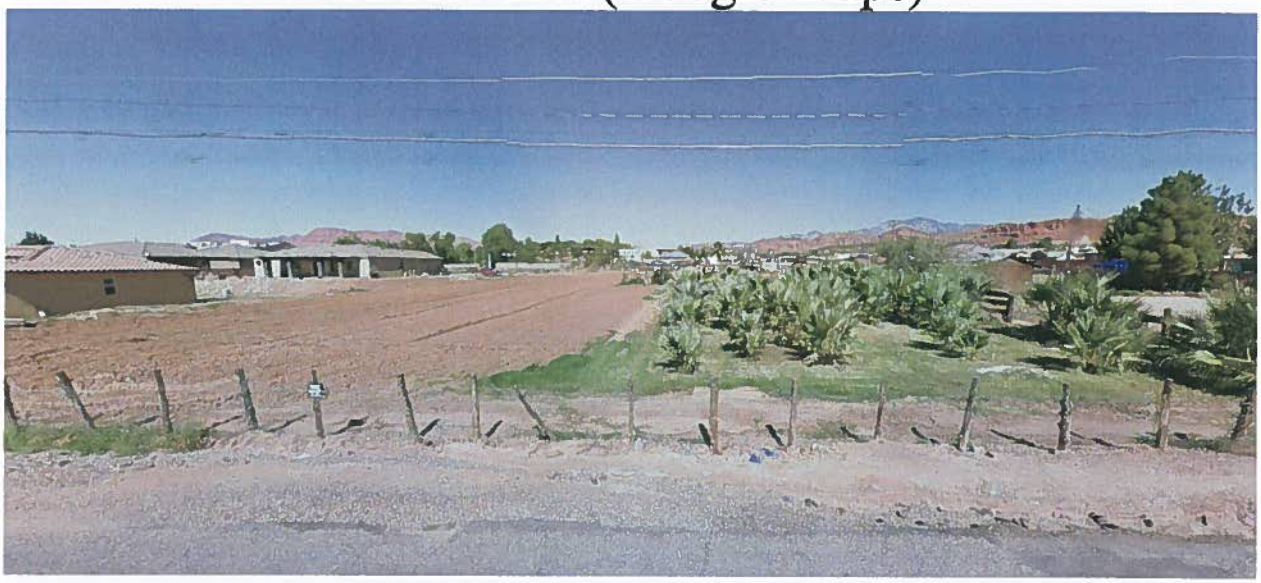
PICTURESQUE DR
750 N ST
1263 W
1245 W
1225 W
1199 W
1185 W
1171 W
1135 W
1130 W

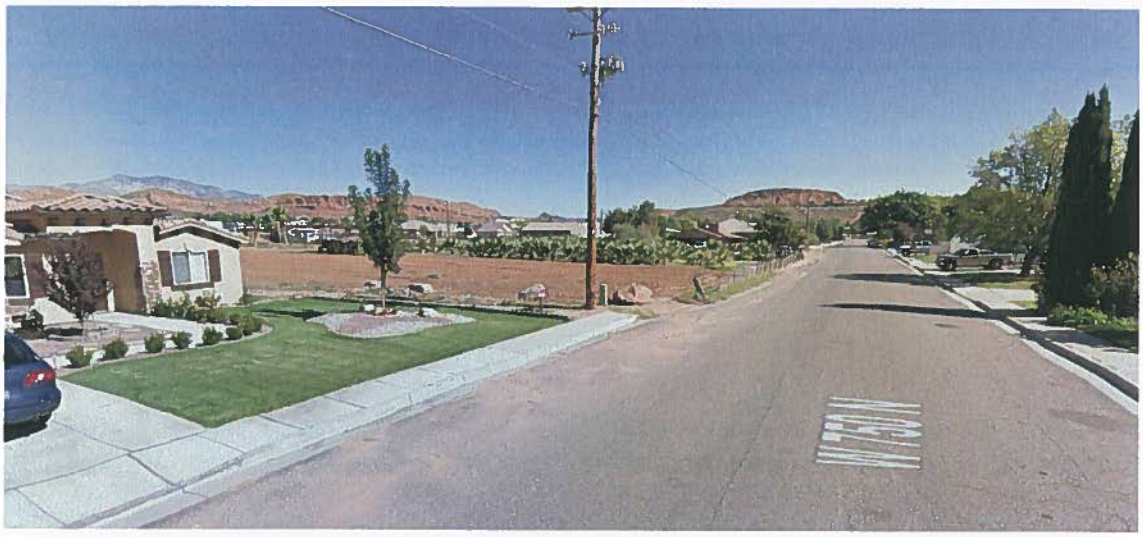
Zoning – RE-37.5

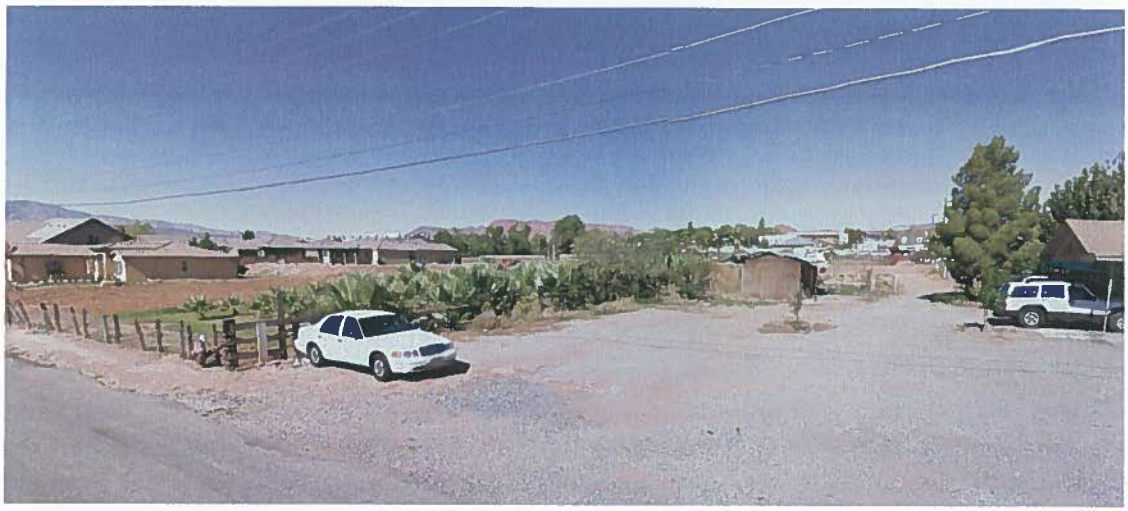
General Plan Land Use - LDR



Street View (Google Maps)







APPLICATION

3.13 / CITY OF ST GEORGE
RECD: 01475400 11/06/2015 12:41 PM
TRAN: 120.0000 PLANNING FEES
TENDERED: 600.00 1 CASH
APPLIED: 600.00-
CHANGE: 0.00

500
1
2.131
$600

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: Don W. Cannon

MAILING ADDRESS: 1500 Split Rock #139 Ivins UT 84738
PHONE: CELL: FAX:
APPLICANT: Todd West
(If different than owner)
MAILING ADDRESS: 1621 S. Hamilton Dr. Cedar City UT 84720
PHONE: [redacted] CELL: [redacted] FAX:
EMAIL ADDRESS(ES): saul.weber2@gmail.com
CONTACT PERSON / REPRESENTATIVE: Todd West
(i.e. Developer, Civil Engineer, Architect, if different than owner)
MAILING ADDRESS: 1621 S. Hamilton Dr. Cedar City UT 84720
PHONE: [redacted] CELL: [redacted] FAX:
EMAIL ADDRESS(ES): [redacted]

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. 750 North, Between 1275 West Street and "Picturesque Drive"

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 #: 2015-ZC-032 FILING DATE: 11/9/15 RECEIVED BY: RECIEPT #: 9
***FEE: $500 (Filing fee and 1st acre) + $50.00 per ac for 2-100 ac and $25 per ac 101-500 and $10.00 per ac 501-plus**

II. ADDITIONAL INFORMATION

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

1. What is the present zoning on the property? RE-37.5
2. What zone or zones are requested by this application? R-1-10
3. Is the zone change in harmony with the present City General Plan? Yes X 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: 3.131 Acres
6. Are there deed restrictions against the property that might affect the requested zone change?
   Yes _____ No X
   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 X
   ***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 X No _____
   Please describe the projected demand for utility services: 8 Single family dwellings

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 _____
(Project name must be previously approved by the Washington County Recorder & City Planning Department)
Developer/Property Owner _____ Phone No. _____
Contact Person/Representative _____ Phone No. _____
Licensed Surveyor Kevan L. Bundy _____ Phone N[redacted]

ZONE CHANGE PROCEDURE

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

Step #2 **Document Submission Checklist***

Legal Description Documents:
Submit the following documents: (These documents must be prepared by a licensed surveyor)

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

Other Submission Documents:

6. This Zone Change application form completed and signed;
7. Appropriate** Filing Fee: $500 (filing fee and 1st acre) + $50.00 per acre for 2-100 acre and $25 per acre 101-500 and $10.00 per acre 501-plus
8. County ownership plat with boundary of zone change outlined;
9. List of property owners within 500' and two sets of mailing labels;
10. 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.

N/A - John

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

** *Note: There is NO FEE for acreage rezoned to open space*

Step #3 Planning Commission and City Council Hearings

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

Hearing Dates:

Planning Commission_____
City Council Set Date_____
City Council Hearing Date_____
Council Action_____

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

IV. APPLICANT AGREEMENT

We the undersigned applicant(s) Todd West
(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.

Todd West Signature	1621 S. Hamilton Dr Cedar City UT 84720 Address
Signature	Address
Signature	Address

Attach additional sheets if necessary for additional owners.

ORDINANCE NO._____

AN ORDINANCE AMENDING THE CITY ZONING MAP BY CHANGING THE ZONE FROM RESIDENTIAL ESTATES 37,500 SQ. FT. MINIMUM LOT SIZE (RE-37.5), TO SINGLE FAMILY RESIDENTIAL 10,000 SQ. FT. MINIMUM LOT SIZE (R-1-10), ON APPROXIMATELY 3.131 ACRES

WHEREAS, the property owner has requested a zone change on 3.131 acres from Residential Estates 37,500 sq. ft. minimum lot size (RE-37.5), to Single Family Residential 10,000 sq. ft. minimum lot size (R-1-10), on approximately 3.131 acres; and

WHEREAS, the City Council held a public hearing on this request on December 17, 2015; and

WHEREAS, the Planning Commission recommends approval of the requested zone change; and

WHEREAS, the City Council has determined that the requested change to the Zoning Map is justified at this time and is in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

NOW, THEREFORE, BE IT ORDAINED, by the St. George City Council, as follows:

Section 1. Repealer. Any provision of the St. George City Code found to be in conflict with this ordinance is hereby repealed.

Section 2. Enactment. The City Zoning Map is hereby ordered to be changed to reflect the zone change from RE-37.5 to R-1-10 on 3.131 acres generally located on 750 North Street between 1275 West Street and Picturesque Drive. and more specifically described on the attached property legal description, Exhibit "A." The project must comply with all conditions, requirements, and restrictions as approved by City Council

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately on the date executed below.

APPROVED AND ADOPTED by the City Council of the City of St. George, this 17th day of December, 2015.

_____
Jonathan T. Pike, Mayor

ATTEST:

_____
Christina Fernandez, City Recorder

Exhibit "A"

ZONE CHANGE REQUEST BOUNDARY DESCRIPTION

REQUESTED BY: TODD WEST
CURRENT ZONE RE-37.5
ZONE REQUESTED R-1-10

A PORTION OF THE NORTHEAST 1/ 4 OF SECTION 23, TOWNSHIP 42 SOUTH RANGE 16 WEST, SLB&M BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT SOUTH 89°14'43" EAST, 1337.92 FEET ALONG THE SECTION LINE AND SOUTH 00°38'05" EAST, 933.16 FEET ALONG THE 1/16 LINE FROM THE NORTH ¼ CORNER OF SECTION 23, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN; RUNNING THENCE NORTH 77°48'16" EAST, 322.57 FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE WEST BOUNDARY LINE OF "HOLT SUBDIVISION"; THENCE SOUTH 00°38'19" WEST, 469.96 FEET ALONG SAID WEST BOUNDARY LINE AND ITS NORTHERLY EXTENSION TO THE CENTERLINE OF "750 NORTH STREET", SAID POINT ALSO BEING ON THE NORTHEAST 1/16 LINE OF SAID SECTION 23; THENCE NORTH 89°10'43" WEST, 314.49 FEET ALONG SAID CENTERLINE AND 1/16 LINE TO THE EAST BOUNDARY LINE OF "SUNDOWN ESTATES" SUBDIVISION; THENCE NORTH 00°38'05" EAST, 397.30 FEET ALONG SAID EAST BOUNDARY LINE TO THE POINT OF BEGINNING.
CONTAINS 136,377 SQ. FT. OR 3.131 ACRES MORE OR LESS.

DRAFT

Agenda Item Number : 3E

Request For Council Action

Date Submitted	2015-12-07 10:25:06
Applicant	Development Solutions Group
Quick Title	Public Hearing, Zone Change, and Ord to Amend the PD-R
Subject	Consider a zone change amendment request to change the Ledges PD (Planned Development) Master Plan from Golf Course / Park Open Space to residential and increase designated short term rental areas on 11.8 acres. The proposed areas are located on the east side of Highway 18.
Discussion	The applicant is proposing to modify the Ledges Master Plan, in order to be more consistent with the actual configuration of the development. The golf course was built and does not reflect the master plan, therefore, the applicant is requesting those areas be designated as residential. In addition, the applicant is requesting to reallocate the locations of short-term rentals, by removing in one area and relocating to another. Planning Commission recommends approval.
Cost	$0.00
City Manager Recommendation	Ledges area. Continuation of the develop pattern started on the east side of U-18. PC recommends approval.
Action Taken	
Requested by	John Willis
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

Zone Change

PLANNING COMMISSION AGENDA REPORT: **11/24/2015**
CITY COUNCIL SET DATE: **12/03/2015**
CITY COUNCIL MEETING: **12/17/2015**

ZONE CHANGE: The Ledges PD Zone Amendment **Public Hearing**
Case No. 2015-ZCA-030

Request: Consider a zone change amendment to change the Planned Development Master from Golf Course/Park Open Space to residential and increase designated short-term rental areas on 11.8 acres. The proposed areas are located on the east side of Highway 18.

Acreage: approximately 11.8 acres.

No. of Proposed Dwelling Units: No changes to the number of approved units is being proposed.

Applicant: Development Solutions Inc., Stacy Young, representative

Property: Located along state road U-18, south of Winchester Hills

Zone: PD

General Plan: LDR (Low Density Residential) up to 4 dwelling units per acre

Staff Comments: The applicant is proposing to modify the Ledges Master Plan, in order to be more consistent with the actual configuration of the development, as well as, the golf course. The request is to modify the golf course area to reflect how the golf course was built. The area that is not being utilized for the golf course is being proposed to be residential at the same density and number of units as the adjacent pods. No additional units are being proposed, however, the area is increasing, thus the density is decreasing. With the removal of the golf course area, the PD still meets the open space requirement.

In addition to the modification to the Master Plan Map, the applicant is requesting to increase the amount of short-term rentals. The criteria for being able to offer short-term rentals in residential zones are found in section 10-14-22 of the zoning code.

The Ledges request is in compliance with the standards for allowing short-term rentals; the main requirements are; 1) to have an 18-hole golf course as part of the development, or other recreational amenities, and 2) to obtain a city business license for

short-term rentals and collect the transient room tax and comply with other management standards. The existing short-term rental areas meet the zoning code and the proposal will be an expansion and will also meet the code.

Currently, Three subdivisions (neighborhoods) allow short-term rentals, which include the Escapes (160 units), Fairways (41 units), White Rocks (64 units). The applicant is proposing not to implement short-term rentals at White Rocks. However, the applicant is proposing to relocate the short-term rentals to an area east of White Rocks and will consist of 40 detached units.

1. Must comply with short-term rental requirements per City Ordinance.

PD ZONE CHANGE
PLANNED DEVELOPMENT (PD)
APPLICATION & CHECKLIST

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

LEGAL OWNER(S) OF SUBJECT PROPERTY: The Ledges at Snow Canyon

MAILING ADDRESS: 120 E. St. George Blvd. 3rd Floor

PHONE: 435/628-2121 CELL: _____ FAX: _____

APPLICANT: _____
(If different than owner)

MAILING ADDRESS: _____

PHONE: _____ CELL: _____ FAX: _____

EMAIL ADDRESS(ES): _____

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

MAILING ADDRESS: _____

PHONE: _____ CELL: _____ FAX: _____

EMAIL ADDRESS(ES): stacy@developmentsolutions.co

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. _____

Approximately 5000 North UT Hwy 18

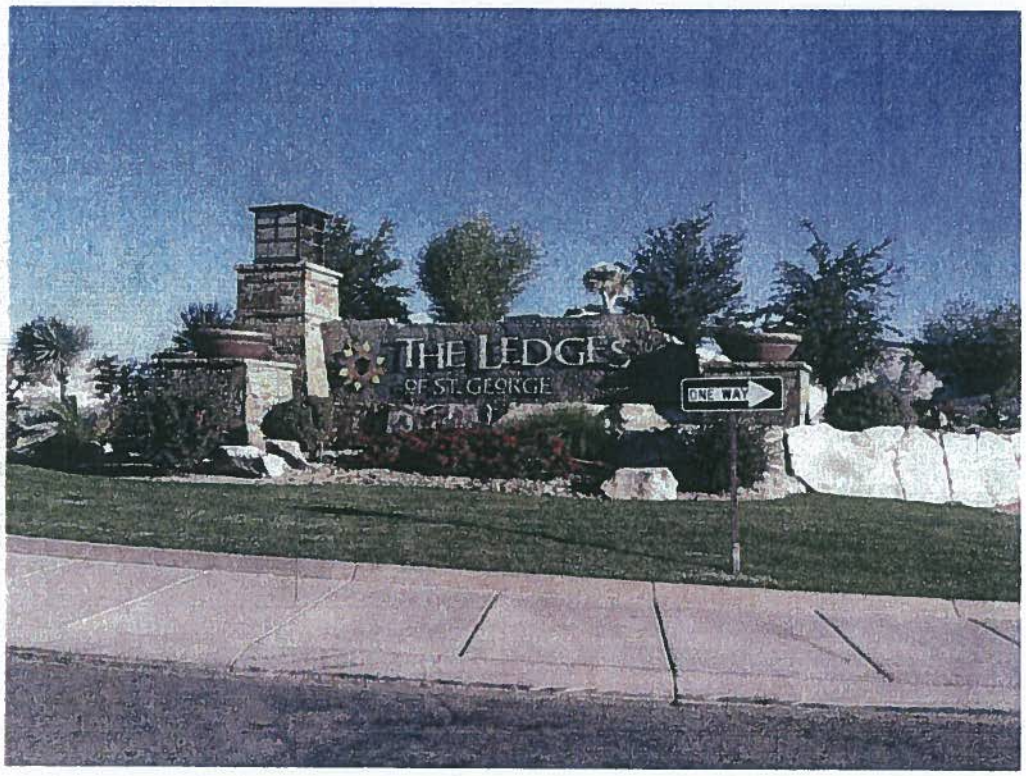
The Zone Change becomes effective on the hearing date if approved by the City Council. A PD (Planned Development Residential Zone *is approved for a period of 18 months only* unless building permits have been issued and the project commenced prior to 18 months from the above hearing date.

OFFICE STAFF USE ONLY
CASE #: 2015-ZCA 030 FILING DATE: _____ RECEIVED BY: _____ RECIEPT #: _____
***FEE: $500 (Filing fee and 1st acre) + $50.00 per ac for 2-100 ac and $25 per ac 101-500 and $10.00 per ac 501-plus**

THE LEDGES PLANNED DEVELOPMENT (PD) ZONE AMENDMENT

NOVEMBER 2015

THE LEDGES™
OF ST. GEORGE



This amendment of The Ledges PD zone is to make two minor changes to the existing project plan: (1) to provide for the expansion of certain existing neighborhoods by designating certain areas for residential rather than golf course use; and (2) to make a modest adjustment of the areas eligible for short term rental. The existing and proposed PD maps are attached hereto for reference.

Note: Other than the specific amendments proposed herein, no other changes are made to the existing Ledges PD Zone. In particular, this PD Amendment proposes no change to existing zoning or any other development right as to certain Ledges neighborhoods or undeveloped areas which has been or may be developed by parties other than the applicant.

1. EXPANSION OF EXISTING RESIDENTIAL NEIGBHORHOODS

To make the PD zone map more consistent with the actual configuration of The Ledges golf course and provide for the expansion of adjacent neighborhoods, this PD Amendment reclassifies the proposed land use of the area west of the existing 3rd fairway and south of the existing 9th fairway as residential rather than golf course (see attached exhibits).

2. SHORT TERM RENTAL

The existing PD zone designates three neighborhoods as eligible for short term rental use: The Fairways (41 detached homesites), The Escapes (160 attached units), and White Rocks (64 detached homesites). The developer has elected not to implement short term rental use in the White Rocks neighborhood and wishes by this Amendment to instead designate a smaller area for such use. The proposed replacement property is located east of the White Rocks and south of the 9th fairway (see attached exhibits) and will consist of up to approximately 40 detached homesites.

The Ledges PD zone complies with the short term rental provision of the St. George Code (§10-14-22), which requires the following four elements:

- ***The PD zone designates specific areas within the zone where short term rental is permitted.***

- ***The PD zone will consist of a minimum of 100 dwelling units.***

- ***The PD zone shall have a regulation 18-hole golf course or other resort-oriented recreation facility.***

- ***Written consent shall be obtained from 100% of property owners within the recorded plat allowing short term rental.***

2014-ZCA-008

Ledges

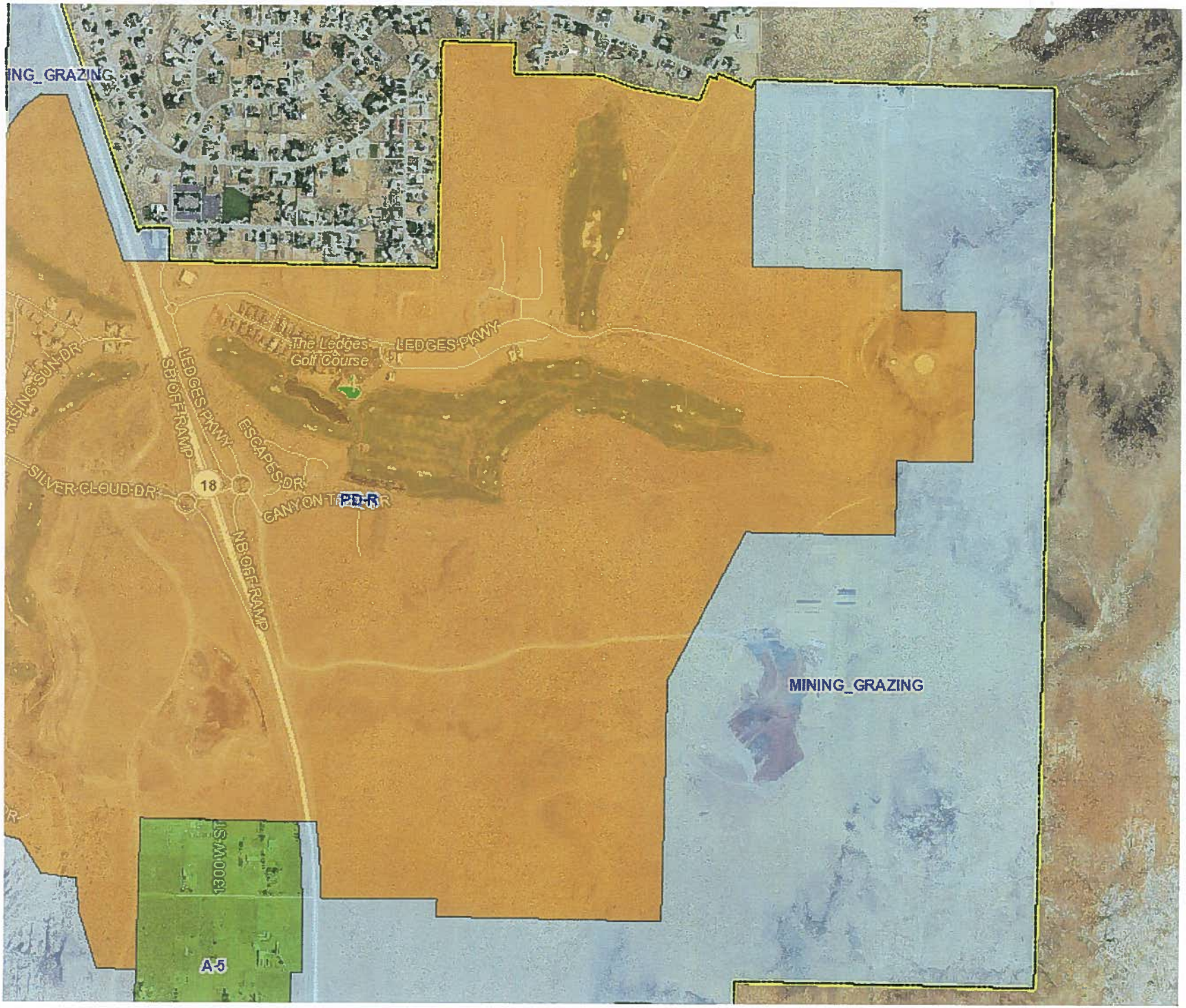
Short term rentals

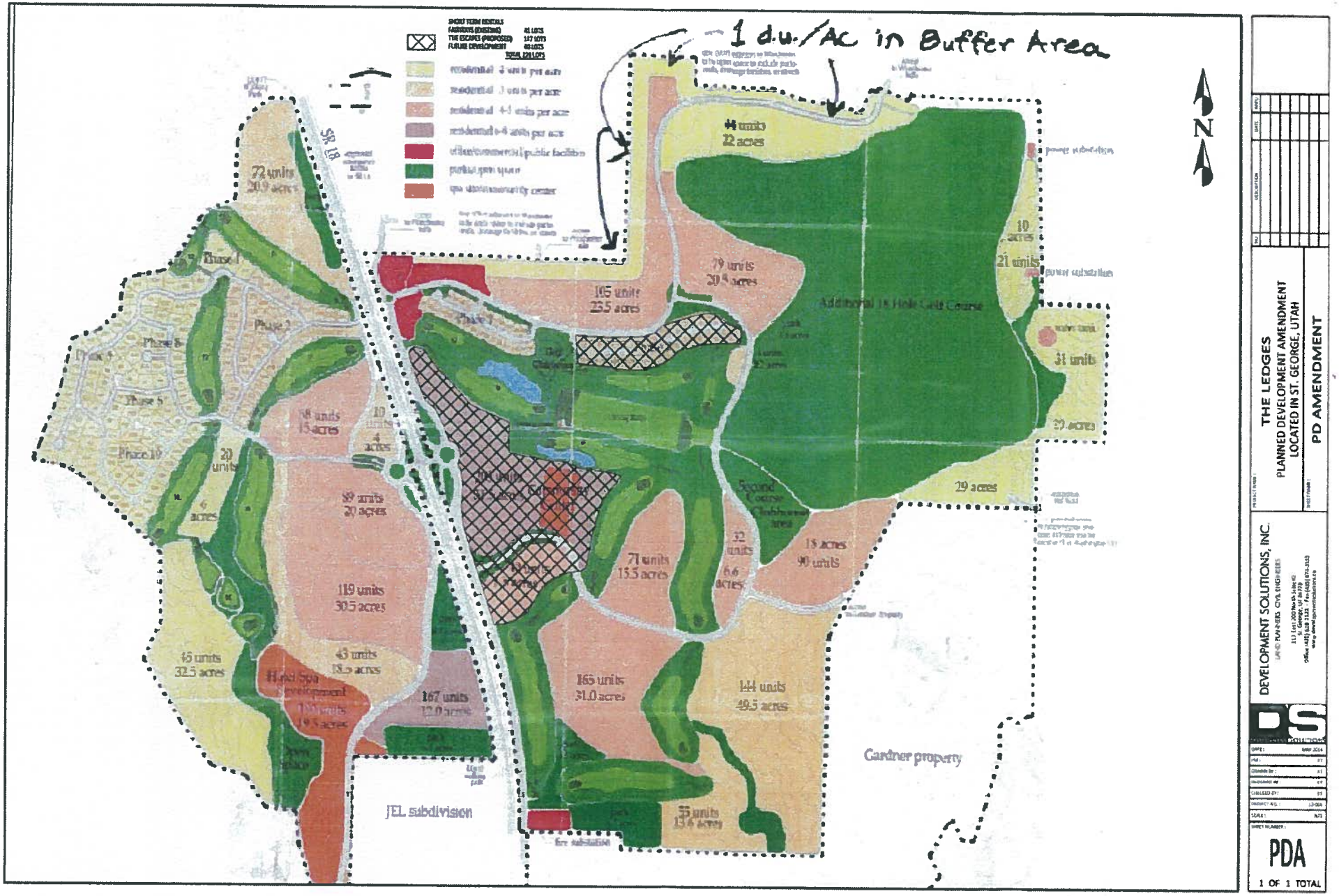
Request

- Modify Planned Development Zone to reflect development
- Increase designate short-term rental areas and remove one area.

The Ledges
Golf Course
LEDGES PKWY
LEDGES PKWY
SB OFF RAMP
ESCAPES DR
SILVER CLOUD DR
18
CANYON TREE DR
NB OFF RAMP
00W ST

VLDR
50'
50'
60'
50'
COM
66'
The Ledges Golf Course
LEDGES PKWY
SB OFF RAMP
ESCAPES DR
SILVER CLOUD DR
18
CANYON TREE DR
NB OFF RAMP
90'
LDR
90'
66'
66'
1300 W ST
60'
66'
PF


ING_GRAZING
The Ledges Golf Course
LEDGES PKWY
RISING SUN DR
LEDGES PKWY
SB OFF RAMP
ESCAPES DR
SILVER CLOUD DR
18
CANYON TRAIL DR
PD-R
NB OFF RAMP
MINING_GRAZING
1300 W St
A-5



THE LEDGES
PLANNED DEVELOPMENT AMENDMENT
LOCATED IN ST. GEORGE, UTAH

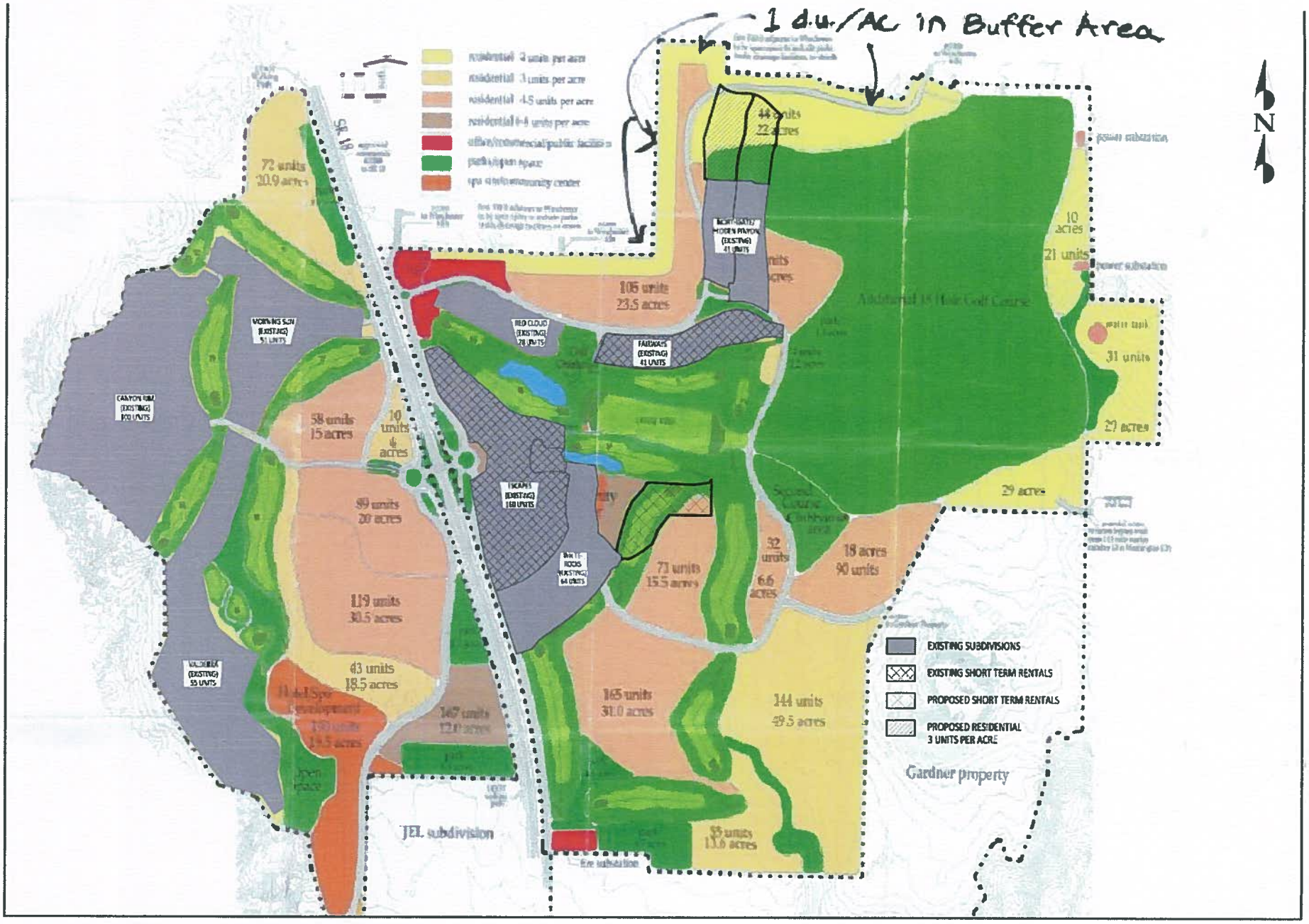
PD AMENDMENT

DEVELOPMENT SOLUTIONS, INC.
LAND PLANNERS CIVIL ENGINEERS

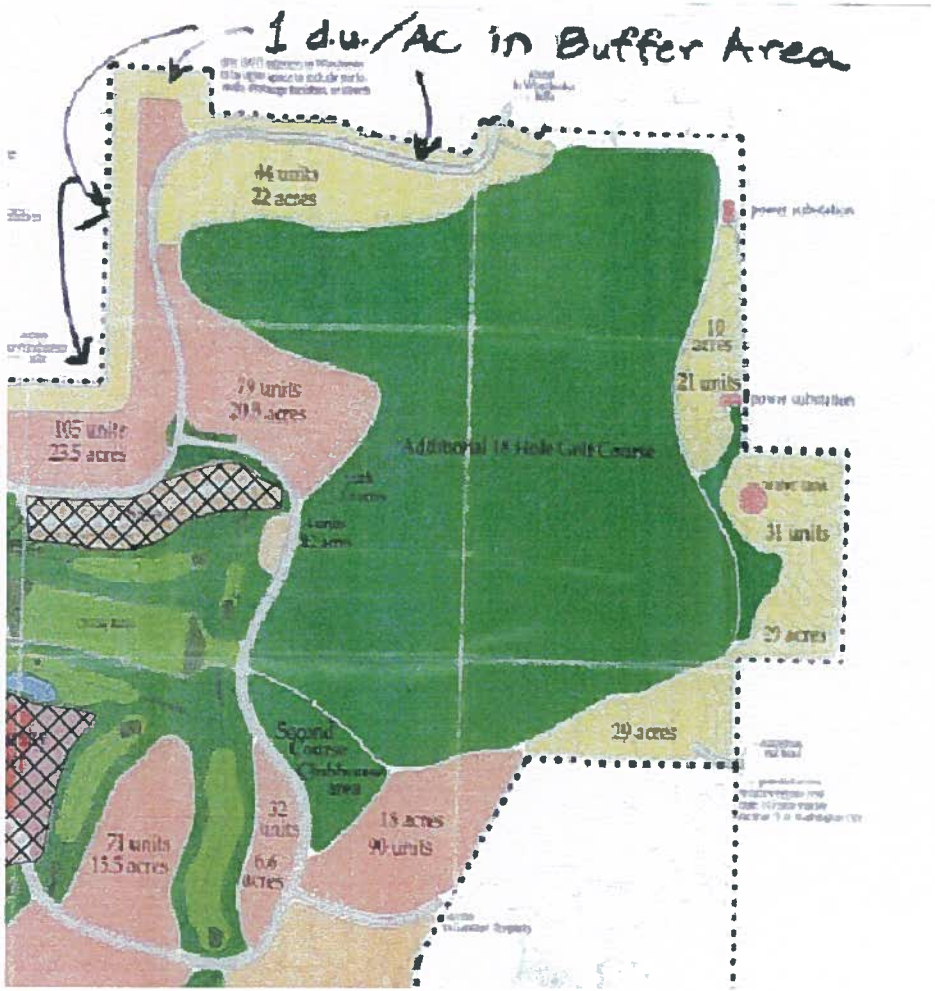
PDA

1 OF 1 TOTAL

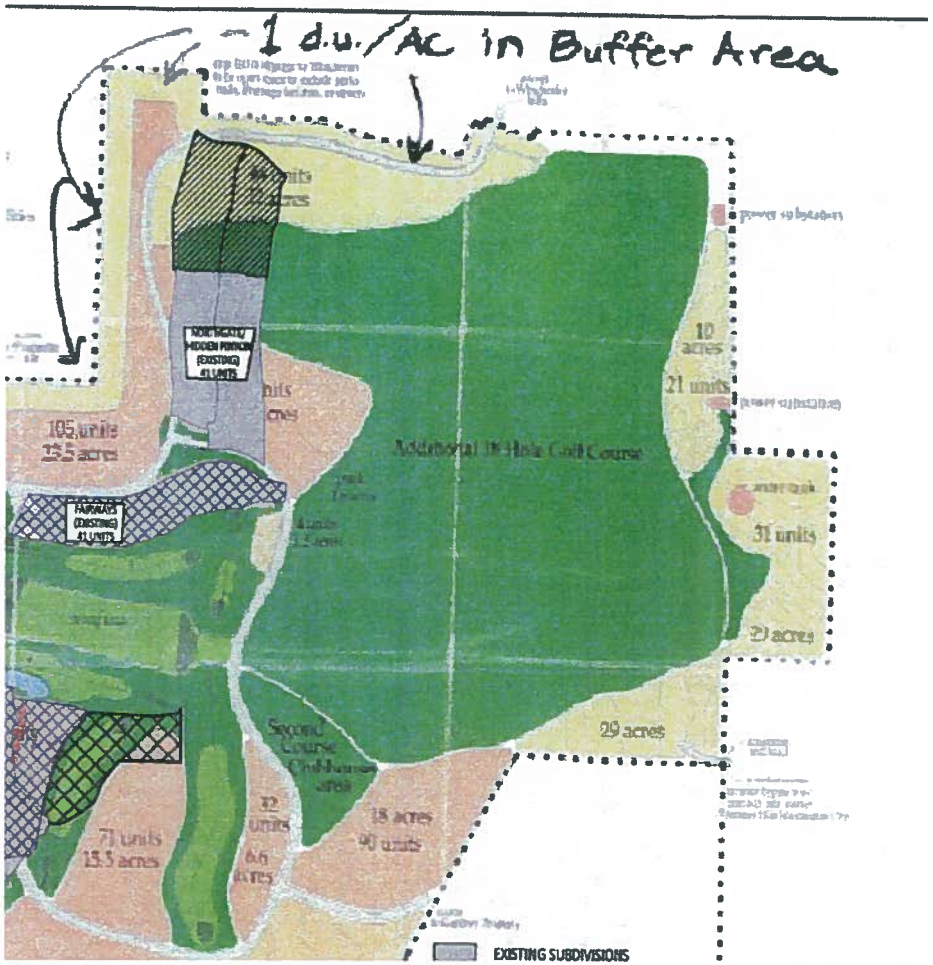
Existing Ledges Master Plan


1 d.u./AC in Buffer Area
N
72 units
20.9 acres
58 units
15 acres
10 units
89 units
20 acres
119 units
30.5 acres
43 units
18.5 acres
105 units
23.5 acres
44 units
22 acres
10 acres
21 units
31 units
29 acres
71 units
15.5 acres
32 units
6.6 acres
18 acres
90 units
165 units
31.0 acres
144 units
49.5 acres
55 units
13.6 acres
EXISTING SUBDIVISIONS
EXISTING SHORT TERM RENTALS
PROPOSED SHORT TERM RENTALS
PROPOSED RESIDENTIAL
3 UNITS PER ACRE
Gardner property
JEL subdivision
Additional 18 Hole Golf Course

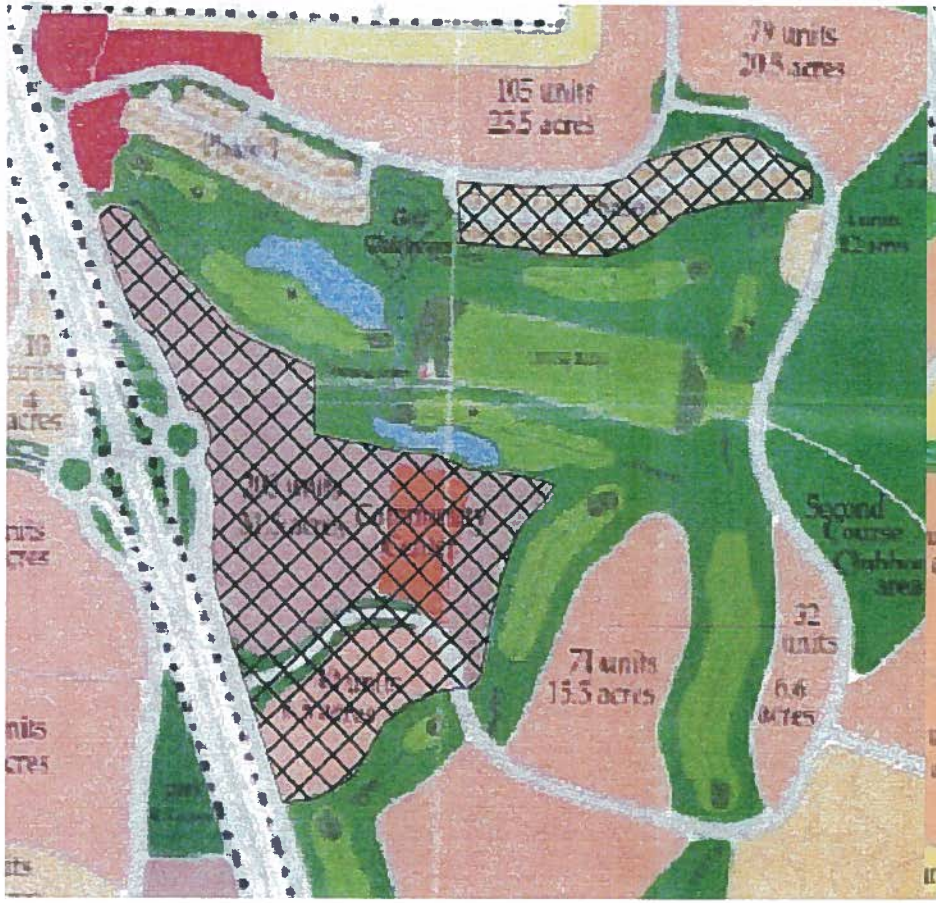
Proposed

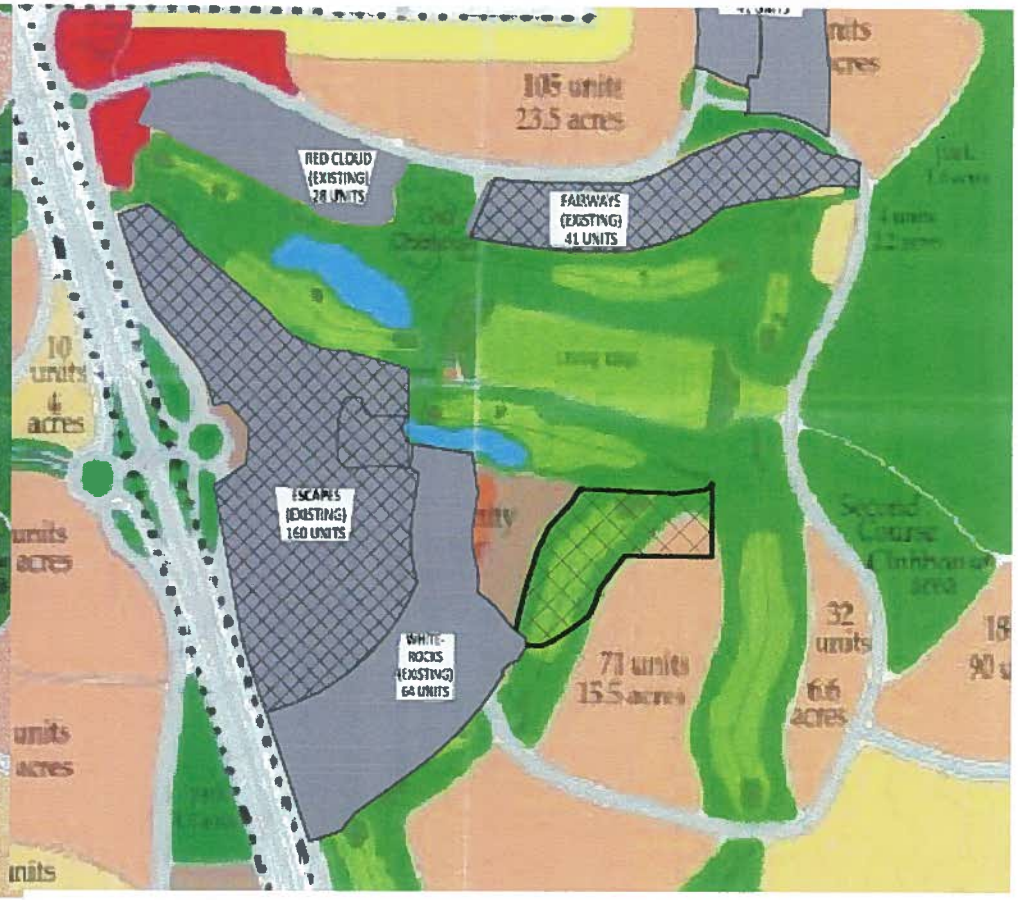


Existing



Proposed





Existing

Proposed

C. Definitions: As used in this section, the following words and terms are defined as follows. Words in the singular number include the plural, and those in the plural include the singular:

SHORT TERM RESIDENTIAL RENTAL PROPERTY: Property which is used by any person or entity, for hostel, hotel, inn, lodging, motel, resort or other transient lodging uses where the term of occupancy, possession or tenancy of the property by the person is for twenty nine (29) consecutive calendar days or less, for direct or indirect remuneration. For this section, "remuneration" means compensation, money, rent or other consideration given in return for occupancy, possession or use of real property.

D. Requirements: Short term residential rental properties are prohibited in all residential zones, mobile home zones, agricultural zones, and residential planned development zones, **unless** the property satisfies the requirements enumerated in this subsection.

1. Planned Development (PD) Zone Requirements: Short term residential rental properties are permitted within a PD zone and may be approved by the city council if the requirements set forth herein are satisfied. Amending a PD zone to allow short term rentals shall constitute a significant change to the PD zone and thus require a zone change amendment as required in section 10-8-9 of this title. If a PD zone is amended to include short term residential rental properties as a permitted use, all final plats and covenants, conditions and restrictions (CC&Rs) which have been recorded shall be amended to include a note indicating that short term residential rental properties are a permitted use.

a. Short term residential rental properties may be a permitted use within a PD zone if all the following criteria are satisfied:

(1) The PD zone shall designate **specific areas** or phases within the zone where short term residential rental properties are permitted.

(2) A **minimum of one hundred (100) dwelling units** shall be approved in the PD zone's master plan.

(3) The PD zone shall have a regulation eighteen (18) hole **golf course or** it shall contain **recreation facilities** consisting of one or more of the following: a) tennis or pickle ball court, b) pool and clubhouse, or c) other similar recreational amenity as approved by the city council.

(4) **Written consent shall be obtained from one hundred percent (100%) of the property owners** within the recorded plat thereof consenting to allow short term residential rental properties within the subdivision or phase thereof.

3. Automobile And Parking Regulations: For each short term rental property:

a. For off street parking which is not located within the front setback, the property shall have at least two (2) parking spaces for the residence plus one space for every two (2) guest bedrooms.

b. Allowed only two (2) automobiles plus one additional automobile for every two (2) guest bedrooms.

c. As used in this section "guest bedroom" shall mean each bedroom in the rental dwelling unit in addition to the first bedroom.

4. Landscape Maintenance: Each short term rental property shall comply with the landscape requirements outlined in section 4-7-11 of this code.

E. License Required: The owner or property manager of each short term residential rental property shall obtain a short term residential rental property business license as required in this code prior to commencing the use. (Ord. 2010-07-001, 7-1-2010)

ORDINANCE NO._____

AN ORDINANCE AMENDING THE PD RESIDENTIAL ZONE FOR THE LEDGES, BY CHANGING THE LOCATION OF SHORT TERM RENTALS, FOR PROPERTY LOCATED EAST OF UTAH STATE ROUTE 18 AND SOUTH OF WINCHESTER HILLS ON 11.8 ACRES

WHEREAS, the property owner has requested a zone change amendment to the PD-R (Planned Development Residential) zone on 11.8 acres, modifying The Ledges Master Plan and the short-term rental overlay; and

WHEREAS, the City Council held a public hearing on this request on December 17, 2015; and

WHEREAS, the City Council has determined that the requested amendment to the previously approved PD-R zone is justified at this time, and is in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

NOW, THEREFORE, BE IT ORDAINED, by the St. George City Council, as follows:

Section 1. Repealer. Any provision of the St. George City Code found to be in conflict with this ordinance is hereby repealed.

Section 2. Enactment. The City Zoning Map is hereby ordered to be changed to reflect the zone change amendment to the Ledges PD-R zone on 11.8 acres, located east of Utah State Route 18, and south of Winchester Hills, specifically described on the attached property description, Exhibit "A," allowing a modification to the master plan and short-term rental overlay. The project must comply with all conditions, requirements, and restrictions as approved by City Council.

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately on the date executed below.

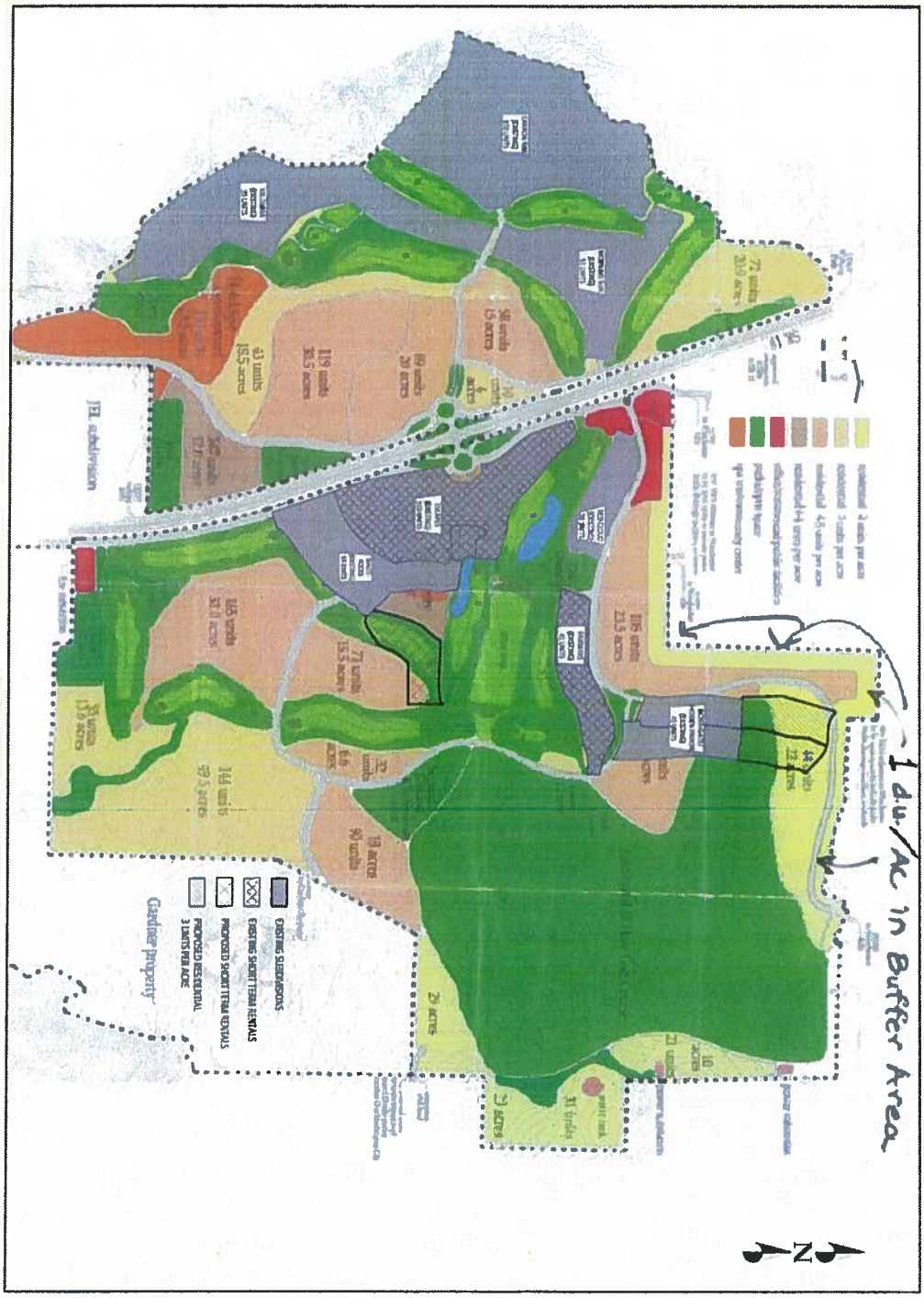
APPROVED AND ADOPTED by the City Council of the City of St. George, this 17th day of December, 2015.

_____
Jonathan T. Pike, Mayor

ATTEST:

_____
Christina Fernandez, City Recorder

Exhibit "A"



DEVELOPMENT SOLUTIONS, INC.

THE LEDGES
PLANNED DEVELOPMENT AMENDMENT
LOCATED IN ST. GEORGE, UTAH

PD AMENDMENT

PDA
1 OF 1 TOTAL

DRAFT

Agenda Item Number : 3F

Request For Council Action

Date Submitted	2015-12-07 09:46:29
Applicant	Development Solutions Group
Quick Title	Public Hearing, Zone Change, and Ord From A-1 and M&G to R-1-8
Subject	Consider a zone change request to change approx. 47.957 acres from M&G (Mining & Grazing) and A-1 (Agriculture) to R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size) to accommodate the future development of a residential subdivision (â€˜Hawthornâ€™). The property is located at approximately 3500 South and 3400 East.
Discussion	Applicant is requesting a zone change to accommodate a single family subdivision. The request is consistent with the General Plan and surrounded by R-1-8, R-1-10, ASBP, as well as, A-1. Planning Commission recommends approval.
Cost	$0.00
City Manager Recommendation	Little Valley area adjacent to the Ft. Pierce Wash. Planning Commission recommends approval.
Action Taken	
Requested by	John Willis
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

Zone Change

PLANNING COMMISSION AGENDA REPORT: **11/24/2015**
CITY COUNSIL SET DATE: **12/03/2015**
CITY COUNCIL MEETING: **12/17/2015**

ZONE CHANGE AMENDMENT
Hawthorn
Case No. 2015-ZC-029

Request:	This is a request to consider a zone change from M & G (Mining & Grazing) and A-1 (Agriculture) to R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size) on approximately 47.957 acres to accommodate the future development of a residential subdivision.
Project Name:	Hawthorn
Owner:	Development Solutions Group
Applicant:	Development Solutions Group
Representative(s):	Mr. Steve Kamlowsky / Mr. Brad Petersen
Location:	This site is located at approximately 3500 South and 3400 East.
APN:	SG-5-3-15-410 SG-6716-2 SG-6716-3 SG-6716-4 SG-6716-5
Acreage:	47.957 acres
Zoning:	Existing is M & G and A-1
Adjacent zones:	To the north is R-1-8 & A-1 To the south is A-1 To the west is R-1-8 & R-1-10 To the east is ASBP
Ordinance:	This project is submitted for review in compliance with Section 10-1-11.

Options (Motions):

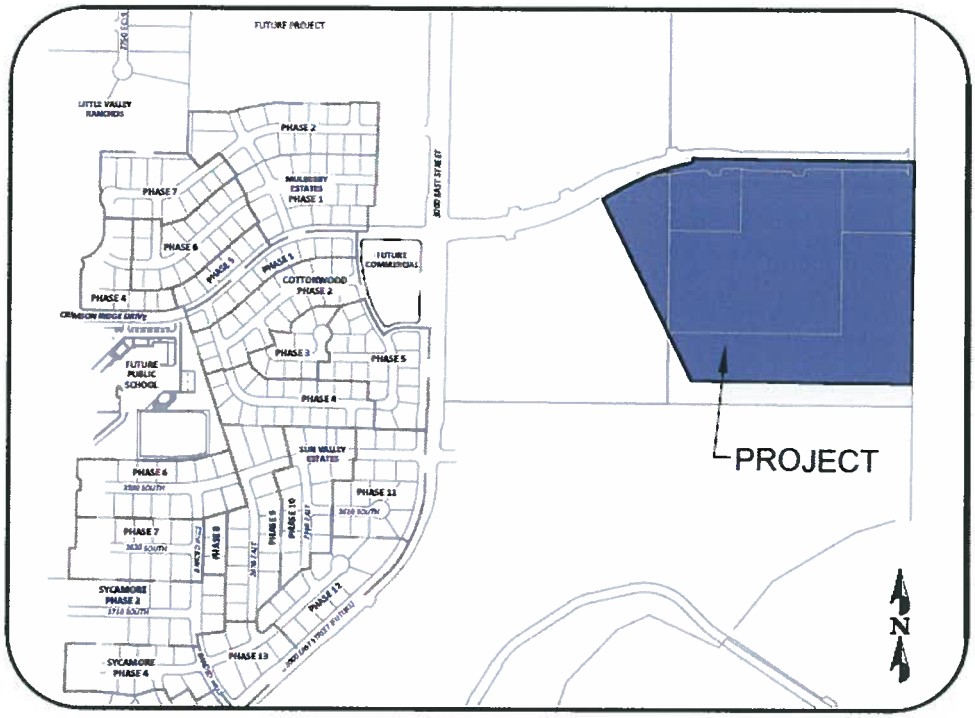
The City Council has several options:

1. Deny the zone change
2. Approve the zone change as presented
3. Approve the zone change with additional conditions
4. Table the zone change to allow for additional information to be provided as determined.

P.C.:

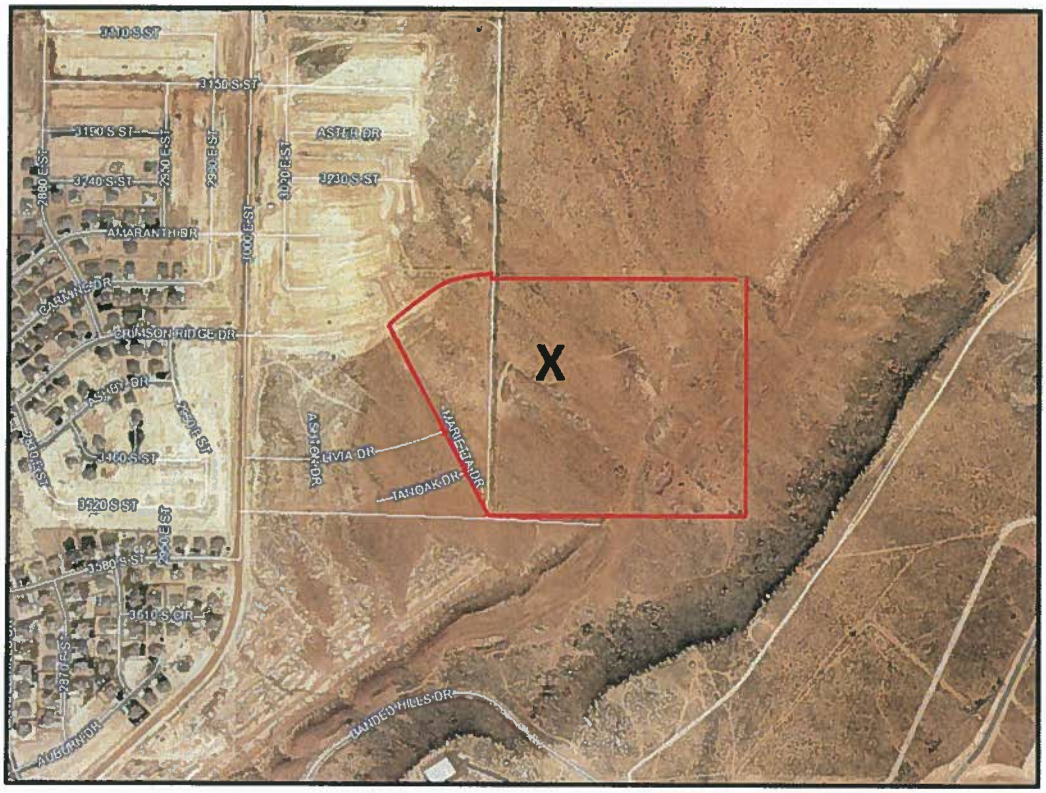
The Planning Commission recommends approval:

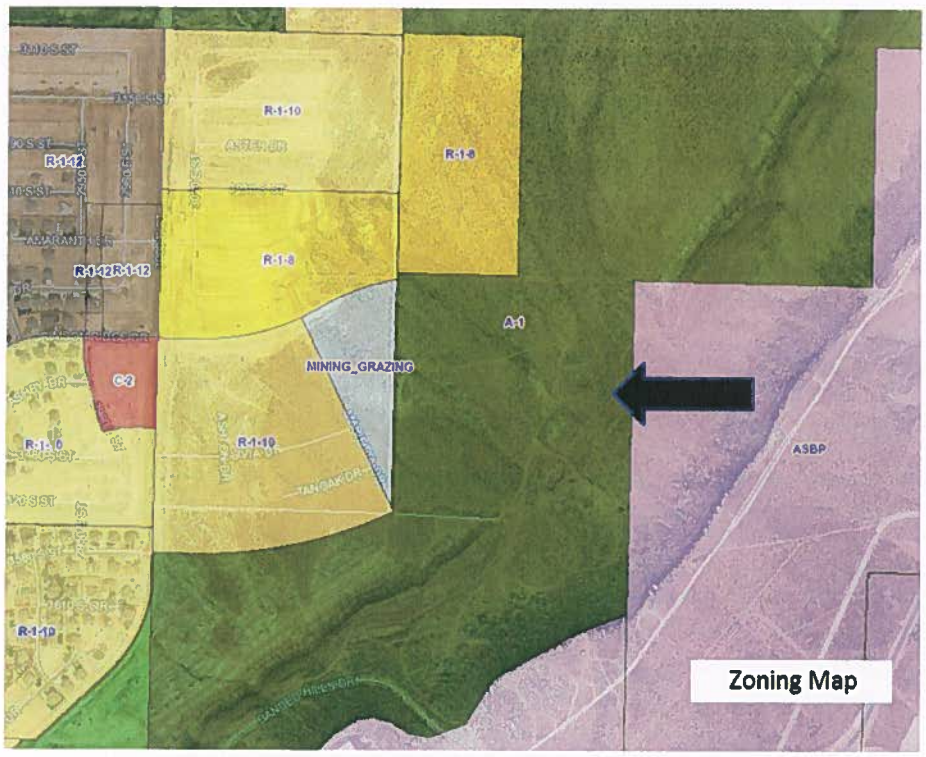
A motion to approve the zone change from M & G (Mining & Grazing) and A-1 (Agriculture) to R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size) on approximately 47.957 acres to accommodate the future development of a residential subdivision.

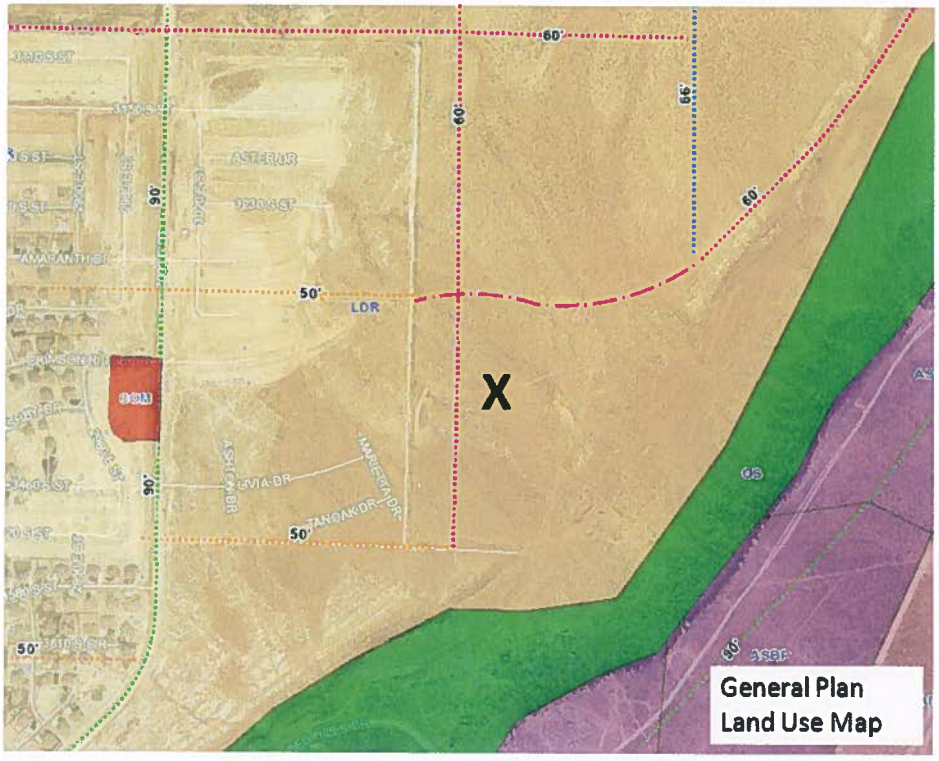


VICINITY MAP

N.T.S.




R-1-10
R-1-8
R-1-8
R-1-12
R-1-12
R-1-12
A-1
MINING_GRAZING
C-2
R-1-10
R-1-10
R-1-10
ASBP
Zoning Map


60'
60'
60'
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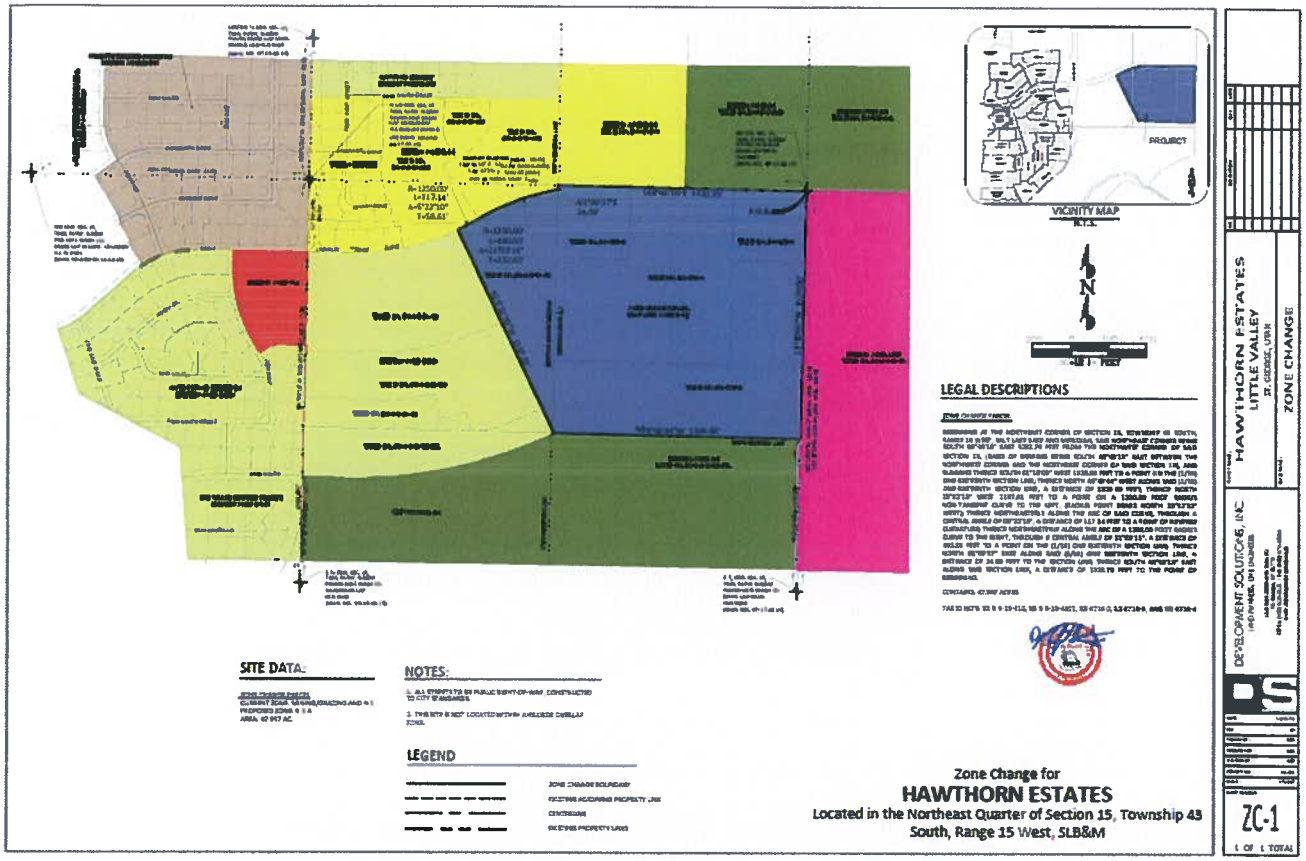
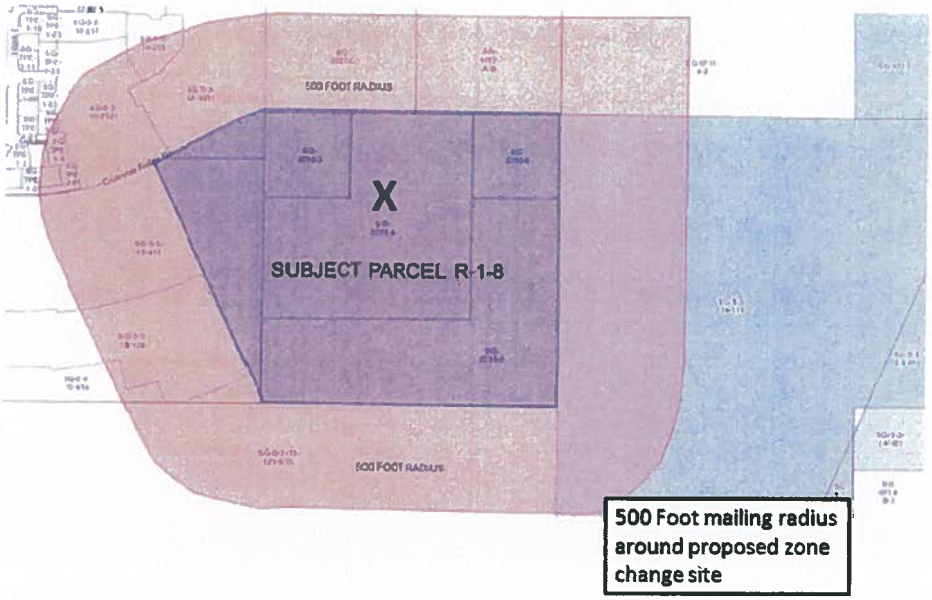
OS
ASBP
General Plan
Land Use Map


VICINITY MAP
N.T.S.
PROJECT
N
LEGAL DESCRIPTIONS
SITE DATA:
NOTES:
LEGEND
Zone Change for
HAWTHORN ESTATES
Located in the Northeast Quarter of Section 15, Township 43 South, Range 15 West, SLB&M
HAWTHORN ESTATES
LITTLE VALLEY
ST. GEORGE, UTAH
ZONE CHANGE
DEVELOPMENT SOLUTIONS, INC.
ZC-1
1 OF 1 TOTAL


500 FOOT RADIUS
X
SUBJECT PARCEL R-1-8
500 FOOT RADIUS
500 Foot mailing radius around proposed zone change site

S 3000 E

S 3000 E
SHOULDER
WORK

APPLICATION

CITY OF ST GEORGE
RECD: 01472254 10/30/2015 9:46 AM
TRAN: 150.00 PLANNING FEES
OPER: LEC
REF#: AP2
PLANNING FEES 2,847.85
TOTAL 2,847.85 CHECK(S)
APPLIED 2,847.85
CHANGE 0.00

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: KDQD, L.L.C., DSG HOLDINGS, L.L.C. & R&D FAMILY, L.L.C.

MAILING ADDRESS: 130 EAST ST. GEORGE BOULEVARD, SUITE 300

PHONE: _____ CELL: _____ FAX: _____

APPLICANT: Development Solutions Group
(If different than owner)

MAILING ADDRESS: 120 E. St. George Blvd., St. George, UT 84770

PHONE: [redacted] CELL: _____ FAX: _____

EMAIL ADDRESS(ES): [redacted]

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

MAILING ADDRESS: _____

PHONE: _____ CELL: _____ FAX: _____

EMAIL ADDRESS(ES): _____

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. Located approx. 3500 South 3400 East, in the North 1/2 of the NE 1/4, Section 15, Township 43 south, Range 15 west, Salt Lake Base & Meridian.

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

*NOTE: NO FEE FOR ACREAGE (10 ACRES OR MORE) REZONED TO OPEN SPACE.

OFFICE STAFF USE ONLY

CASE #: 2015-ZC-029 FILING DATE: 10/30/15 RECEIVED BY: [signature] RECIEPT #: _____

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

II. ADDITIONAL INFORMATION

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

1. What is the present zoning on the property? Mining and Grazing / A-1
2. What zone or zones are requested by this application? R-1-8
3. Is the zone change in harmony with the present City General Plan? Yes X 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: 47.90 acres
6. Are there deed restrictions against the property that might affect the requested zone change?
   Yes ____ No X
   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 X 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 X No ____
   Please describe the projected demand for utility services: Typical utility demand for single family units in an R-1-8 residential development.

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 Hawthorn Estates
*(Project name **must be** previously approved by the Washington County Recorder & City Planning Department)*
Developer/Property Owner Development Solutions Group Phone No. [redacted]
Contact Person/Representative Steve Karniowsky Phone No. [redacted]
Licensed Surveyor Brad Petersen Phone No. [redacted]

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 **Legal Description & Submission Documents***
Submit the following legal description documents:

1. **Bearings 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" copy of Survey Boundary;
4. Legal description and Surveyed Site Plan (Record of Survey) drawing in DWG format on CD for GIS Department;
5. 24"x36" Surveyed Site Plan (Record of Survey) drawing sheet(s) for meeting exhibit

Document Submission Checklist*

- ☑ This Zone Change application form completed and signed;
- ☑ Appropriate** **Filing Fee:** **$500 (filing fee and 1st acre) + $50.00 per acre for 2-100 acre and $25 per acre 101-500 and $10.00 per acre 501-plus**
  *****NO FEE FOR ACREAGE (10+ acres) REZONED TO OPEN SPACE***
- ☑ County ownership plat with boundary of zone change outlined;
- ☑ List of property owners within 500' and **two sets** of mailing labels;
- ☑ Site Plan – minimum size 24" x 36" (Arch D). Colored site plans are preferred;
- ☑ 8-1/2" x 11" reduction of the site plan;
- ☑ CD with the above images in JPEG, BMP, TIFF or PDF format.

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

Step #3 Planning Commission and City Council Hearings

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

Hearing Dates:

Planning Commission_____
City Council Set Date_____
City Council Hearing Date_____
Council Action_____

***NOTE: NO FEE FOR ACREAGE (10+ ACRES) REZONED TO OPEN SPACE.**

Filing Fee: $500 (filing fee and 1st acre) + $50.00 per acre for 2-100 acre and $25 per acre 101-500 and $10.00 per acre 501-plus

IV. APPLICANT AGREEMENT

We the undersigned applicant(s) DEVELOPMENT SOLUTIONS GROUP, INC. (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 120 E. St. George Blvd, #300 St. George, UT 84770
Signature	Address
Signature	Address

Attach additional sheets if necessary for additional owners.

Z:\Common\Zone Changes\Zone Change Applications\Zone Change Application_REV 07-10-2009.doc
Revised 07/10/2009

CITY OF ST. GEORGE

(435) 634-5800 – 175 East 200 North – St. George, UT 84770

PROPERTY OWNERS LIST DECLARATION

The property owners list identifies the owners of properties within a certain distance or radius of the external boundaries of a project or property. It may be prepared by the Washington County Information Technology Services (IT) (#435-634-5717) or a Title Company. The applicant shall provide evidence of the authenticity of the preparer. A complete property owners list shall consist of the following:

1. LIST: a list identifying each property owner's name, mailing address, and Assessor's Parcel Number (APN).
2. MAILING LABELS: a typed set of mailing labels for each property owner prepared on 8-1/2" x 11" 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 APNs.
3. RADIUS MAP: a property owner radius map identifying all properties within the required radius. An example radius map is attached.
4. SOURCE: Provide evidence of the provider of labels

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

☒ Zone Change — All parcels within **500 ft.** of subject property

PREPARED BY:

BRAD PETERSEN (Print Name) — 9-23-15 Date

(Signature)

Note: The attached list shall contain the most current County assessment roll of the names and addresses of all persons to whom all property is assessed. This list shall identify all properties located within the required area measured from the exterior boundaries of the property legally described by Assessor's Parcel Number(s).

Note: The complete property owner's list shall be submitted with this application.

ORDINANCE NO._____

AN ORDINANCE AMENDING THE CITY ZONING MAP BY CHANGING THE ZONE FROM M & G (MINING AND GRAZING) AND A-1 (AGRICULTURE) TO R-1-8 (SINGLE FAMILY RESIDENTIAL 8,000 SQ. FT. MINIMUM LOT SIZE) ON APPROXIMATELY 47.957 ACRES

WHEREAS, the property owner has requested a zone change on 47.957 acres from M & G (Mining & Grazing) and A-1 (Agriculture) to R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size) on approximately 47.957 acres; and

WHEREAS, the City Council held a public hearing on this request on December 17, 2015; and

WHEREAS, the Planning Commission recommends approval of the requested zone change; and

WHEREAS, the City Council has determined that the requested change to the Zoning Map is justified at this time and is in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

NOW, THEREFORE, BE IT ORDAINED, by the St. George City Council, as follows:

Section 1. Repealer. Any provision of the St. George City Code found to be in conflict with this ordinance is hereby repealed.

Section 2. Enactment. The City Zoning Map is hereby ordered to be changed to reflect the zone change from M & G and A-1 to R-1-10 on 47.957 acres generally located at approximately 3500 South and 3400 East and more specifically described on the attached property legal description, Exhibit "A." The project must comply with all conditions, requirements, and restrictions as approved by City Council

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately on the date executed below.

APPROVED AND ADOPTED by the City Council of the City of St. George, this 17th day of December, 2015.

_____
Jonathan T. Pike, Mayor

ATTEST:

_____
Christina Fernandez, City Recorder

Exhibit "A"

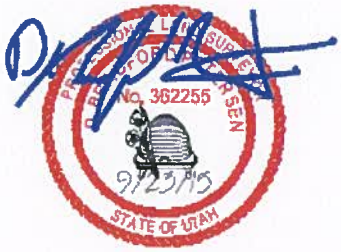
LEGAL DESCRIPTIONS

ZONE CHANGE PARCEL

BEGINNING AT THE NORTHEAST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, SAID NORTHEAST CORNER BEING SOUTH 88°48'18" EAST 5282.79 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 15, (BASIS OF BEARING BEING SOUTH 88°48'18" EAST BETWEEN THE NORTHWEST CORNER AND THE NORTHEAST CORNER OF SAID SECTION 15), AND RUNNING THENCE SOUTH 01°10'03" WEST 1320.08 FEET TO A POINT ON THE (1/16) ONE-SIXTEENTH SECTION LINE; THENCE NORTH 88°46'44" WEST ALONG SAID (1/16) ONE-SIXTEENTH SECTION LINE, A DISTANCE OF 1309.98 FEET; THENCE NORTH 25°32'10" WEST 1197.81 FEET TO A POINT ON A 1250.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, (RADIUS POINT BEARS NORTH 25°32'10" WEST); THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°22'10", A DISTANCE OF 117.14 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A 1250.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 21°05'11". A DISTANCE OF 460.03 FEET TO A POINT ON THE (1/16) ONE-SIXTEENTH SECTION LINE; THENCE NORTH 01°09'37" EAST ALONG SAID (1/16) ONE SIXTEENTH SECTION LINE, A DISTANCE OF 24.09 FEET TO THE SECTION LINE; THENCE SOUTH 88°48'18" EAST ALONG SAID SECTION LINE, A DISTANCE OF 1320.70 FEET TO THE POINT OF BEGINNING.

CONTAINS: 47.957 ACRES

TAX ID NO'S: SG-5-3-15-410, SG-5-3-15-4411, SG-6716-2, SG-6716-3, AND SG-6716-4



DRAFT

Agenda Item Number : 3G

Request For Council Action

Date Submitted	2015-12-07 11:43:46
Applicant	City of St. George
Quick Title	Public Hearing, GP Amend and Ord From Rsrt TC HDR MDR LDR to COM
Subject	Consider a General Plan Amendment to change the land use designation from RESORT, TC (Town Center), MDR (Medium Density Residential), HDR (High Density Residential), and LDR (Low Density Residential) to COM (Commercial) on approximately 183.7 acres. Located at the former St George Municipal Airport on the Black Hill at approximately 500 West and from 300 South to 1600 South.
Discussion	The City is proposing to amend the City General Plan by adopting a land use designation of COM on the 183.7 acre site. With the introduction of DXATC and other potential interested businesses, the City has recognized the potential of the site to accommodate high-tech business and other supported uses with DXATC. Planning Commission recommends approval.
Cost	$0.00
City Manager Recommendation	Redevelopment plan for old Airport. I think it will be a major contributor to the economy for years to come if we can do it right. Recommend approval.
Action Taken	
Requested by	John Willis
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

General Plan Amendment

PLANNING COMMISSION AGENDA REPORT: **11/10/2015**
CITY COUNCIL SET DATE: **11/19/2015**
CITY COUNCIL MEETING: **12/17/2015**

GENERAL PLAN AMENDMENT: Case No. 2015-GPA-010
Ridgetop Technology Park

Request:	To amend the General Plan Land Use map to change the land use designation from RESORT, TC (Town Center), MDR (Medium Density Residential), HDR (High Density Residential), and LDR (Low Density Residential) to COM (Commercial) on approximately 183.7 acres.
Project:	Ridgetop Technology Park, located at the former St. George City Airport on the Black Hill.
Applicant:	City of St. George
Property Owner:	City of St. George
Area:	Approximately 183.7 acres
Address:	Located at the former St George Municipal Airport (approx 500 West and from 300 South to 1600 South)
Current Zone:	The vast majority of the property is currently zoned Open Space (OS) with some R-1-10 zoning on the hillside area.
General Plan:	RESORT, TC (Town Center), MDR (Medium Density Residential), HDR (High Density Residential), and LDR (Low Density Residential). In 2008, a potential developer/buyer of the property proposed and was approved a GPA for the property. The plan for the property included a variety of residential densities, a town center, and other land uses. The developer did not purchase the property and the land has remained with the approved land use designations.
Process:	The Planning Commission is responsible for recommending a General Plan for the city or sub-areas of the city to the City Council. The General Plan is a guide for land use decision.
Background:	The former airport property, now referred to as the "Ridgetop Technology Park" has approximately 183 acres of flat, developable

area. The property is located on a plateau west of the central city area with the present main access being Airport Road which intersects with St George Blvd and Bluff Street.

The subject property was developed as a runway in the 1920's, and in 1929 was designated as an "intermediated airfield" by the government. In 1940 the site became the municipal airport to serve St George and surrounding areas. As demand grew so did the airport facilities. Due to the limited runway length, a new airport site was located in the southeast portion of the city near the Arizona state line, and the new municipal airport began operations in 2012. Since that time the former airport site has remained mostly unused, except for various limited uses in the existing hangar buildings.

Project:

The City is proposing to amend the City General Plan by adopting a land use designation of COM on the 183.7 acre site. With the introduction of DXATC and other potential interested businesses, the City has recognized the potential of the site to accommodate high-tech business and other supported uses with DXATC. As such, the City has been preparing a plan and vision of the site that requires a GPA. The City's goal is to develop a technology campus area which will combine educational facilities along with technology and other types of businesses.

Dixie Applied Technology College will be the initial educational facility to be located at the Ridgetop Technology Park, but other high-tech businesses and professional office facilities will also be accommodated. The proposal is to utilize the existing runway as the focus and provide developable areas on each side. The City envisions high-tech businesses and other similar types of businesses. If approved, a PD will be developed that regulates the buildings and uses. The PD will be the regulating document that will control the site.

All applicable hillside and ridgeline setbacks will be required and the city intends to provide additional requirements for building heights along the edge. Additionally, a trail system will be located along the perimeter of the ridge, along with park areas, which will assist in protecting view sheds. Along with the concept plan, the City will be prepared to address the details regarding the types of uses, landscaping, design guidelines, open spaces, trails, and vision of the Ridgetop Technology Park as part of the PD zone change request if approved.

Comments:

1. The General Plan land use map is a guide for zoning decisions and zoning requests, which are not consistent with the General Plan require a GP amendment prior to considering the zoning request.
2. The PD zone change will be the regulatory document that controls what occurs on the site.
3. The General Plan review is a chance to see how the subject property fits into the overall area and see what potential ripple effects would be from altering the proposed land use. We take a "macro-view" of the request rather than the "micro-view", which occurs at the zone change.
4. The City intends to comply with all provisions of the Hillside Development Ordinance including the 50' development setback from the ridge line.
5. Traffic will need to be addressed and two new roads are proposed to be built to accommodate the anticipated traffic. Traffic will be further analyzed with the development of each site.
6. All necessary utilities (water, sewer, power) are available for a portion of the property and will be extended through the development of the site.
7. Detailed utility plans and storm drainage plans will be required as part of the zone change application and preliminary plats.

Planning Commission: Planning Commission recommends approval (6-0).

2015-GPA-010

Ridgetop Technology Park

City of St. George – Land Use Process

GENERAL PLAN

Is land use appropriate at this location? → → Does it fit into the overall General Plan goals and policies?
What is the desired land use for the property? → → Public input received.

- Is proposal consistent with GP?
- What zoning designation is appropriate?
- How does it impact the surrounding area?
- Public input received.

Regular Zoning

Residential Designation

Preliminary Plat
Plat must meet zoning requirements.
Does the plat integrate well?
Circulation, layout, and code compliance are factors of approval.

Staff reviews Construction Drawings

Final Plat
Must be consistent with Preliminary
Notes applicable with the Plat and conditions per Preliminary Plat are factors of approval.

Non-Residential

Site Plan (BDCSP)
Needed *if* building is 20,000+ s.f.
Needed *if* within specified distance to the freeway

Staff reviews Site if the above are not true

Platting Process *if* needed

PD Zoning

Residential Designation

Complete review of:
Site Plan
Elevations
Landscaping
Materials

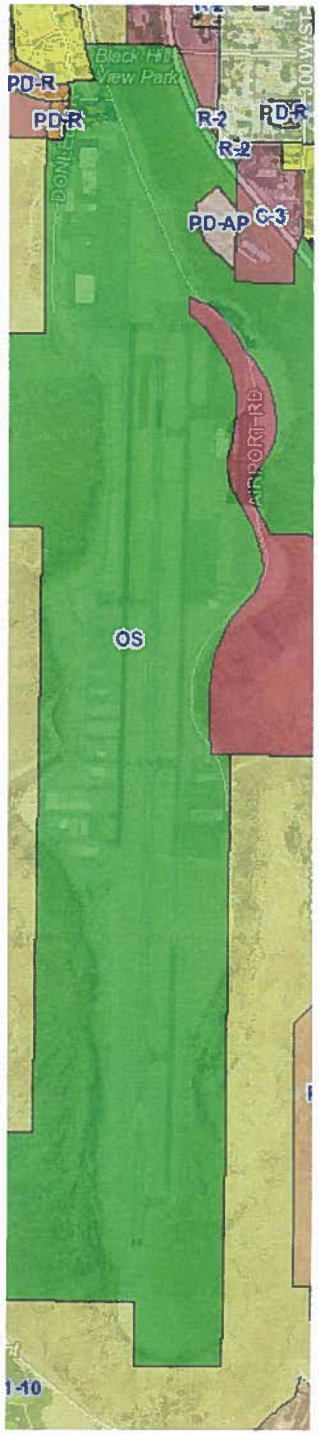
Platting Process

Non-Residential

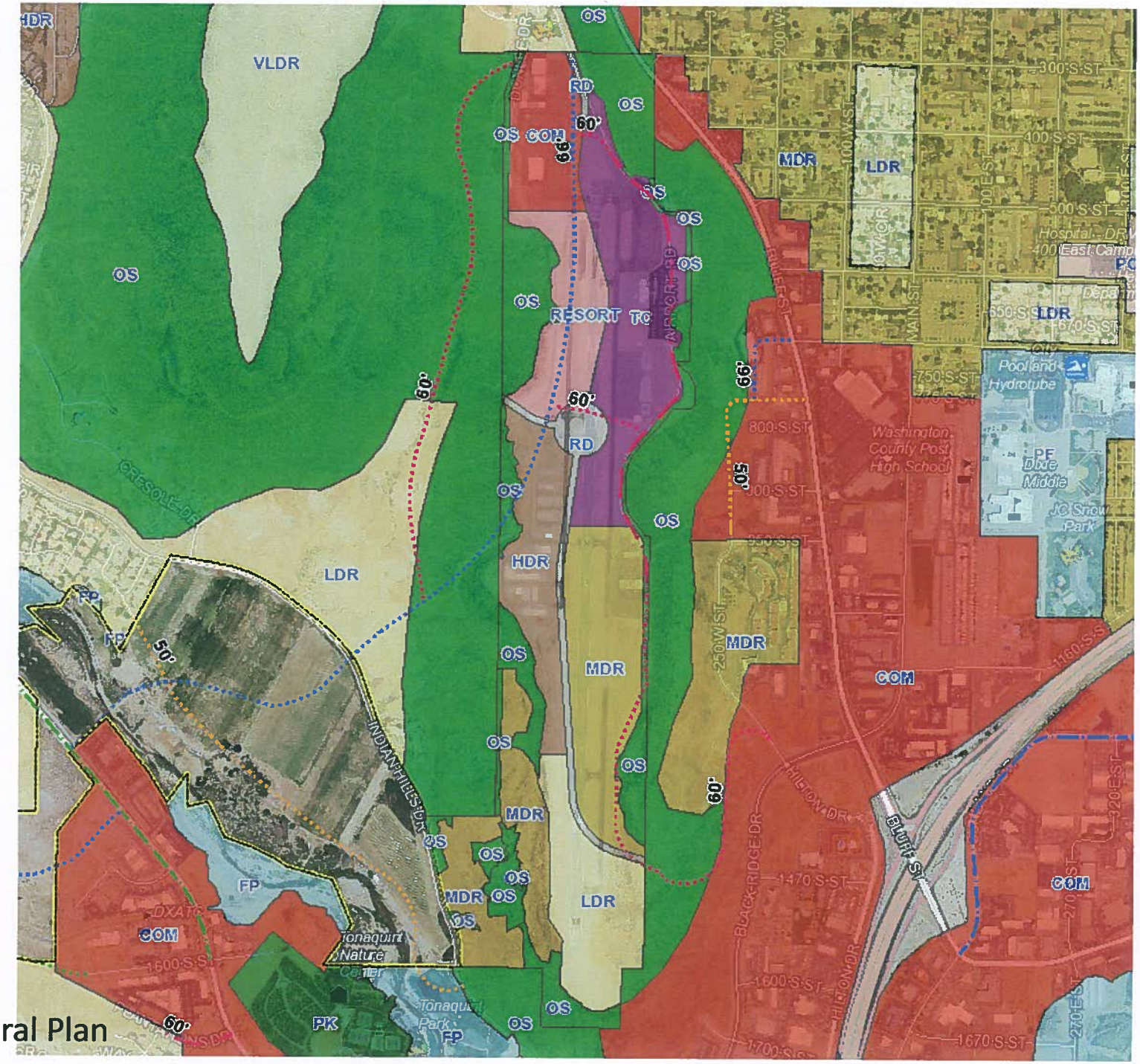
Platting Process *if* needed

Permits for Construction

Washington County School District Offices
Town Square Park
Library St. George Branch
Black Hill View Park
Vernon Worthe Park
Recreation Center
200 S ST
300 S ST
400 S ST
500 S ST
Hospital - DRMC 400 East Campus
Health Department
650 S ST
670 S ST
City Pool and Hydrotube
Dixie High
750 S ST
775 S ST
800 S ST
Washington County Post High School
Dixie Middle
900 S ST
JC Snow Park
950 S ST
1160 S ST
1470 S ST
1600 S ST
1700 S ST
1670 S ST
DON LEE DR
AIRPORT RD
BLUFF ST
MAIN ST
100 W ST
200 W ST
300 W ST
400 W ST
100 E ST
300 E ST
400 E ST
250 W ST
270 E ST
320 E ST
SUNLAND DR
HILTON DR
BLACK RIDGE DR
CRESOLE DR
INDIAN HILLS DR
DXATC
1500 S ST
PLANTATIONS DR
Tonaquint Nature Center
Tonaquint Park


PD-R
PD-R
Black Hill View Park
R-2
R-2
PD-R
PD-AP
C-3
DOM
AIRPORT RD
OS
I-10

Zoning



Current General Plan

RIDGE TOP TECHNOLOGY PARK GENERAL PLAN AMENDMENT

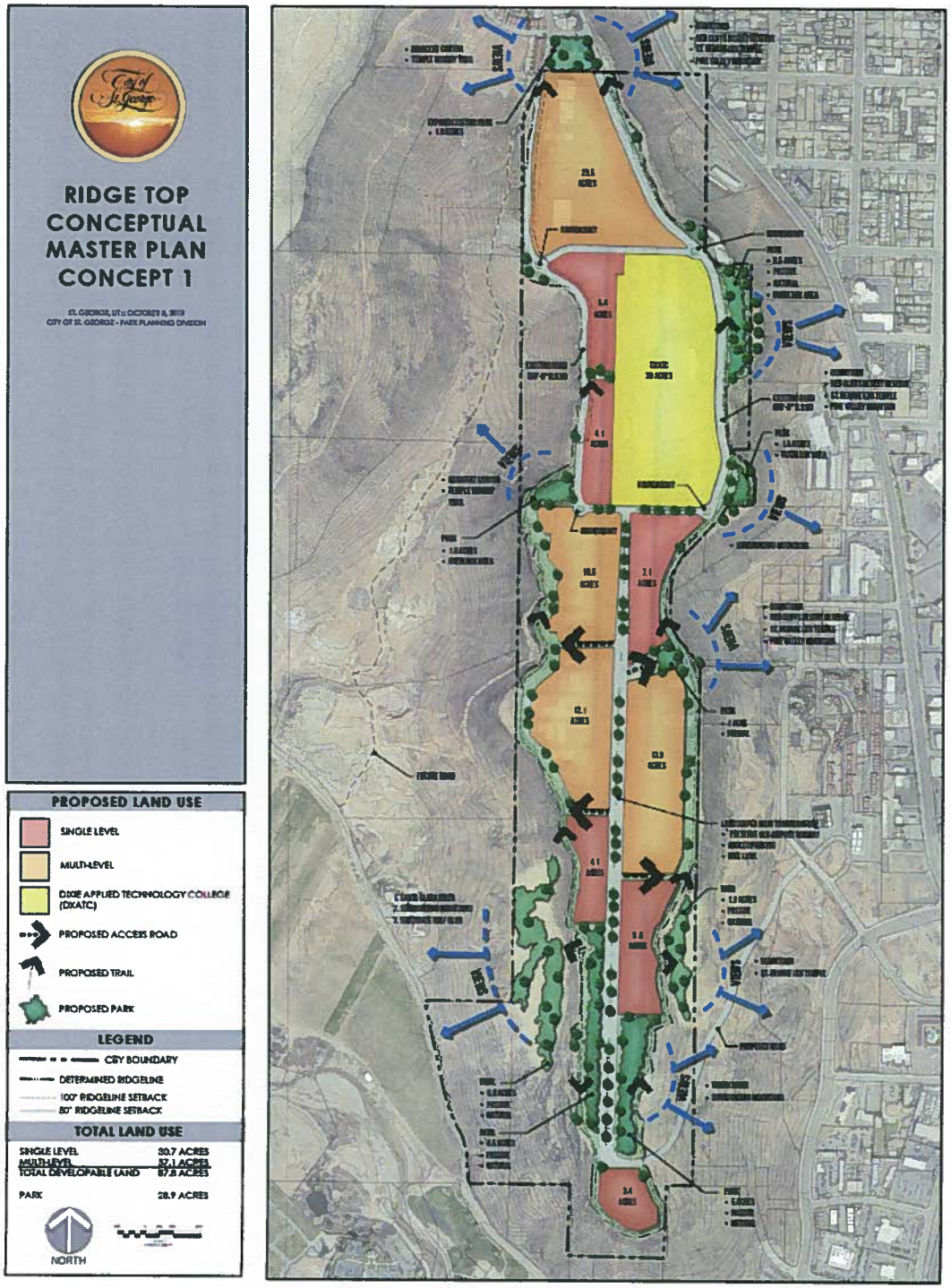
ST. GEORGE, UT : OCTOBER 23, 2018
CITY OF ST. GEORGE

TOTAL DEVELOPABLE AREA

TOTAL: 163.7 ACRES

Proposed GPA

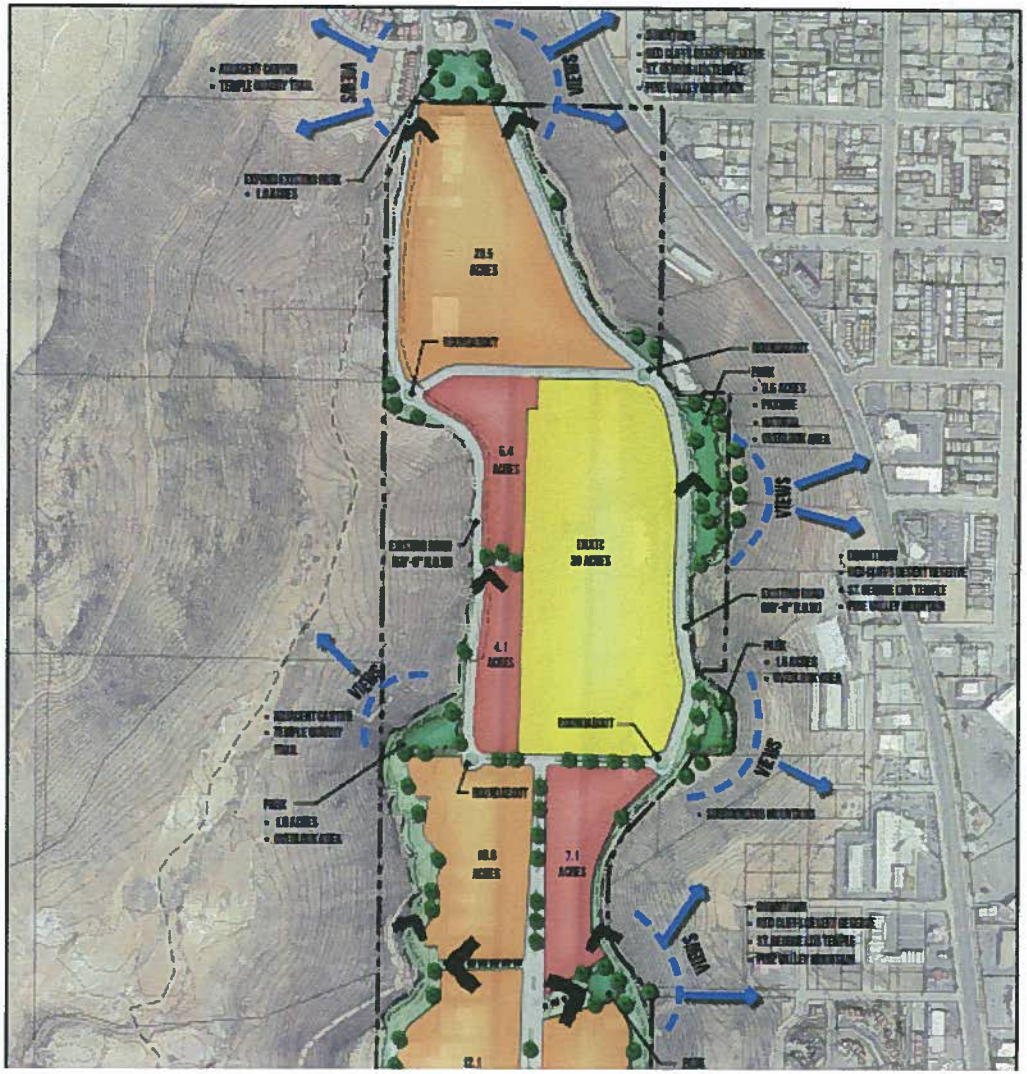
NORTH



Proposed Concept Plan

RIDGE TOP CONCEPTUAL MASTER PLAN CONCEPT 1

ST. GEORGE, UT :: OCTOBER 8, 2015
CITY OF ST. GEORGE - PARK PLANNING DIVISION



PROPOSED LAND USE

- SINGLE LEVEL
- MULTI-LEVEL
- DIXIE APPLIED TECHNOLOGY COLLEGE (DXATC)
- PROPOSED ACCESS ROAD
- PROPOSED TRAIL
- PROPOSED PARK

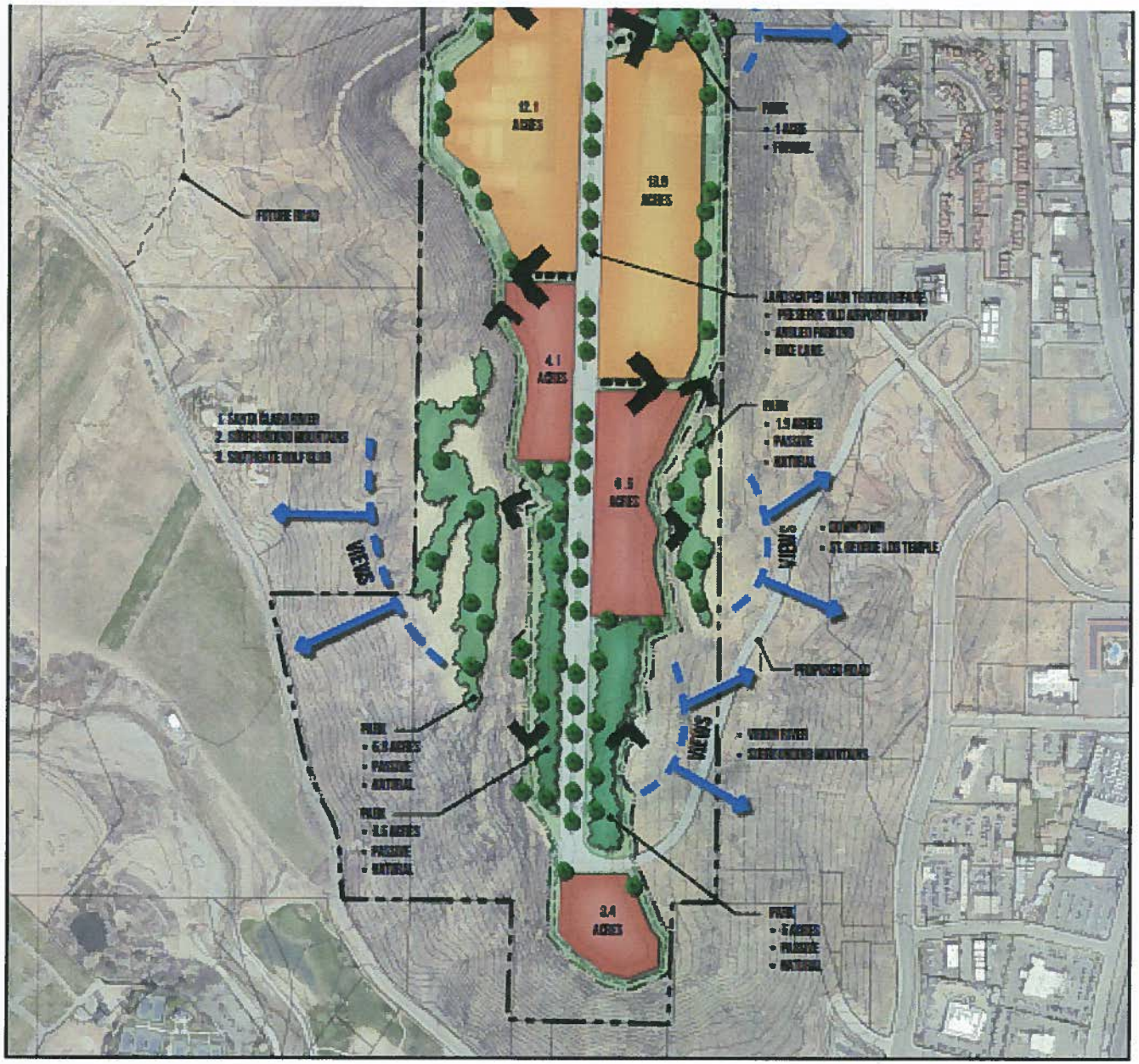
LEGEND

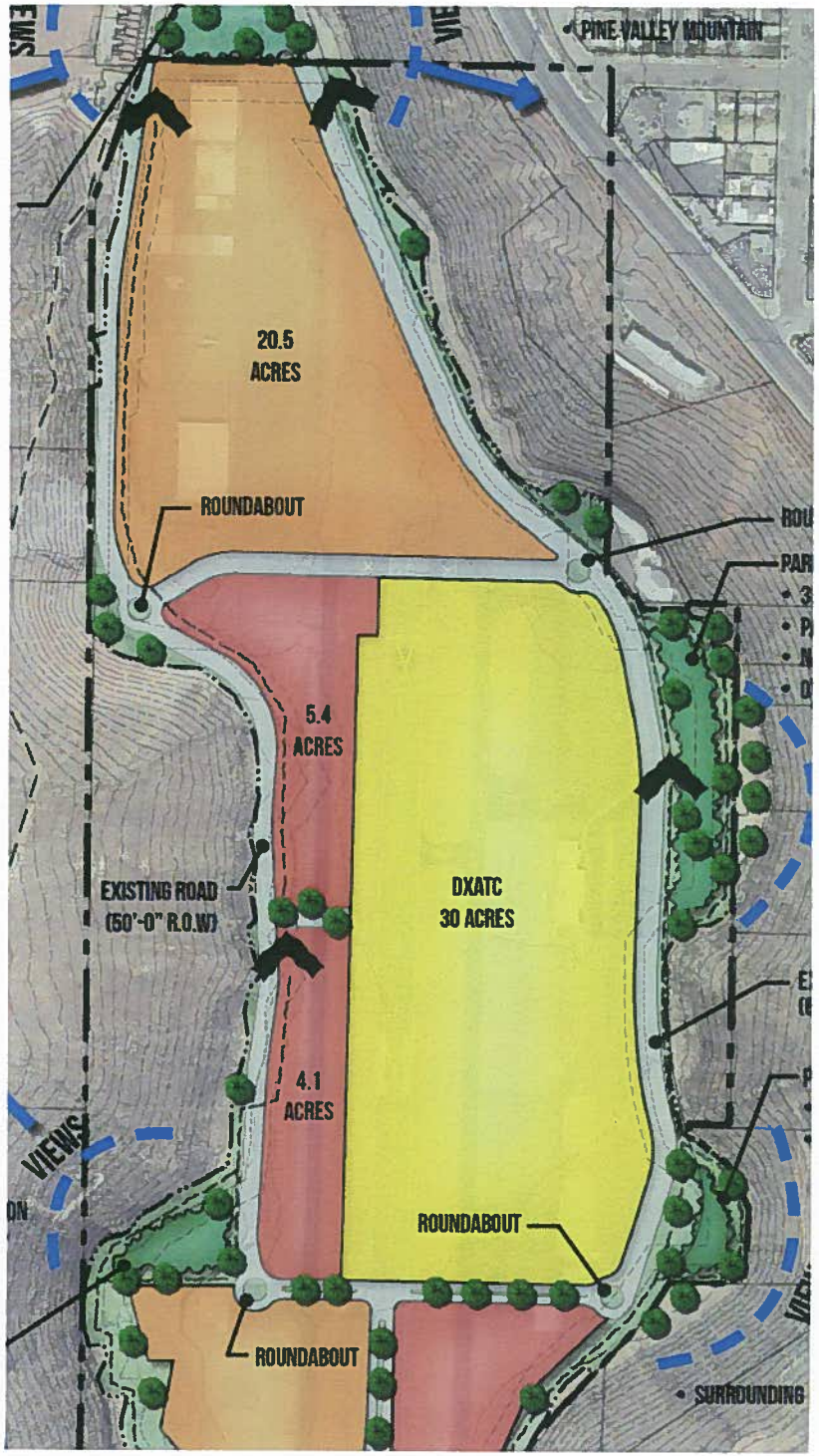
- CITY BOUNDARY
- DETERMINED RIDGELINE
- 100' RIDGELINE SETBACK
- 50' RIDGELINE SETBACK

TOTAL LAND USE

SINGLE LEVEL	30.7 ACRES
MULTI-LEVEL	57.1 ACRES
TOTAL DEVELOPABLE LAND	87.8 ACRES
PARK	28.9 ACRES

NORTH





DXATC Location

Proposed DXATC

S Airport Rd

S Airport Rd

S Airport Rd

If a GPA is approved the City would have to return with a zone change application(s)

** INBOUND NOTIFICATION : FAX RECEIVED SUCCESSFULLY **

TIME RECEIVED	REMOTE CSID	DURATION	PAGES	STATUS
November 10, 2015 4:06:48 PM MST	7028778857	35	1	Received

11/10/2015 15:03 7028778857 PAGE 01/01

H. BRUCE COX
Attorney at Law

6511 W. Deer Springs Way
Las Vegas, NV 89131
Tel. (702) 877-8856
Fax (702) 877-8857

November 10, 2015

JOHN WILLIS
Planning & Zoning Manager
City of St. George
FAX No. 435-627-4116

RE: General Plan Amendment
Case No. 2015-GPA-010

Dear Mr. Willis:

I am a co-owner of Assessor Parcel SG-1755-A-1-A. The property tax bills are mailed to my sister. She has informed me that in the late afternoon of (Saturday) Nov. 7, 2015, she received a notice of hearing, dated October 28, 2015, and post-marked November 4, 2015. The hearing is apparently set for this evening.

I hereby object to such hearing being held on such short notice, and hereby request that it be continued.

Such inadequate notice is a denial of due-process-of-law. It appears to be an effort by the City of St. George to "railroad" such amendment into approval; and of the City of St. George indirectly trying to justify that they have complied with legal notice requirements.

I object to such late notice, and I object to the proposed Plan Amendment.

Respectfully submitted,

H. BRUCE COX, ESQ.

HBC/sc

December 15, 2015

City of St. George

175 East 200 North

St. George, UT 84770

Attn: Mr. Jon Pike, Mayor and members of the city council

Reference: Former St. George Municipal Airport, General Plan Amendment

Dear Mr. Pike,

My name is Gerard "Jerry" Koontz. My residence is 532 W 265 S, St. George, UT. 84770. (For reference, my home is located at the top of Airport road at the corner of 265 South, directly across from the Black Hill View city park). My wife, Dixie, and I have lived at this location for over seven years.

Obviously, the location of my residence generates a keen interest in the planning and success of the change in land use of the old St. George Municipal Airport property.

First of all, let me state that I have no objection to the change in the land use designation from TC, MDR, HDR, LDR, to Commercial. It is an obvious determination that the land occupied by the former St. George Municipal Airport will eventually be converted to tax producing revenue. I suggest that you refer to my letter addressed to Mr. John Willis, dated November 8, 2015 (copy enclosed). It should be noted that the (6) points of concern (ref page 2) relating to the project were addressed and were resolved at the planning committee meeting held on November 19, 2015.

However, I suggest that consideration be given to two separate items that are presently not addressed with the proposed land use proposal of the Ridgetop Technology Park. These items include safety concerns related to the use of the Black Hill View Park and the "SCAR" project located on the hillside immediately adjacent to the Technology Park.

Repetitious of my comments detailed in my letter to Mr. Willis, I offer the following suggestions that address safety concerns for the users of the Black Hill View Park and residences of the area.

I suggest that the proposed land use footprint be extended to the north to include the Black Hill View Park area. This would facilitate changes as per the following:

A.1. ***Block off the east end of 265 South at the airport road. (Note: the West end of 265 South is dead ended and feeds directly into a private road, leading to a housing sub division.)***

A.2. ***Construct a new access road running East and West between the airport road and Donlee Dr. at approximately 300 South.***

A.3. ***The newly constructed road will be located between the south end of the Black Hill View Park and the existing hanger building utilized and occupied by the City of St. George.***

A.4. ***Extend the width of the newly constructed 300 South extension road to facilitate diagonal parking at the South side of the park for users of the park.***

A.5. ***Incorporate traffic safety devices such as speed indicators, flashing lights, etc on airport road in effort to enforce the present 25mph speed limit. The current trend of traffic behavior is to exceed the speed limit by a significant margin.***

Rational for this proposal is based on the following issues:

B.1. ***Safety for users of the park area.***

a. ***Present users of the park generally use 265 South as their parking area. And, the principle users of the park are families with small children. Consequently, they are forced to load and unload infant children and various items such as car seats, baby strollers, etc from the street side of their vehicles. With vehicles parked on both sides of the street, only minimal space is available for through traffic.***

B.2. ***Park Activity.***

a. ***As expected with park activity, various items such as balls, etc are accidently thrown onto the streets. As children rush to retrieve them, little consideration is given to oncoming vehicle traffic. This is especially true for the 265 South street location because of it being the narrow side of the park.***

B.3. ***Speed control.***

a. ***Vehicles travelling to the top of airport road tend to accelerate through the right hand turn and onto 265 South. This creates additional safety hazard for***

families loading and unloading children from their parked vehicles as they intend to use the park facility.

b. *Vehicles presently travelling south on Donlee Dr. are not required to stop at the intersection at 265 south. Consequently, they tend to cut the left had turn "short" and accelerate to the stop sign located at the airport road, commonly while exceeding the allowable speed limit.*

B.4. ***Future anticipated volume of traffic.***

a. *With development of the old airport property, it's highly probable that the volume of traffic will increase considerably on 265 south. This potential increase in the volume of traffic increase raises even greater concern for the safety of people utilizing the park area.*

B.5. ***Vehicle safety.***

a. *Large and/or heavy trucks are forced to down shift on the hill as they presently reach the intersection of 265 South and prepare to make a right hand turn from airport road. Movement of the intersection further south (toward the crest of the hill) tends to allow those vehicles to reach the crest of the airport road, thus reducing the need to maintain acceleration of their respective vehicles.*

B.6. ***Negative impact analysis.***

a. *Vehicle traffic presently using 265 south as the access to the airport road and/or Donlee Dr. will be required to travel approximately ½ block further south to reach their turning point.*

The 2nd item of my request and recommendation is that the city address the "Scar" that is present on the hillside located immediately west of the proposed Ridgetop Technology Park project. This project was addressed in May, 2013 by the Hillside Reclamation Advisory Committee who submitted a report to Mayor Dan McArthur and the city council. (Note: I served as a member of that committee). In summary, the committee recommended that the eyebrow area be a demonstration area to show that reclamation can successfully be done at a reasonable cost. The cost estimate at that time was $ 150,000. I believe that in conjunction with development of the Ridgetop Technology Park, the proposed "Scar" reclamation issue be address at the same time.

I trust that you and members of the city council will give careful and reasonable thought and value to the comments and ideas presented in this correspondence. Speaking as a resident living adjacent to the impacted area, I feel that the comments and suggestions presented are accurate and are served with constructive recommendations. I welcome the opportunity to discuss, review and clarify the contents of this letter in person and/or by phone.

Sincerely,

Gerard "Jerry" Koontz

265 South 536 West

St. George, UT 84770

(435) 656-1896

Copy: Mr. John Willis, Planning and Zoning Manager

November 9, 2015

City of St. George

Community Development Department

175 East 200 North

St. George, UT 84770

Attn: Mr. John Willis, Planning & Zoning Manager

REFERENCED COPY

Reference: Former St. George Municipal Airport, General Plan Amendment

Dear Mr. Willis,

My name is Gerard "Jerry" Koontz. My residence is 532 W 265 S, St. George, UT. 84770. (For reference, my home is located at the top of Airport road at the corner of 265 South, directly across from the Black Hill View city park). My wife, Dixie, and I have lived at this location for over seven years. The home was purchased from a close relative who built the house in 1985.

Because of our close location to the proposed project, combined with my professional experience in working with various committees, heading up several companies in the Salt Lake City area, I feel that I may be of some assistance in contributing to the efforts and goals of the project. I am a retired professional engineer with a license in Utah and Pennsylvania. I made St. George my permanent residence in 2006 when I retired after living in Utah for over 40 years.

Obviously, the location of my residence generates a keen interest in the planning and success of the change in land use of the old St. George Municipal Airport property. I also believe that I can contribute an objective view point without exercising personal interest.

First of all, let me state that I have no objection to the change in the land use designation from TC, MDR, HDR, LDR, to Commercial. It is an obvious determination that the land occupied by the former St. George Municipal Airport will eventually be converted to tax producing revenue. However, before I acknowledge support for the proposed general plan amendment, I have several questions.

1. *I request that location of the approximate 187 acres be identified. It is my understanding that the total area of the old airport is much greater than 187 acres.*

2. *Does the amendment include plans for additional roadway access to the area?*

3. *Assuming that additional roads will be added for access to the area, will construction and completion of the roads be made prior to the construction phase of development?*

4. *Will load limits be enforced on vehicles using the existing airport road during and after development of the area?*

5. *Are there any restrictions in the change to commercial use that restrict the size of commercial buildings, such as box stores, etc?*

6. *Identify the remaining acreage that will be classified as Town Center, Medium Density Residential, High Density Residential and Low Density Residential.*

In consideration for support of the proposed land use amendment, I offer the following suggestions that address safety concerns for the users of the Black Hill View Park and residences of the area.

Please refer to the attached sketch of the area that is the focus of my recommendations as per the following:

A.1. *Block off the east end of 265 South at the airport road. (Note: the West end of 265 South is dead ended and feeds directly into a private road, leading to a housing sub division.)*

A.2. *Construct a new access road running East and West between the airport road and Donlee Dr. at approximately 300 South.*

A.3. *The newly constructed road will be located between the south end of the Black Hill View Park and the existing hanger building utilized and occupied by the City of St. George.*

A.4. *Extend the width of the newly constructed 300 South extension road to facilitate diagonal parking at the South side of the park for users of the park.*

A.5. *Incorporate traffic safety devices such as speed indicators, flashing lights, etc on airport road in effort to enforce the present 25mph speed limit. The current trend of traffic behavior is to exceed the speed limit by a significant margin.*

Rational for this proposal is based on the following issues:

B.1. Safety for users of the park area.

a. Present users of the park generally use 265 South as their parking area. And, the principle users of the park are families with small children. Consequently, they are forced to load and unload infant children and various items such as car seats, baby strollers, etc from the street side of their vehicles. With vehicles parked on both sides of the street, only minimal space is available for through traffic.

B.2. Park Activity.

a. As expected with park activity, various items such as balls, etc are accidently thrown onto the streets. As children rush to retrieve them, little consideration is given to oncoming vehicle traffic. This is especially true for the 265 South street location because of it being the narrow side of the park.

B.3. Speed control.

a. Vehicles travelling to the top of airport road tend to accelerate through the right hand turn and onto 265 South. This creates additional safety hazard for families loading and unloading children from their parked vehicles as they intend to use the park facility.

b. Vehicles presently travelling south on Donlee Dr. are not required to stop at the intersection at 265 south. Consequently, they tend to cut the left had turn "short" and accelerate to the stop sign located at the airport road, commonly while exceeding the allowable speed limit.

B.4. Future anticipated volume of traffic.

a. With development of the old airport property, it's highly probable that the volume of traffic will increase considerably on 265 south. This potential increase in the volume of traffic increase raises even greater concern for the safety of people utilizing the park area.

B.5. Vehicle safety.

a. Large and/or heavy trucks are forced to down shift on the hill as they presently reach the intersection of 265 South and prepare to make a right hand turn from airport road. Movement of the intersection further south (toward the crest of

the hill) tends to allow those vehicles to reach the crest of the airport road, thus reducing the need to maintain acceleration of their respective vehicles.

B.6. Negative impact analysis.

a. Vehicle traffic presently using 265 South as the access to the airport road and/or Donlee Dr. will be required to travel approximately ½ block further south to reach their turning point.

I trust that you and your committee will give careful and reasonable thought and value to the comments and ideas presented in this correspondence. Speaking as a resident living adjacent to the impacted area, I feel that the comments and suggestions presented are accurate and are served with constructive recommendations. I welcome the opportunity to discuss, review and clarify the contents of this letter in person and/or by phone.

Your response is welcomed.

Sincerely,

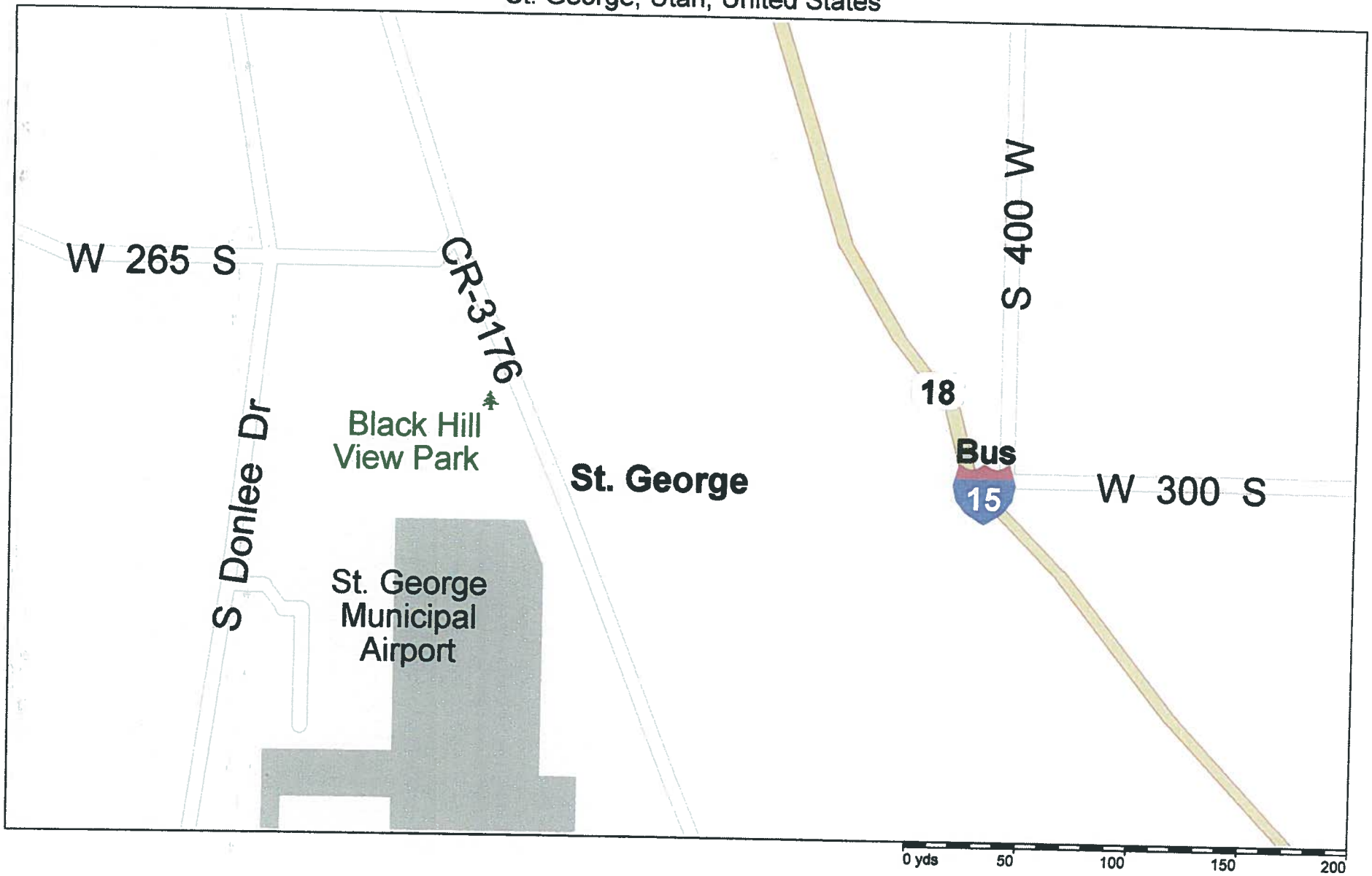
Gerard "Jerry" Koontz

265 South 536 West

St. George, UT 84770

(435) 656-1896

St. George, Utah, United States



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Koontz
532 W 265 S.
St. Geo. UT 84770

City of St. George
Community Development Dept
175 EA. 200 N.
St. George, UT 84770
Attn: Mr. John Willis,
Planning & Zoning Mgr.

Hand Delivered
Nov. 9 '15

John Willis

From: John Willis
Sent: Tuesday, November 10, 2015 4:23 PM
To: Genna Singh
Subject: FW:

From: ROMA JONES [mailto:romeobabe@msn.com]
Sent: Tuesday, November 10, 2015 4:12 PM
To: John Willis
Subject:

Dear Mr. Willis,

My name is Roma Jones.
My husband, Elwin and I object to case # 2015 GPA010.

Our property, SG1755A1A is with in 500 feet of the proposed general plan amendment.
Once again, we object to this proposal.

Thank you for reading this email.

Sincerely.

Elwin and Roma Jones

Sent from Windows Mail

ORDINANCE NO._____

AN ORDINANCE AMENDING THE GENERAL PLAN LAND USE MAP TO CHANGE THE LAND USE DESIGNATIONS FROM RESORT, TC (TOWN CENTER), MDR (MEDIUM DENSITY RESIDENTIAL), HDR (HIGH DENSITY RESIDENTIAL), AND LDR (LOW DENSITY RESIDENTIAL), TO COM (COMMERCIAL) ON APPROXIMATELY 183.7 ACRES.

WHEREAS, the property owner has requested a change to the General Plan Land Use Map to change the land use designations on approximately 183.7 acres. The property is located approximately at the former St. George Municipal Airport (about at 500 West, and about from 300 South to 1600 South). The current land use designations are RESORT, TC (Town Center), MDR (Medium Density Residential), HDR (High Density Residential), and LDR (Low Density Residential). The request is to change all of the designations on the property to COM (Commercial); and

WHEREAS, the City Council held a public hearing on this request on December 17, 2015, and received all pertinent information regarding the proposed change to the General Plan Land Use Map; and

WHEREAS, the Planning Commission held a public hearing on November 10, 2015, and has recommended approval; and

WHEREAS, the City Council finds that a COM (Commercial) designation creates a better use for the property, and it is appropriate at this location. The City Council further finds that the change fits with the overall policies and goals of the City, and the change is reasonable and consistent with the General Plan.

NOW, THEREFORE, BE IT ORDAINED, by the St. George City Council, as follows:

Section 1. Repealer. Any provision of the St. George City Code found to be in conflict with this ordinance is hereby repealed.

Section 2. Enactment. The General Plan Land Use Map is hereby changed to reflect the land use designation of COM (Commercial) on approximately 183.7 acres, located at the former St. George Municipal Airport (about at 500 West, and about from 300 South to 1600 South), specifically described on the attached property description, Exhibit "A."

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately on the date executed below.

APPROVED AND ADOPTED by the City Council of the City of St. George, this 17th day of December, 2015.

_____

Jonathan T. Pike, Mayor

ATTEST:

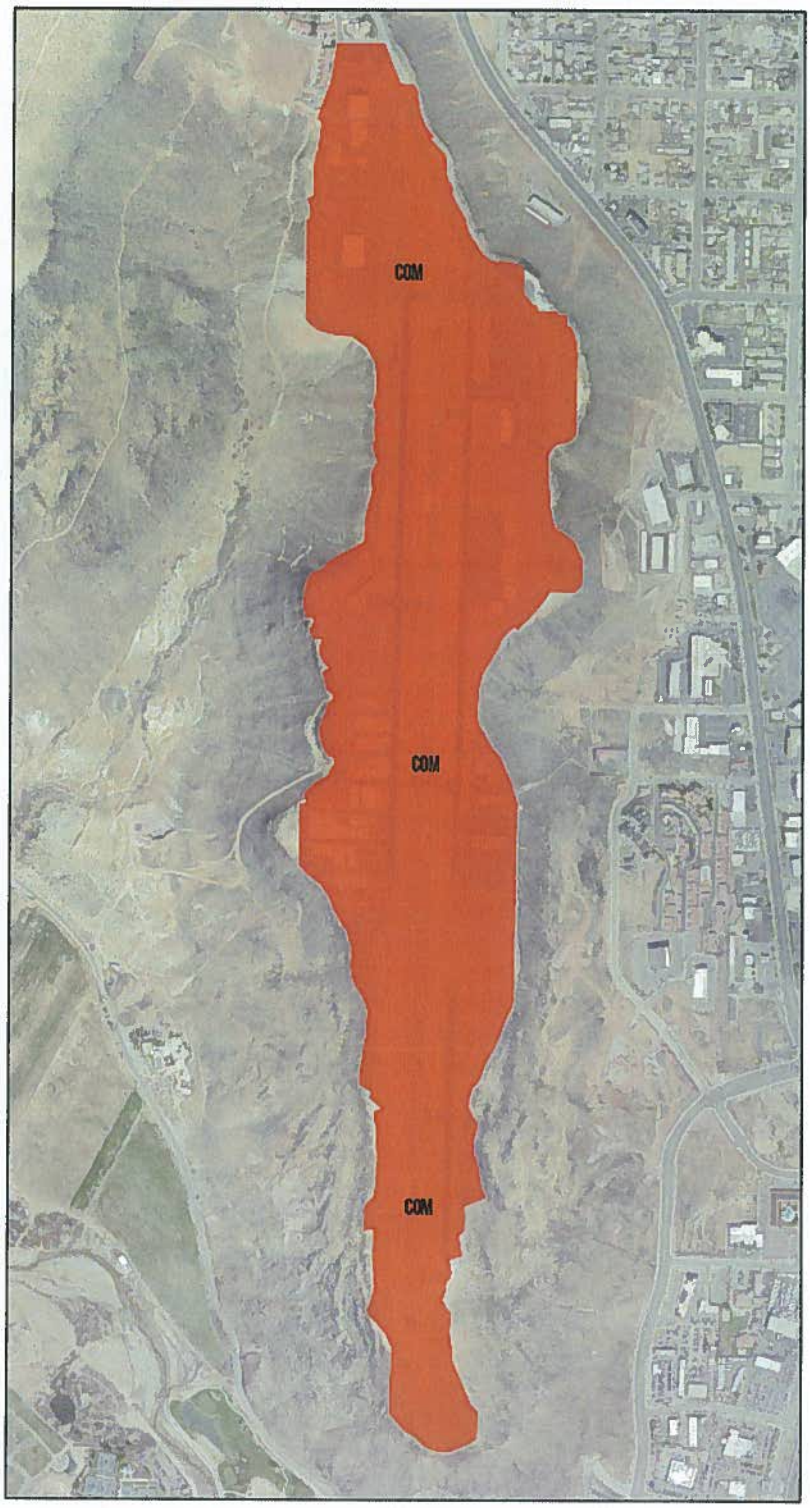
_____

Christina Fernandez, City Recorder

Exhibit "A"

RIDGE TOP TECHNOLOGY PARK GENERAL PLAN AMENDMENT

ST. GEORGE, UT | OCTOBER 23, 2018
CITY OF ST. GEORGE



TOTAL DEVELOPABLE AREA
TOTAL: 183.7 ACRES

NORTH

DRAFT

Agenda Item Number : 3H

Request For Council Action

Date Submitted	2015-12-07 11:36:06
Applicant	City of St. George
Quick Title	Public Hearing and Ord to Amend Zoning Regulations
Subject	Consider amendments to the following chapters and sections in Title 10 Zoning regulations regarding accessory buildings: 10-2-1 Zoning Definitions, 10-7A-4 Height Regulations, 10-7A-6 Modifying Regulations, 10-7B-4 Height Regulations, 10-7B-6 Modifying Regulations, 10-7C-4 Height Regulations, 10-7C-7 Modifying Regulations, 10-7D-5 Height Regulations, 10-7D-7 Modifying Regulations, and 10-14 Supplementary and Qualifying Regulations.
Discussion	The amendment is proposing to remove accessory structures from each zoning section and provide a central location under Chapter 17: Supplementary and Qualifying Regulations. In addition, several other modifications are being proposed, including: adding cargo containers as an accessory structure; modifying how to measure an accessory structure, which would increase the allowable height; reducing separation requirements, in order to make consistent with other requirements; removed wall height requirement and allow for CUP for the height only. Additionally, the amendment allows cargo containers as a temporary use under specific standards and times. Planning Commission recommends approval.
Cost	$0.00
City Manager Recommendation	Planning Commission recommends approval.
Action Taken	
Requested by	John Willis
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

RECEIVED
DEC 16 2015
BY: ACC. STRUCT

12/16/15

Dear Councilmember,

I am writing this letter because in the next city council meeting on 12/17/15 you will be asked to consider amending Title 10 of City zoning regulations. I feel that some of the proposed changes are unnecessary and more restrictive than the current ordinance.

The ordinance that I am referring to is (10-7B-6-B-6) which currently allows property owners the option to place a detached garage or an accessory building 0 feet – 5 feet from the property line. The proposed change would restrict that right by not allowing any structure to be placed closer than 5 feet to the property line. I met with John Willis so he could explain to me the reasons for the proposed change. Some of the reasons that he mentioned include concerns with the following: Fire code, roof overhang, creating consistency in the code, and the potential of receiving complaints from a neighbor. After meeting with John, I spent some time gathering information about the above concerns, and will mention some of what I learned here.

I started by talking about the fire code with Deputy Chief Kevin Taylor. He explained to me the requirement that any structure placed within 3 feet of the property line would be required to have a firewall. He also shared with me some ideas and products that could be applied to any structure wall so that it would meet the firewall requirements. Next, with regard to the roof overhang issue, the current ordinance as well as the proposed changes easily address the issue well by stating "The roof shall not project across the property line". Creating consistency in the code is a great idea as long as it does not unnecessarily restrict property owner's rights. The concern of potentially having a next door neighbor complain will always exist, but I don't believe that property owner's rights should be restricted because of that. Also, an attempt has been made to accommodate this group of people in the proposed changes by requiring structures to be "free from damage, rust, and exposed metal and has been painted one solid muted earth tone color with no writing, signs, numbers or logos."

I do not believe that the reasons that have been presented are sufficient to require that no structure be placed within 5 feet of the property line. Over the years, there have been many detached garages and accessory buildings placed within 5 feet of the property line. I believe that the current ordinance (10-7B-6-B-6) could be used and incorporated into the other proposed changes. I am hopeful that you will take my concerns and comment into consideration as you decide whether these changes are necessary based on the Health, Safety, and Welfare of our community.

Thank you for your consideration,

Jonathan Zundel

435-862-5203

10-7B-6: MODIFYING REGULATIONS:

A. Side And Rear Yards:

1. The side and rear yard setback on a "street side" yard shall be the same as a front yard setback (setback requirement is 25 feet from any public street).

2. A "zero" side yard may be used for all lots in a planned subdivision or development. In such cases the opposite side yard shall not be less than a combination of the two (2) side yards otherwise required. (1998 Document § 14-6)

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

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

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

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

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

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

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

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

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

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

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

Accessory Structures

PLANNING COMMISSION AGENDA REPORT:	**05/12/2015 (Tabled)**
PLANNING COMMISSION AGENDA REPORT:	**11/10/2015**
CITY COUNCIL SET DATE:	**11/19/2015**
CITY COUNCIL MEETING:	**12/17/2015**

AMENDMENT TO ZONING REGULATIONS; **PUBLIC HEARING**
Case No. 2015-ZRA-002

Proposedamendments to the following Chapters and Sections in Title 10 Zoning Regulations regarding accessory buildings:

10-2-1 Zoning Definitions, 10-7A-4 Height Regulations, 10-7A-6 Modifying Regulations, 10-7B-4 Height Regulations, 10-7B-6 Modifying Regulations, 10-7C-4 Height Regulations, 10-7C-7 Modifying Regulations, 10-7D-5 Height Regulations, 10-7D-7 Modifying Regulations, and 10-14 Supplementary and Qualifying Regulations.

Applicant: City of St George

Background: At the August 27, 2015 City Council work meeting, the Council and Planning Commission met and discussed cargo containers within the City. As a result, staff has prepared amendments to the code that addressed cargo containers, as well as, accessory structures.

Currently the Zoning Ordinance is unclear and lacks consistency in regards to accessory buildings in residential zones. Each zone has variations of each requirement and this amendment would make it easier to administer, as well as, provide consistency in the code. The amendment is proposing to remove accessory structures from each zoning section and provide a central location under Chapter 17: Supplementary and Qualifying Regulations. In addition, several other modifications are being proposed, including: adding cargo containers as an accessory structure; modifying how to measure an accessory structure, which would increase the allowable height; reducing separation requirements, in order to make consistent with other requirements; removed wall height requirement and allow for CUP for the height only. Additionally, the amendment allows cargo containers as a temporary use under specific standards and times.

Planning Commission: PC recommends approval.

2015-ZRA-002
Accessory Structures

Request:

Proposed amendments to the following Chapters and Sections in Title 10 Zoning Regulations regarding accessory buildings:

10-2-1 Zoning Definitions, 10-7A-4 Height Regulations, 10-7A-6 Modifying Regulations, 10-7B-4 Height Regulations, 10-7B-6 Modifying Regulations, 10-7C-4 Height Regulations, 10-7C-7 Modifying Regulations, 10-7D-5 Height Regulations, 10-7D-7 Modifying Regulations, and 10-14 Supplementary and Qualifying Regulations.

Proposed Amendment:

10-2-1 Definitions:

BUILDING, ACCESSORY: A detached subordinate building clearly incidental to and located upon the same lot occupied by the main building. Accessory buildings include but are not limited to:

1. garages, sheds, gazebos or other similar subordinate structures; or
2. a cargo container if it is free from damage, rust, and exposed metal and has been painted one solid muted earth tone color or similar color as the main structure with no writing, signs, numbers or logos.

CARGO CONTAINER: Any portable, reusable container generally referred to as a sea cargo container, cargo container or shipping container made as a prefabricated metal structure and primarily designed or used for transporting freight by commercial transportation on ships, by rail or mounted on a chassis for movement by a tractor trailer and is built in accordance with the U.S. Department of Transportation standards. Cargo container does not include semitrailers as defined in Section 41-6a-102 U.C.A.

Chapter 14
SUPPLEMENTARY AND QUALIFYING REGULATIONS

Line 308: 10-14-~~14~~12: RESIDENTIAL ACCESSORY BUILDINGS:
~~Accessory buildings shall not be constructed upon a lot until the building permit has been issued for the principal building. (1998 Document § 3-15)~~
Accessory buildings in the residential zones, Planned Development Zone, and Traditional Neighborhood District: Accessory buildings shall not be constructed upon a lot until the building permit has been issued for the main dwelling:
1. The roof shall not project across the property line;
2. Stormwater runoff from the building shall not run onto adjacent property;
3. All corner lots shall maintain twenty five foot (25') setbacks on all street sides;
*4. Any accessory building placed over a utility easement shall require written approval from the Joint Utility Committee;

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

*5. Accessory buildings shall not cover more than twenty five percent (25%) of the rear yard area;
**6. 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;
***7. Main dwelling and accessory buildings must be separated a minimum of six (6') feet.

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

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

***~~Private garages and a~~ Accessory may be built ~~located to the rear and at least ten feet (10') away from the main dwelling~~

8. <u>Accessory buildings located in the rear of the main dwelling, may be located no less than five feet (5') from the rear and side property line.</u>

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

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

Proposal:
- Removes the restrictions on wall height and CUP.
- Set one standard for setbacks and recognized that 4' eave projections are allowed per code, drainage concerns, and fire code.
- Removed the unclear and difficult to administer setback range.

9. Accessory buildings in a side yard:

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

b. provided exterior look similar to the main structure by using the same building materials, colors, roof pitch, and design.

10-14-~~17~~15: TEMPORARY BUILDINGS:

A. Authorized; Term: A building nonconforming as to type or location may be approved by the city, ~~community development director or a designated representative~~ for use as a temporary residence, sales office or commercial or industrial building during the construction of permanent facilities, provided cargo containers may not be used as a temporary residence. Such temporary approval shall not be made for a period exceeding one year. Extensions may be granted for cause, by the city ~~community development director or a designated representative~~, for additional six (6) month extensions up to a maximum of eighteen (18) additional months~~, or three (3) such extensions~~.

C. Cargo containers may be temporary approved by the city under the following standards:

1. Construction or renovations provided a building permit has been issued for construction related activities. The cargo container may be allowed on-site for up to one (1) year with a valid building permit. Extensions may be granted for cause, by the city for an active permit, for additional six (6) month extensions up to a maximum of eighteen (18) additional months.
2. Cargo containers for moving or construction activities that do not require a permit may be allowed on-site for thirty (30) days. A thirty (30) day extension may be granted for cause by the city.

3. Vertical stacking is prohibited and cargo containers shall not be used for human habitations.

4. Cargo containers may be used in association with a licensed firework business, donation center, or other non-profit collection center for thirty (30) days.

5. Commercial or industrial zoned properties may have temporary cargo containers. No separation is required between cargo containers. Cargo containers must maintain a minimum of ten (10) feet separation between other structures. The cargo container may be allowed on-site for up to one (1) year. Extensions may be granted for cause, by the city for additional six (6) month extensions up to a maximum of eighteen (18) additional months. Cargo containers not permitted under 10-14-17 must comply with the applicable building and zoning regulations.

6. Cargo Containers must not be located in fire lanes, required parking spaces, landscaping and must be placed on an improved surface, unless approved with the building permit.

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

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

A. Side and rear yard setback on a "street side" yard shall be the same as a front yard. If a ~~With a~~ six foot (6') masonry wall exist along a rear or side property line, ~~dwellings~~ side and rear yard setbacks may be ~~be located within~~ reduced to twenty feet (20') ~~of rear or side property lines.; accessory buildings no higher than fifteen feet (15') in height may be ten feet (10') from the rear property line; and storage sheds no higher than six feet (6') in height may be placed adjacent to the six foot (6') block wall.~~

10-14-~~23~~21: GUESTHOUSES:

L. Separation distance from the main dwelling and guesthouse ~~other accessory buildings or structures~~ shall conform to the requirements of the adopted building and fire codes.

Proposal Addresses:

- Provides cargo containers as an accessory building
- Removes accessory structures in each zoning section and locates into one central section in the code, thus providing consistency in the code.
- Provided consistency for measuring height of buildings, which may allow an increase in height and reduce the number of CUPs
- Reduced the separation requirement between the main structure and accessory structure, which is inline with the side yard provisions and mitigate potential concerns with increase setback.
- Eliminated the wall height setback requirement, along with the CUP.
- Provided one setback, oppose to the range of setbacks, which was difficult and confusion to administer. Proposed setback addresses potential eve projections, drainage, and fire code restrictions. In order to mitigate any concerns with the setback, we did reduce the separation requirement.
- Provided provisions for cargo containers as a temporary use.
- Amendments apply City wide.

Proposed Amendment:
(New wording is underlined)

10-2-1 Definitions:

BUILDING, ACCESSORY: A detached subordinate building clearly incidental to and located upon the same lot occupied by the main building. Accessory buildings include but are not limited to:

1. garages, sheds, gazebos or other similar subordinate structures; or
2. a cargo container if it is free from damage, rust, and exposed metal and has been painted one solid muted earth tone color or similar color as main structure with no writing, signs, numbers or logos.

CARGO CONTAINER: Any portable, reusable container generally referred to as a sea cargo container, cargo container or shipping container made as a prefabricated metal structure and primarily designed or used for transporting freight by commercial transportation on ships, by rail or mounted on a chassis for movement by a tractor trailer and is built in accordance with the U.S. Department of Transportation standards. Cargo container does not include semitrailers as defined in Section 41-6a-102 U.C.A.

Chapter 7
RESIDENTIAL ZONES

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

10-7A-4: HEIGHT REGULATIONS:

~~A.~~ No building shall be erected to a height greater than two and one-half ($2^1/_2$) 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.

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

10-7A-6: MODIFYING REGULATIONS:

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

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

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

10-7B-4: HEIGHT REGULATIONS:

No building shall be erected to a height greater than two and one-half ($2^1/_2$) stories or thirty five feet (35'), whichever is less, unless recommended by the planning commission and approved by the city council as a conditional use permit. ~~No accessory building shall be erected to a height greater than fifteen feet (15'). (1998 Document § 14-4)~~

10-7B-6: MODIFYING REGULATIONS:

A. Side And Rear Yards:

1. The side and rear yard setback on a "street side" yard shall be the same as a front yard setback (setback requirement is 25 feet from any public street).

2. A "zero" side yard may be used for all lots in a planned subdivision or development. In such cases the opposite side yard shall not be less than a combination of the two (2) side yards otherwise required. (1998 Document § 14-6)

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

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

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

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

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

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

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

~~Setback From Property Line~~	~~Height Of Building Wall~~
-	-

~~0 feet - 5 feet~~	~~8 feet~~
~~5 feet - 10 feet~~	~~10 feet~~

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

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

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

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

~~C~~B. Front Yard Setback Less Than Required: In areas where the front yard setback on adjacent property is less than the required setback, new construction may be constructed at the lesser front yard setback requirements; however, in a case where the lesser setbacks of the adjacent properties on either side are different, the setback shall be a distance that is halfway between the distance of the other two (2) setbacks; or in a case where one of the setbacks is greater than the required setback, the setback shall be a distance that is halfway between the distance of the lesser adjacent setback and the required setback; but in no case shall the setback be less than twenty feet (20'). (1998 Document § 14-6)

~~D~~C. Trash, Junk, Inoperable Vehicles, Vessels, And Similar Materials: No trash, rubbish, weeds or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential zone. No junk, debris, abandoned, inoperable or dismantled vehicles or vessels or vehicle or vessel parts or similar materials shall be stored or allowed to remain on any lot in any residential zone. (Ord. 2004-12-003, 12-9-2004)

~~E~~D. R-1-6 Zone Requirements: The purpose of the R-1-6 zone is to allow for smaller individual homes with front yards fully completed at the time of occupancy. Therefore, the R-1-6 zone will only be allowed under the following criteria:

1. Drawings showing subdivision layout, landscaping and fencing shall be submitted to the planning commission for its recommendation to the city council.

2. In order to achieve a harmonious subdivision appearance and assure compliance, no certificate of occupancy shall be issued in this zone for any structure until it has been completely finished on the exterior with all required front yard landscaping, driveways and fencing.

~~F~~E. Cluster Development: Cluster development is intended to promote the preservation of open space and allow flexibility in development design. Cluster development in the R-1-40 zone may be permitted on a conditional use permit basis, subject to the following criteria:

1. Overall density shall not exceed the density of the R-1-40 zone.

2. Lot sizes may be reduced to eight thousand (8,000) square feet, provided the balance of property is set aside as permanent open space.

3. Prior to approval of a cluster development, a public hearing shall be held by the city council to consider neighborhood opinion on the proposal.

4. Open space may be used for playground and recreation space, but no buildings may be constructed in the open space area unless approved as part of the conditional use permit.

5. Lot width may be flexible and shall be determined as part of the conditional use permit approval process. (1998 Document § 14-6)

~~G~~F. Lot Size Averaging:

1. Purpose: Lot size averaging is an alternative to traditional minimum lot size standards and encourages a mix of lot sizes within a subdivision. The overall density of the zoning district remains approximately the same, but flexibility is provided in the mix of lot sizes.

2. Standards:

a. Lot size averaging is a permitted use within the R-1-8, R-1-10, R-1-12, R-1-20 and R-1-40 zones. Project density shall not exceed the following:

R-1-8		3.7 du/acre
R-1-10		3.2 du/acre
R-1-12		2.8 du/acre

R-1-20		1.8 du/acre
R-1-40		1.0 du/acre

b. No lot size or lot frontage (width) shall be reduced to less than seventy percent (70%) of the required lot size or lot frontage for the applicable zoning district, except that in the R-1-8 zone no lot size shall be reduced to less than eighty percent (80%) of standard lot size and no lot width shall be less than sixty five feet (65').

c. Exterior or perimeter lots shall be consistent with abutting developed lots when platting a new subdivision.

d. Lot size averaging shall apply to new subdivisions and not to existing recorded plats.

e. Smaller lots shall be dispersed throughout the subdivision rather than congregated together.

f. Subject to approval of the planning commission and city council, open space and/or trail easements may be included in the subdivision density calculations for the purpose of complying with subsection G2a of this section.

g. Not more than half of the proposed lots within the subdivision may be less than the zone's standard lot size, unless approved by the city council after considering the recommendation from the planning commission. (Ord. 2013-08-002, 8-1-2013)

~~H~~G. Minimum Lot Width In R-1-7 And R-1-8 Zones: R-1-7 and R-1-8 zones within the central city residential area, located between 100 South to 700 South and between 700 East to Bluff Street shall have a minimum lot width of sixty five feet (65'). (Ord. 2007-03-002, 3-22-2007)

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

10-7C-4: HEIGHT REGULATIONS:

~~A.~~ No main building shall be erected to a height greater than thirty five feet (35') or two and one-half ($2^1/_2$) stories, whichever is less. ~~No accessory building shall be erected to a height greater than fifteen feet (15'), unless recommended by the planning commission and approved by the city council as a conditional use permit (see section 10-14-14 of this title for restrictions).~~

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

10-7C-7: MODIFYING REGULATIONS:

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

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

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

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

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

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

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

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

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

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

~~C~~B. Fractional Amounts Of Square Footage: Any fractional amount of square footage left over in calculating density may not be considered toward an additional dwelling unit unless the full required amount of land is available.

~~D~~C. Less Than Required Front Yard Setback: In areas where the front yard setback on adjacent property is less than twenty five feet (25'), new construction may be constructed at the lesser front yard setback requirements; however, in a case where the lesser setbacks of the adjacent properties on either side are different, the setback shall be a distance that is halfway between the distance of the other two (2) setbacks; or in a case where one of the setbacks is greater than twenty five feet (25'), the setback shall be a distance that is halfway between the distance of the lesser adjacent setback and twenty five feet (25'); but in no case shall the setback be less than twenty feet (20').

~~E~~D. Units Per Building In R-2 Zone: In the R-2 zone, no multiple-family dwelling shall contain more than two (2) dwelling units per building. (1998 Document § 15-7; amd. 2003 Code)

~~F~~E. Landscape:

1. Properties within the multiple-family (MF) residential zones shall comply with chapter 25, "Landscape Standards", of this title.

2. A minimum of thirty percent (30%) of the lot area shall be maintained in open green space or landscaped area, and at least fifty percent (50%) of the front setback area shall be maintained as landscaped area. The community development director or a designated representative may adjust the requirement for fifty percent (50%) landscaping in the front setback area for residential lots that front onto the cul-de-sac or knuckle portions of streets. (Ord. 2008-07-003, 7-17-2008)

~~G~~F. Multiple Stories: Multi-family dwellings which are two (2) or more stories above grade in height and which are adjacent to a single-family use shall maintain a twenty five foot (25') setback adjacent to the single-family use boundary, and a twenty foot (20') setback adjacent to other residential uses, including the same use and PD planned development residential zone. If adjacent land is vacant, the use will be considered that of the intended use dictated by the zoning and comply to the above setback standards. (Ord. 2006-12-002, 12-7-2006)

~~H~~G. Front Yard Setback From Private Streets: Front yard setback from private streets shall be ten feet (10') minimum from back of curb for all buildings, and there shall be twenty feet (20') minimum from back of sidewalk (curb where no sidewalk) for garages or carports for projects started after December 11, 2001. The planning commission may allow a ten foot (10') front setback on hillside developments where it is determined that adequate off street parking is provided, and the reduced setback will reduce the overall amount of hillside excavation. Projects which have received preliminary plat approval prior to December 11, 2001, and have less than a twenty foot (20'), but not less than an eighteen foot (18'), front setback from a private street may complete the project according to the preliminary plat. (Ord. 2004-08-003, 8-5-2004)

~~I~~H. Building Separation: Building separation for detached units and group dwellings:

	$1^1/_2$ Stories	$2^1/_2$ Stories	3 Stories
Where there is common or limited common area between structures and no fence, retaining wall over 3 feet exists between units or building offsets (see notes 1 through 3)	10 feet	10 feet	20 feet

Notes:

1.Rear yard fences that do not block fire access may be allowed.

2.Structures shall be built in accordance to the provisions of the current international residential building code.

3.Yards shall not have window wells or walk out basements without the approval of the building and fire departments.

(Ord. 2007-11-004, 11-15-2007)

~~J~~I. Recreation And Playground Areas: In developments with five (5) or more units, there shall be provided usable recreation or playground areas outside of the front yard setback, with a total minimum area of one thousand (1,000) square feet for five (5) units and an additional two hundred (200) square feet for each unit over five (5) units. The average width and length of each usable recreation or playground area shall not be less than twenty feet (20') or as approved by the planning commission. At least fifty percent (50%) of the usable area shall be in the form of open playground or green space.

~~K~~J. Single-Family Dwelling Lot: Except for the required street side yard setback of twenty five feet (25'), a lot which is developed with only one single-family dwelling may have side yard setbacks of eight feet (8') and ten feet (10').

~~L~~K. Access To Multi-Family Developments:

1. A multi-family development with a density of twelve (12) dwelling units per acre or more shall have access via collector, or arterial roads, or via local access roads (50 foot minimum right of way), which are not part of a single-family subdivision, including mobile home subdivisions.

2. Any multi-family development with a density of twelve (12) dwelling units per acre or more and having more than twenty (20) dwelling units in the project or a phase thereof shall be considered a conditional use and subject to the provisions of chapter 17 of this title, if the only access roads are via local neighborhood streets (with 50 feet or less right of way) through a single-family subdivision, including mobile home subdivisions.

3. If a collector or arterial road (60 feet or more right of way) will be completed and available for use at the time of occupancy as determined by the city engineer, then the multi-family development shall be considered a permitted use rather than a conditional use.

~~M~~L. Design Review For Multi-Family Developments: A multi-family development with a density of twelve (12) dwelling units per acre or more and having twenty (20) or more total dwelling units shall be subject to design review approval by the city council. The city council, after hearing the recommendation of the planning commission, may approve, approve with conditions or deny the proposed design plan for such multi-family developments. Applicants shall submit a site plan and elevation drawings showing the project's overall design plan, including landscaping and proposed building exteriors. The planning commission and city council shall review the design plans to determine whether the proposed development will be compatible with the character of adjacent and surrounding developments, and

whether aesthetically the development is harmonious with the character of the neighborhood in terms of style, materials and colors. (1998 Document § 15-7)

~~N~~M. Twin Homes: Each unit of a twin home may be platted and sold separately, provided the units are attached and meet the building code requirements for separate ownership and each resulting lot area has a minimum of four thousand (4,000) square feet and a minimum of thirty feet (30') of frontage on a public road. Each unit shall have its own water and power meters and separate sewer lateral. (Ord. 4-2-1999, 4-1-1999)

~~O~~N. Guest Parking: For housing projects with a density of six (6) dwelling units per acre or more there shall be provided guest parking spaces in the amount of one guest parking space per three (3) dwelling units. The guest parking spaces shall be located on premises and within two hundred feet (200') of the dwelling unit it is intended to serve. The city council, upon recommendation from the planning commission, may reduce the requirement for guest parking spaces where the city council finds that evidence supports a decrease in the required amount of guest parking spaces. (Ord. 2009-07-002, 7-2-2009)

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

10-7D-5: HEIGHT REGULATIONS:

No building shall be erected to a height greater than thirty five feet (35') or two and one-half ($2^1/_2$) stories, whichever is lesser.~~, and no accessory building shall be erected to a height greater than fifteen feet (15'). Accessory buildings are limited to one story.~~ (1998 Document § 16-4; amd. 2003 Code)

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

A. Side Yards: The side yard setback on a street side yard shall be the same as a front yard setback.

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

~~C~~B. Distance Of Homes: No mobile homes on adjacent lots shall be closer together than fifteen feet (15').

~~D~~C. Skirting: All mobile homes shall be skirted with a decorative masonry, block or brick skirting, or a continuation of the facing material of the home.

~~E~~D. Removal Of Wheels; Placement On Foundation: Each home in the subdivision must have wheels removed and must be placed on a foundation to city standards.

~~F~~E. Building Standards: Each mobile home located in a mobile home subdivision must be at least twelve feet (12') in width, must comply with the 1976 HUD manufactured housing standards, and shall have affixed to it a metal tag certifying such compliance. No recreational vehicle or travel trailer shall be used as a residence in a mobile home subdivision. (1998 Document § 16-6)

Chapter 14

SUPPLEMENTARY AND QUALIFYING REGULATIONS

10-14-9: YARDS UNOBSTRUCTED; EXCEPTIONS:

A. Requirements: Every part of a required yard shall be open to the sky, unobstructed except for accessory buildings in a rear yard, the ordinary projections of belt courses, eaves, chimneys, flues, cantilevered balconies or decks, and other ornamental features which project into a yard not more than four feet (4'), and open fire escapes, and open outside stairways projecting into a yard not more than four feet (4').

B. Porticos: Porticos extending from the dwelling over the main doorway and over a circular drive through driveway may be allowed to project to within fifteen feet (15') of the front property line. Porticos shall remain fully open on three (3) sides and not more than thirty feet (30') in width.

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

~~D~~C. Public Transit Shelters: Public transit shelters, with or without public restrooms, may be located within a setback area adjacent to a public street, subject to approval by the planning commission, city council and property owner.

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

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

A. Side and rear yard setback on a "street side" yard shall be the same as a front yard. If a ~~With a~~ six foot (6') masonry wall exist along a rear or side property line, ~~dwellings~~ side and rear yard setbacks may be ~~be located within~~ reduced to twenty feet (20') ~~of rear or side property lines.; accessory buildings no higher than fifteen feet (15') in height may be ten feet (10') from the rear property line; and storage sheds no higher than six feet (6') in height may be placed adjacent to the six foot (6') block wall.~~

~~**10-14-12: AREA OF ACCESSORY BUILDINGS:**~~

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

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

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

10-14-~~14~~12: RESIDENTIAL ACCESSORY BUILDINGS:

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

Accessory buildings in the residential zones, Planned Development Zone, and Traditional Neighborhood District: Accessory buildings shall not be constructed upon a lot until the building permit has been issued for the main dwelling:

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

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

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

4. Any accessory building placed over a utility easement shall require written approval from the Joint Utility Committee;

5. Accessory buildings shall not cover more than twenty five percent (25%) of the rear yard area;

6. 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;

7. Main dwelling and accessory buildings must be separated a minimum of six (6') feet.

8. Accessory buildings located in the rear of the main dwelling, shall be located no closer than five feet (5') from the rear and side property lines.

9. Accessory buildings in a side yard:

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

b. provided exterior look similar to the main structure by using the same building materials, colors, roof pitch, and design.

10-14-~~15~~13: CURBS, GUTTERS AND SIDEWALKS:

10-14-~~16~~14: UTILITY REQUIREMENTS:

10-14-~~17~~15: TEMPORARY BUILDINGS:

A. Authorized; Term: A building nonconforming as to type or location may be approved by the city, ~~community development director or a designated representative~~ for use as a temporary residence, sales office or commercial or industrial building during the construction of permanent facilities, provided cargo containers may not be used as a temporary residence. Such temporary approval shall not be made for a period exceeding one year. Extensions may be granted for cause, by the city ~~community development director or a designated representative~~, for additional six (6) month extensions up to a maximum of eighteen (18) additional months~~, or three (3) such extensions~~.

B. Mobile Home, Recreational Vehicle: A mobile home or recreational vehicle may be approved as an office for a mobile home or recreational vehicle sales lot subject to approval of the city ~~community development director or a designated representative~~. (1998 Document § 3-18)

C. Cargo containers may be approved for temporary use by the city under the following standards:

1. Construction or renovations provided a building permit has been issued for construction related activities. The cargo container may be allowed on-site for up to one (1) year with a valid building permit. Extensions may be granted for cause, by the city for an active permit, for additional six (6) month extensions up to a maximum of eighteen (18) additional months.

2. Cargo containers for moving or construction activities that do not require a permit may be allowed on-site for thirty (30) days. A thirty (30) day extension may be granted for cause by the city.

3. Vertical stacking is prohibited and cargo containers shall not be used for human habitations.

4. Cargo containers may be used in association with a licensed firework business, donation center, or other non-profit collection center for thirty (30) days.

5. Commercial or industrial zoned properties may have temporary cargo containers. No separation is required between cargo containers. Cargo Containers must maintain a minimum of ten (10) feet separation between other structures. The cargo container may be allowed on-site for up to one (1) year. Extensions may be granted for cause, by the city for additional six (6) month extensions up to a maximum of eighteen (18) additional months. Cargo containers not permitted under 10-14-17 must comply with the applicable building and zoning regulations.

6. Cargo Containers must not be located in fire lanes, required parking spaces, landscaping and must be placed on an improved surface, unless approved with the building permit.

10-14-~~18~~16: DUMPING OR DISPOSAL:

10-14-~~19~~17: TEMPORARY OUTDOOR EVENTS:

10-14-~~20~~18: ZONE CHANGES; WATER AND ELECTRICAL SOURCE, ACCESS REQUIRED:

10-14-~~21~~19: RESIDENTIAL FACILITIES FOR PERSONS WITH DISABILITY:

10-14-~~22~~20: SHORT TERM LEASES OF RESIDENTIAL PROPERTIES:

10-14-~~23~~21: GUESTHOUSES:

L. Separation distance from the main dwelling and guesthouse ~~other accessory buildings or structures~~ shall conform to the requirements of the adopted building and fire codes.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 10 CHAPTERS AND SECTIONS, 10-2-1 ZONING DEFINITIONS, 10-7A-4 HEIGHT REGULATIONS, 10-7A-6 MODIFYING REGULATIONS, 10-7B-4 HEIGHT REGULATIONS, 10-7B-6 MODIFYING REGULATIONS, 10-7C-4 HEIGHT REGULATIONS, 10-7C-7 MODIFYING REGULATIONS, 10-7D-5 HEIGHT REGULATIONS, 10-7D-7 MODIFYING REGULATIONS, AND 10-14 SUPPLEMENTARY AND QUALIFYING REGULATIONS.

WHEREAS, the City Council desires to change the regulations dealing with accessory structures; and

WHEREAS, both the Planning Commission and City Council have considered the proposed amendments in public hearings; and

WHEREAS, the Planning Commission recommends approval of the proposed code amendments; and

WHEREAS, the City Council has determined that changes to the ordinances are justified at this time, and are in the best interest of the health, safety, and welfare of the citizens of the City of St. George. The City Council further has determined that the ordinances should be modified to create more consistency and certainty for accessory structures in the City, for the benefit of the citizens.

NOW, THEREFORE, BE IT ORDAINED, by the St. George City Council, as follows:

Section 1. Repealer. Any provision of the St. George City Code found to be in conflict with this ordinance is hereby repealed.

Section 2. Enactment. Title 10, Chapters and Sections, 10-2-1 Zoning Definitions, 10-7A-4 Height Regulations, 10-7A-6 Modifying Regulations, 10-7B-4 Height Regulations, 10-7B-6 Modifying Regulations, 10-7C-4 Height Regulations, 10-7C-7 Modifying Regulations, 10-7D-5 Height Regulations, 10-7D-7 Modifying Regulations, and 10-14 Supplementary and Qualifying Regulations, are enacted to read in accordance with Exhibit "A" attached hereto and incorporated herein.

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately upon posting in the manner required by law.

APPROVED AND ADOPTED by the City Council of the City of St. George, this 17th day of December, 2015

_____

Jonathan Pike, Mayor

ATTEST:

_____

Christina Fernandez, City Recorder

Exhibit "A"

Proposed Amendment:
(New wording is underlined and deletions are strikethrough)

10-2-1 Definitions:

BUILDING, ACCESSORY: A detached subordinate building clearly incidental to and located upon the same lot occupied by the main building. Accessory buildings include but are not limited to:

1. garages, sheds, gazebos or other similar subordinate structures; or
2. a cargo container if it is free from damage, rust, and exposed metal and has been painted one solid muted earth tone color or similar color as main structure with no writing, signs, numbers or logos.

CARGO CONTAINER: Any portable, reusable container generally referred to as a sea cargo container, cargo container or shipping container made as a prefabricated metal structure and primarily designed or used for transporting freight by commercial transportation on ships, by rail or mounted on a chassis for movement by a tractor trailer and is built in accordance with the U.S. Department of Transportation standards. Cargo container does not include semitrailers as defined in Section 41-6a-102 U.C.A.

Chapter 7
RESIDENTIAL ZONES

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

10-7A-4: HEIGHT REGULATIONS:

~~A.~~ No building shall be erected to a height greater than two and one-half ($2^1/_2$) 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.

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

10-7A-6: MODIFYING REGULATIONS:

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

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

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

10-7B-4: HEIGHT REGULATIONS:

No building shall be erected to a height greater than two and one-half ($2^1/_2$) stories or thirty five feet (35'), whichever is less, unless recommended by the planning commission and approved by the city council as a conditional use permit. ~~No accessory building shall be erected to a height greater than fifteen feet (15'). (1998 Document § 14-4)~~

10-7B-6: MODIFYING REGULATIONS:

A. Side And Rear Yards:

1. The side and rear yard setback on a "street side" yard shall be the same as a front yard setback (setback requirement is 25 feet from any public street).

2. A "zero" side yard may be used for all lots in a planned subdivision or development. In such cases the opposite side yard shall not be less than a combination of the two (2) side yards otherwise required. (1998 Document § 14-6)

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

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

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

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

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

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

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

~~Setback From Property Line~~	~~Height Of Building Wall~~

-	-
~~0 feet - 5 feet~~	~~8 feet~~
~~5 feet - 10 feet~~	~~10 feet~~

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

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

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

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

~~C~~B. Front Yard Setback Less Than Required: In areas where the front yard setback on adjacent property is less than the required setback, new construction may be constructed at the lesser front yard setback requirements; however, in a case where the lesser setbacks of the adjacent properties on either side are different, the setback shall be a distance that is halfway between the distance of the other two (2) setbacks; or in a case where one of the setbacks is greater than the required setback, the setback shall be a distance that is halfway between the distance of the lesser adjacent setback and the required setback; but in no case shall the setback be less than twenty feet (20'). (1998 Document § 14-6)

~~D~~C. Trash, Junk, Inoperable Vehicles, Vessels, And Similar Materials: No trash, rubbish, weeds or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential zone. No junk, debris, abandoned, inoperable or dismantled vehicles or vessels or vehicle or vessel parts or similar materials shall be stored or allowed to remain on any lot in any residential zone. (Ord. 2004-12-003, 12-9-2004)

~~E~~D. R-1-6 Zone Requirements: The purpose of the R-1-6 zone is to allow for smaller individual homes with front yards fully completed at the time of occupancy. Therefore, the R-1-6 zone will only be allowed under the following criteria:

1. Drawings showing subdivision layout, landscaping and fencing shall be submitted to the planning commission for its recommendation to the city council.

2. In order to achieve a harmonious subdivision appearance and assure compliance, no certificate of occupancy shall be issued in this zone for any structure until it has been completely finished on the exterior with all required front yard landscaping, driveways and fencing.

~~F~~E. Cluster Development: Cluster development is intended to promote the preservation of open space and allow flexibility in development design. Cluster development in the R-1-40 zone may be permitted on a conditional use permit basis, subject to the following criteria:

1. Overall density shall not exceed the density of the R-1-40 zone.

2. Lot sizes may be reduced to eight thousand (8,000) square feet, provided the balance of property is set aside as permanent open space.

3. Prior to approval of a cluster development, a public hearing shall be held by the city council to consider neighborhood opinion on the proposal.

4. Open space may be used for playground and recreation space, but no buildings may be constructed in the open space area unless approved as part of the conditional use permit.

5. Lot width may be flexible and shall be determined as part of the conditional use permit approval process. (1998 Document § 14-6)

~~G~~F. Lot Size Averaging:

1. Purpose: Lot size averaging is an alternative to traditional minimum lot size standards and encourages a mix of lot sizes within a subdivision. The overall density of the zoning district remains approximately the same, but flexibility is provided in the mix of lot sizes.

2. Standards:

a. Lot size averaging is a permitted use within the R-1-8, R-1-10, R-1-12, R-1-20 and R-1-40 zones. Project density shall not exceed the following:

R-1-8		3.7 du/acre
R-1-10		3.2 du/acre
R-1-12		2.8 du/acre

R-1-20		1.8 du/acre
R-1-40		1.0 du/acre

b. No lot size or lot frontage (width) shall be reduced to less than seventy percent (70%) of the required lot size or lot frontage for the applicable zoning district, except that in the R-1-8 zone no lot size shall be reduced to less than eighty percent (80%) of standard lot size and no lot width shall be less than sixty five feet (65').

c. Exterior or perimeter lots shall be consistent with abutting developed lots when platting a new subdivision.

d. Lot size averaging shall apply to new subdivisions and not to existing recorded plats.

e. Smaller lots shall be dispersed throughout the subdivision rather than congregated together.

f. Subject to approval of the planning commission and city council, open space and/or trail easements may be included in the subdivision density calculations for the purpose of complying with subsection G2a of this section.

g. Not more than half of the proposed lots within the subdivision may be less than the zone's standard lot size, unless approved by the city council after considering the recommendation from the planning commission. (Ord. 2013-08-002, 8-1-2013)

~~H~~G. Minimum Lot Width In R-1-7 And R-1-8 Zones: R-1-7 and R-1-8 zones within the central city residential area, located between 100 South to 700 South and between 700 East to Bluff Street shall have a minimum lot width of sixty five feet (65'). (Ord. 2007-03-002, 3-22-2007)

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

10-7C-4: HEIGHT REGULATIONS:

~~A.~~ No main building shall be erected to a height greater than thirty five feet (35') or two and one-half ($2^1/_2$) stories, whichever is less. ~~No accessory building shall be erected to a height greater than fifteen feet (15'), unless recommended by the planning commission and approved by the city council as a conditional use permit (see section 10-14-14 of this title for restrictions).~~

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

10-7C-7: MODIFYING REGULATIONS:

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

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

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

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

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

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

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

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

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

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

~~C~~B. Fractional Amounts Of Square Footage: Any fractional amount of square footage left over in calculating density may not be considered toward an additional dwelling unit unless the full required amount of land is available.

~~D~~C. Less Than Required Front Yard Setback: In areas where the front yard setback on adjacent property is less than twenty five feet (25'), new construction may be constructed at the lesser front yard setback requirements; however, in a case where the lesser setbacks of the adjacent properties on either side are different, the setback shall be a distance that is halfway between the distance of the other two (2) setbacks; or in a case where one of the setbacks is greater than twenty five feet (25'), the setback shall be a distance that is halfway between the distance of the lesser adjacent setback and twenty five feet (25'); but in no case shall the setback be less than twenty feet (20').

~~E~~D. Units Per Building In R-2 Zone: In the R-2 zone, no multiple-family dwelling shall contain more than two (2) dwelling units per building. (1998 Document § 15-7; amd. 2003 Code)

~~F~~E. Landscape:

1. Properties within the multiple-family (MF) residential zones shall comply with chapter 25, "Landscape Standards", of this title.

2. A minimum of thirty percent (30%) of the lot area shall be maintained in open green space or landscaped area, and at least fifty percent (50%) of the front setback area shall be maintained as landscaped area. The community development director or a designated representative may adjust the requirement for fifty percent (50%) landscaping in the front setback area for residential lots that front onto the cul-de-sac or knuckle portions of streets. (Ord. 2008-07-003, 7-17-2008)

~~G~~F. Multiple Stories: Multi-family dwellings which are two (2) or more stories above grade in height and which are adjacent to a single-family use shall maintain a twenty five foot (25') setback adjacent to the single-family use boundary, and a twenty foot (20') setback adjacent to other residential uses, including the same use and PD planned development residential zone. If adjacent land is vacant, the use will be considered that of the intended use dictated by the zoning and comply to the above setback standards. (Ord. 2006-12-002, 12-7-2006)

~~H~~G. Front Yard Setback From Private Streets: Front yard setback from private streets shall be ten feet (10') minimum from back of curb for all buildings, and there shall be twenty feet (20') minimum from back of sidewalk (curb where no sidewalk) for garages or carports for projects started after December 11, 2001. The planning commission may allow a ten foot (10') front setback on hillside developments where it is determined that adequate off street parking is provided, and the reduced setback will reduce the overall amount of hillside excavation. Projects which have received preliminary plat approval prior to December 11, 2001, and have less than a twenty foot (20'), but not less than an eighteen foot (18'), front setback from a private street may complete the project according to the preliminary plat. (Ord. 2004-08-003, 8-5-2004)

~~I~~H. Building Separation: Building separation for detached units and group dwellings:

	$1^1/_2$ Stories	$2^1/_2$ Stories	3 Stories
Where there is common or limited common area between structures and no fence, retaining wall over 3 feet exists between units or building offsets (see notes 1 through 3)	10 feet	10 feet	20 feet

Notes:

1.Rear yard fences that do not block fire access may be allowed.

2.Structures shall be built in accordance to the provisions of the current international residential building code.

3.Yards shall not have window wells or walk out basements without the approval of the building and fire departments.

(Ord. 2007-11-004, 11-15-2007)

~~J~~I. Recreation And Playground Areas: In developments with five (5) or more units, there shall be provided usable recreation or playground areas outside of the front yard setback, with a total minimum area of one thousand (1,000) square feet for five (5) units and an additional two hundred (200) square feet for each unit over five (5) units. The average width and length of each usable recreation or playground area shall not be less than twenty feet (20') or as approved by the planning commission. At least fifty percent (50%) of the usable area shall be in the form of open playground or green space.

~~K~~J. Single-Family Dwelling Lot: Except for the required street side yard setback of twenty five feet (25'), a lot which is developed with only one single-family dwelling may have side yard setbacks of eight feet (8') and ten feet (10').

~~L~~K. Access To Multi-Family Developments:

1. A multi-family development with a density of twelve (12) dwelling units per acre or more shall have access via collector, or arterial roads, or via local access roads (50 foot minimum right of way), which are not part of a single-family subdivision, including mobile home subdivisions.

2. Any multi-family development with a density of twelve (12) dwelling units per acre or more and having more than twenty (20) dwelling units in the project or a phase thereof shall be considered a conditional use and subject to the provisions of chapter 17 of this title, if the only access roads are via local neighborhood streets (with 50 feet or less right of way) through a single-family subdivision, including mobile home subdivisions.

3. If a collector or arterial road (60 feet or more right of way) will be completed and available for use at the time of occupancy as determined by the city engineer, then the multi-family development shall be considered a permitted use rather than a conditional use.

~~M~~L. Design Review For Multi-Family Developments: A multi-family development with a density of twelve (12) dwelling units per acre or more and having twenty (20) or more total dwelling units shall be subject to design review approval by the city council. The city council, after hearing the recommendation of the planning commission, may approve, approve with conditions or deny the proposed design plan for such multi-family developments. Applicants shall submit a site plan and elevation drawings showing the project's overall design plan, including landscaping and proposed building exteriors. The planning

commission and city council shall review the design plans to determine whether the proposed development will be compatible with the character of adjacent and surrounding developments, and whether aesthetically the development is harmonious with the character of the neighborhood in terms of style, materials and colors. (1998 Document § 15-7)

~~N~~M. Twin Homes: Each unit of a twin home may be platted and sold separately, provided the units are attached and meet the building code requirements for separate ownership and each resulting lot area has a minimum of four thousand (4,000) square feet and a minimum of thirty feet (30') of frontage on a public road. Each unit shall have its own water and power meters and separate sewer lateral. (Ord. 4-2-1999, 4-1-1999)

~~O~~N. Guest Parking: For housing projects with a density of six (6) dwelling units per acre or more there shall be provided guest parking spaces in the amount of one guest parking space per three (3) dwelling units. The guest parking spaces shall be located on premises and within two hundred feet (200') of the dwelling unit it is intended to serve. The city council, upon recommendation from the planning commission, may reduce the requirement for guest parking spaces where the city council finds that evidence supports a decrease in the required amount of guest parking spaces. (Ord. 2009-07-002, 7-2-2009)

ARTICLE D. MOBILE HOME ZONES (MH-6, MH-8, MH-10, MH-12, MH-20, MH-40)
10-7D-5: HEIGHT REGULATIONS:

No building shall be erected to a height greater than thirty five feet (35') or two and one-half ($2^1/_2$) stories, whichever is lesser.~~, and no accessory building shall be erected to a height greater than fifteen feet (15'). Accessory buildings are limited to one story.~~ (1998 Document § 16-4; amd. 2003 Code)

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

A. Side Yards: The side yard setback on a street side yard shall be the same as a front yard setback.

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

~~C~~B. Distance Of Homes: No mobile homes on adjacent lots shall be closer together than fifteen feet (15').

~~D~~C. Skirting: All mobile homes shall be skirted with a decorative masonry, block or brick skirting, or a continuation of the facing material of the home.

~~E~~D. Removal Of Wheels; Placement On Foundation: Each home in the subdivision must have wheels removed and must be placed on a foundation to city standards.

~~F~~E. Building Standards: Each mobile home located in a mobile home subdivision must be at least twelve feet (12') in width, must comply with the 1976 HUD manufactured housing standards, and shall have affixed to it a metal tag certifying such compliance. No recreational vehicle or travel trailer shall be used as a residence in a mobile home subdivision. (1998 Document § 16-6)

Chapter 14
SUPPLEMENTARY AND QUALIFYING REGULATIONS

10-14-9: YARDS UNOBSTRUCTED; EXCEPTIONS:

A. Requirements: Every part of a required yard shall be open to the sky, unobstructed except for accessory buildings in a rear yard, the ordinary projections of belt courses, eaves, chimneys, flues, cantilevered balconies or decks, and other ornamental features which project into a yard not more than four feet (4'), and open fire escapes, and open outside stairways projecting into a yard not more than four feet (4').

B. Porticos: Porticos extending from the dwelling over the main doorway and over a circular drive through driveway may be allowed to project to within fifteen feet (15') of the front property line. Porticos shall remain fully open on three (3) sides and not more than thirty feet (30') in width.

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

~~D~~C. Public Transit Shelters: Public transit shelters, with or without public restrooms, may be located within a setback area adjacent to a public street, subject to approval by the planning commission, city council and property owner.

10-14-11: DOUBLE FRONTAGE LOTS IN RESIDENTIAL ZONES:
Lots which have the rear or side property lines adjacent to a public street shall maintain the following minimum rear or side setbacks:

A. Side and rear yard setback on a "street side" yard shall be the same as a front yard. If a ~~With a~~ six foot (6') masonry wall exist along a rear or side property line, ~~dwellings~~ side and rear yard setbacks may be ~~be located within~~ reduced to twenty feet (20') ~~of rear or side property lines.; accessory buildings no~~

~~higher than fifteen feet (15') in height may be ten feet (10') from the rear property line; and storage sheds no higher than six feet (6') in height may be placed adjacent to the six foot (6') block wall.~~

~~**10-14-12: AREA OF ACCESSORY BUILDINGS:**~~
~~No accessory building nor group of accessory buildings in any residential district shall cover more than twenty five percent (25%) of the rear lot area, unless a larger accessory building is approved under a conditional use permit. (Ord. 2003-02-001, 1-20-2003)~~

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

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

10-14-~~14~~12: RESIDENTIAL ACCESSORY BUILDINGS:
~~Accessory buildings shall not be constructed upon a lot until the building permit has been issued for the principal building. (1998 Document § 3-15)~~

Accessory buildings in the residential zones, Planned Development Zone, and Traditional Neighborhood District: Accessory buildings shall not be constructed upon a lot until the building permit has been issued for the main dwelling:

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

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

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

4. Any accessory building placed over a utility easement shall require written approval from the Joint Utility Committee;

5. Accessory buildings shall not cover more than twenty five percent (25%) of the rear yard area;

6. 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;

7. Main dwelling and accessory buildings must be separated a minimum of six (6') feet.

8. Accessory buildings located in the rear of the main dwelling, shall be located no closer than five feet (5') from the rear and side property lines.

9. Accessory buildings in a side yard:

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

b. provided exterior look similar to the main structure by using the same building materials, colors, roof pitch, and design.

10-14-~~15~~13: CURBS, GUTTERS AND SIDEWALKS:

10-14-~~16~~14: UTILITY REQUIREMENTS:

10-14-~~17~~15: TEMPORARY BUILDINGS:

A. Authorized; Term: A building nonconforming as to type or location may be approved by the city, ~~community development director or a designated representative~~ for use as a temporary residence, sales office or commercial or industrial building during the construction of permanent facilities, provided cargo containers may not be used as a temporary residence. Such temporary approval shall not be made for a period exceeding one year. Extensions may be granted for cause, by the city ~~community development director or a designated representative~~, for additional six (6) month extensions up to a maximum of eighteen (18) additional months~~, or three (3) such extensions~~.

B. Mobile Home, Recreational Vehicle: A mobile home or recreational vehicle may be approved as an office for a mobile home or recreational vehicle sales lot subject to approval of the city ~~community development director or a designated representative~~. (1998 Document § 3-18)

C. Cargo containers may be approved for temporary use by the city under the following standards:

1. Construction or renovations provided a building permit has been issued for construction related activities. The cargo container may be allowed on-site for up to one (1) year with a valid building permit. Extensions may be granted for cause, by the city for an active permit, for additional six (6) month extensions up to a maximum of eighteen (18) additional months.

2. Cargo containers for moving or construction activities that do not require a permit may be allowed on-site for thirty (30) days. A thirty (30) day extension may be granted for cause by the city.

3. Vertical stacking is prohibited and cargo containers shall not be used for human habitations.

4. Cargo containers may be used in association with a licensed firework business, donation center, or other non-profit collection center for thirty (30) days.

5. Commercial or industrial zoned properties may have temporary cargo containers. No separation is required between cargo containers. Cargo Containers must maintain a minimum of ten (10) feet separation between other structures. The cargo container may be allowed on-site for up to one (1) year. Extensions may be granted for cause, by the city for additional six (6) month extensions up to a maximum of eighteen (18) additional months. Cargo containers not permitted under 10-14-17 must comply with the applicable building and zoning regulations.

6. Cargo Containers must not be located in fire lanes, required parking spaces, landscaping and must be placed on an improved surface, unless approved with the building permit.

10-14-~~18~~16: DUMPING OR DISPOSAL:

10-14-~~19~~17: TEMPORARY OUTDOOR EVENTS:

10-14-~~20~~18: ZONE CHANGES; WATER AND ELECTRICAL SOURCE, ACCESS REQUIRED:

10-14-~~21~~19: RESIDENTIAL FACILITIES FOR PERSONS WITH DISABILITY:

10-14-~~22~~20: SHORT TERM LEASES OF RESIDENTIAL PROPERTIES:

10-14-~~23~~21: GUESTHOUSES:

L. Separation distance from the main dwelling and guesthouse ~~other accessory buildings or structures~~ shall conform to the requirements of the adopted building and fire codes.

DRAFT

Agenda Item Number : 5A

Request For Council Action

Date Submitted	2015-12-04 15:33:29
Applicant	Marlon Stratton
Quick Title	Resolution to amend Animal Adoption Fees
Subject	We are requesting to increase fee from $50.00 to $60.00 for dog adoptions, all other animals will be $40.00.
Discussion	The revenue from the increased adoption fees will be used to reimburse the city's expense for placing RFID chips in the dogs at the time of adoption. The RFID chips cost $10.00, therefore the goal is to recoup the costs to the city.
Cost	$0.00
City Manager Recommendation	Sounds like a great plan. Recommend approval.
Action Taken	
Requested by	Capt. Gordon McCrack
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	The RFID chips are industry standard for shelter adoption practices and will allow us to reunite stray animal with their owner should they be located by St. George Animal Services and/or brought to our facility. The RFID chip placement device was purchased this year; 100 chips were acquired as part of the purchase of the "chipper".

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ST. GEORGE, UTAH AMENDING FEES FOR ANIMAL SHELTER SERVICES

WHEREAS the St. George City Code Title 5, Chapter 2, Section 3 provides for an Animal Shelter for the "care and custody of seized, stray, homeless, quarantined, abandoned or unwanted" small domestic animals of citizens of the City of St. George; and

WHEREAS the City of St. George, pursuant to its obligations, is responsible for providing services at the Animal Shelter, and its fees for the services are increasing to the following amounts:

ADOPTIONS:	$ 60.00	PER DOG
	$ 40.00	ALL OTHER ANIMALS

WHEREAS the City Council of the City of St. George determines that it is in the best interest of the citizens, and it will promote their health, safety, and welfare, to maintain reasonable fees for said services pursuant to Title 5, Chapter 2, Section 3 of the St. George City Code.

NOW, THEREFORE, BE IT RESOLVED that the St. George City Council hereby authorizes and institutes the increase in fees for Animal Shelter services as set forth above.

BE IT FURTHER RESOLVED that said increase in fees shall take effect immediately.

APPROVED AND ADOPTED THIS 17TH DAY OF DECEMBER, 2015.

_____ _____

Jonathan T. Pike, Mayor Christina Fernandez, City Recorder

DRAFT

Agenda Item Number : 5B

Request For Council Action

Date Submitted	2015-12-14 12:23:27
Applicant	
Quick Title	Resolution Regarding Donations for All Abilities Park
Subject	A Resolution establishing an account within the financial system of the City to receive and account for donations to the all abilities park.
Discussion	
Cost	$0.00
City Manager Recommendation	Recommend approval.
Action Taken	
Requested by	Shawn Guzman
File Attachments	ALL ABILITIES PARK RESOLUTION (2).doc

Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	
Attachments	ALL ABILITIES PARK RESOLUTION (2).doc

RESOLUTION NO._____

A RESOLUTION OF THE CITY OF ST. GEORGE, UTAH ESTABLISHING A SYSTEM FOR ACCEPTANCE OF DONATIONS FOR THE CONSTRUCTION OF "ALL ABILITIES PARK"

WHEREAS, the City of St. George is undertaking the construction of an "All Abilities Park" within the city park system;

WHEREAS, the City of St. George is desirous of participation of individuals, businesses and others in the funding of such "All Abilities Park" through donations to the project;

WHEREAS, the City of St. George desires to separate and distinguish such donations from other sources of funds/revenues of the City;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of St. George hereby establishes an account within the financial system of the City as determined by the City Finance Director to separately receive and account for the donations for the "All Abilities Park".

APPROVED AND ADOPTED THIS 17th day of December 2015.

_____
Jonathan T. Pike, Mayor

_____
Christina Fernandez, City Recorder

DRAFT

Agenda Item Number : 6A

Request For Council Action

Date Submitted	2015-12-11 09:11:12
Applicant	Henry F. Moore of Hanâ€™ks Riverwalk Grill, LLC
Quick Title	Alcohol License Request Change of Ownership
Subject	Consider approval of a request for a Class C Beer License and Local Consent for Hanâ€™ks Riverwalk Grill, LLC, Located at 4210 Bluegrass Way, St. George. Henry F. Moore, Applicant.
Discussion	Approval of the request for a Class C Beer License and Local Consent for Hanâ€™ks Riverwalk Grill, LLC Henry F. Moore is the applicant.
Cost	$0.00
City Manager Recommendation	New Owner not additional license. Recommend approval.
Action Taken	
Requested by	Laura Woolsey
File Attachments	Hanks Riverwalk Grill.pdf
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	Mr. Henry F. Moore is the new owner of the Riverwalk Grill. Mr. Moore is requesting approval of the same type of Class C Beer License and Local Consent to apply for a Full-Service Restaurant Liquor License from the State of Utah Division of Alcohol, for Hanâ€™ks Riverwalk Grill, LLC restaurant, located at 4210 Bluegrass Way, St. George as currently issued to the Riverwalk Grill. St. George Municipal Code Chapter 3 Alcoholic Beverages, Section 3-3-6 J, Application for License states: That No license issued under this chapter shall be assigned, transferred, leased, subleased or sold, or otherwise transferred, except that in the sole discretion of the City Council. Mr. Moore has paid the required fees for the transfer of the license and has submitted to the Business License office all the required information. The City Business License will be issued pending approval by the State of Utah Division of Alcohol for the Full Service Restaurant Liquor License.
Attachments	Hanks Riverwalk Grill.pdf

CITY OF ST GEORGE ALCOHOL BUSINESS LICENSE APPLICATION

175 East 200 North, St. George, Utah 84790 Phone: 435-627-4740

1. Name of Business Hank's Rivermalt Grill, LLC

Has this name been registered with the State of Utah, Commerce Department? ☒ Yes ☐ No

Ownership Type: ☐ Corporation ☐ Partnership ☐ Sole Proprietorship ☒ LLC

If Corporation or LLC, list Corp./LLC name _____

(Please attach a copy of Certificate of Incorporation/LLC)

2. Business Location 4210 Bluegrass Way St. George UT 84790

Street Number City State Zip

Business Phone 435-773-4111 Business Email hankzp@gmail.com

Business Mailing Address 4210 Bluegrass Way St. George UT 84790

Street Number City State Zip

3. How close is the nearest **Church** to the proposed business location? _____ In Feet

Nearest School? _____ In Feet Nearest Park? _____ In Feet

Nearest Public Library _____ In Feet Nearest Public Playground _____ In Feet

4. Applicant's Name Henry F. Moore

First Middle Last

Corporation or Partnership Name, (if applicant is an agent) _____

First Middle Last

5. Please Provide Name and Address of Managing Party (If different from applicant)

Managing Party Name ~~Henry~~

Address _____

Street Number City State Zip

Phone Number _____ Cell Number _____ Email _____

6. List Names of Partners, Corporate Officers, Etc. Provide Name, Address, Phone #, Title and Percentage Owned. (Attach additional sheet if needed)

First M Last	Title	Address, City State, Zip	Phone	%
Henry Moore	Owner	[redacted] Springdale, UT 84767	435-[redacted]	100

CITY OF ST GEORGE ALCOHOL BUSINESS LICENSE APPLICATION

175 East 200 North, St. George, Utah 84790 Phone: 435-627-4740

7. Anticipated Business Start Date 12/10/15 Number of Employees 29

8. Federal Tax Number 47 - 1843498 State Sales Tax Number 13835749-004-STC

9. Who owns the real estate where this business is located?
Sunnver Golf, LLC

10. If premises are leased, state whether leased from owner or subleased from prior lessee. owner

11. Do you own the fixtures at this location? NO If not, please provide the name and address of the owner _____

12. If you own the fixtures at this location, state the investment which you have in fixtures and equipment $ _____.

13. Total Square Footage of Building 4,100

14. Will you serve food? Yes If so, please provide a sample menu.

15. Please provide the name of the person to be in charge of this business during any time that you may be away from the premises.

First Holly Middle _____ Last Holt

Address [redacted] N. Humane UT 84737
Street Number City State Zip

Phone Number [redacted] Cell Number [redacted] Email [redacted]

Applicants Signature [signature] Date 12-10-2015

STATE OF UTAH)
) ss.
County of Washington)

I, (Print Name) Henry Ford Moore being first duly sworn, depose and say the foregoing application is in all respects true and correct, to the best of my knowledge and belief and that I am the above named applicant. I understand that any false information constitutes perjury

SUBSCRIBED AND SWORN TO before me this 10 day of December 20 15.

Notary Public [signature] My Commission Expires 10-4-18

KAMARIE M. NAASE
Notary Public, State of Utah
Commission #679627
My Commission Expires
October 04, 2018

Holly
435-668-1260

CITY OF ST GEORGE ALCOHOL BUSINESS LICENSE APPLICATION

175 East 200 North, St. George, Utah 84790 Phone: 435-627-4740

BEER LICENSE APPLICATION

This application must be accompanied by an Applicant's Questionnaire and satisfactory fingerprint cards
Applicant must be the owner/operator. If the owner is a corporation, the applicant shall be the corporation's agent; if the owner is a partnership; the applicant shall be a general partner of the partnership.

Please print or type

Type of Alcohol License Applying For:

☐ Class A (This type of License has a quota, please ensure that this type of License is available with Business Licensing)

License is a license entitling the licensee to sell beer on the licensed premises in original containers of a size not to exceed one quart, for the consumption off the premises.

☒ Class B License

License entitling the licensee to sell beer in original containers of a size not to exceed one quart capacity for consumption on the licensed premises of a restaurant at which food sales constitute no less than seventy percent (70%) of the gross monetary receipts of the licensee's business and in connection with a license issued by the state of Utah to operate as an on premises beer retailer. Golf course premises where beer is sold in connection with hot food preparation at the point of sale shall be included as class B licenses.

☐ Class C License

License entitling the licensee to sell beer in original containers of a size not to exceed one quart capacity for consumption on the licensed premises of a restaurant at which food sales constitute no less than seventy percent (70%) of the gross monetary receipts of the licensee's business and in connection with a license issued by the state of Utah to operate as a restaurant liquor licensee.

☐ Class E License (This type of License has a quota, please ensure that this type of License is available with Business Licensing)

License entitling the licensee to sell beer in original containers or on draft in a quantity not to exceed two liters (2 l), for consumption on the licensed premises and in connection with a license issued by the state of Utah to operate as a private club. This license has a

☐ Class EE License (This type of License has a quota, please ensure that this type of License is available with Business Licensing)

License intended to serve the clientele, patrons and guests of significant hotel/convention facilities, which club shall be located in a hotel containing not less than one hundred thirty (130) guestrooms and with a convention or conference facility of not less than four thousand (4,000) square feet, and which club shall not have any separate entrances from outside the hotel facility. The class EE license entitles the licensee to sell beer in original containers or on draft in a quantity not to exceed two liters (2 l), for consumption on the licensed premises and in connection with a license issued by the state of Utah to operate as a private club. Class EE licenses may only be issued to the owner or operator of the qualifying hotel, or a wholly owned affiliate or subsidiary thereof.

☐ Class F License (This type of License has a quota, please ensure that this type of License is available with Business Licensing)

License which entities the licensee to sell beer and/or permit consumption thereof at recreation and convention facilities, excluding public parks. Under this license, no beer shall be sold in the original containers, but must be first emptied into suitable temporary containers. All sales and deliveries under this license shall be made directly to the ultimate consumer. No beer shall be permitted or consumed, except that which is purchased at the recreation and convention facilities.

☐ Single Event Permit

A permit entitling the permittee to store, sell, serve and allow consumption of alcohol on specifically designated premises for a period not to exceed seventy two (72) consecutive hours and in connection with a bona fide convention, civic or charitable enterprise conducted by a corporation, church, political organization or incorporated association, or a recognized subordinate lodge, chapter or unit thereof.

FULL-SERVICE RESTAURANT LIQUOR LICENSE

Local Consent

PURPOSE: Local business licensing authority provides written consent to the Alcoholic Beverage Control Commission (1) to issue an on-premise alcohol license for a person to store, sell, offer for sale, furnish, or allow the consumption of an alcoholic product on the premises of the applicant; and (2) to authorize a variance reducing the proximity requirements

AUTHORITY: Utah Code 32B-1-202; 32B-5-201 through 203; 32B-5-205 and -206

City of St. George, [ ] City [ ] Town [ ] County
Local business license authority

hereby grants its consent to the issuance of a full-service restaurant liquor license to:

Business Name (DBA): Hank's Riverwalk Grill, LLC

Applicant Entity/Business Owner: Henry F. Moore

Location Address: 4210 Bluegrass Way St. George UT

Authorized Signature

Name/Title

Date

LOCAL CONSENT FOR PROXIMITY VARIANCE

In accordance with Utah Code 32B-1-202, the local authority also grants consent to a variance regarding the proximity of this establishment relative to a public or private school, church, public library, public playground, or park.

Authorized Signature

Name/Title

Date

This is a suggested format. A locally produced city, town, or county form is acceptable. Local consent may be faxed to the DABC at 801-977-6889 or mailed to: Department of Alcoholic Beverage Control, PO Box 30408, Salt Lake City, UT 84130-0408
DABC Local Consent 1/2012

NOTICE:
THIS LICENSE MUST BE POSTED
IN A CONSPICUOUS PLACE.

CITY OF ST. GEORGE
175 E 200 N
ST. GEORGE, UT 84770

LICENSE NO.: 00034841
DATE ISSUED: 1/01/2015
EXPIRES: 12/31/2015

BUSINESS LICENSE

THIS CERTIFIES that the business or individual listed below is hereby granted a license to do business as stated at the specified business location for the year indicated on this certificate.

LICENSE YEAR: **2015**

NAME: HANKS RIVERWALK GRILL LLC

TO: 4210 BLUEGRASS WAY
SAINT GEORGE UT 84790

BUSINESS OWNER: HENRY MOORE

BUSINESS LOCATION: 4210 S BLUE GRASS WAY

TYPE OF BUSINESS: RESTAURANT

Shiloh Kirkland
CITY LICENSE OFFICER

THIS LICENSE IS NOT TRANSFERABLE BETWEEN OWNERS AND/OR LOCATIONS

I, EDWARD L. FRAZEE, a resident of St. George, Utah personally know Henry F. Moore. Henry F. Moore is an individual of good moral character that in my opinon is a fit and proper person to be granted a liquor license with the State of Utah.

Date: 12-10-15

Edward L. Frazee

I, JAMES HOGAN, a resident of St. George, Utah personally know Henry F. Moore. Henry F. Moore is an individual of good moral character that in my opinon is a fit and proper person to be granted a liquor license with the State of Utah.

Date: 12-10-15

James B Hogan

I, Terry Hawick a resident of St. George, Utah personally know Henry F. Moore. Henry F. Moore is an individual of good moral character that in my opinon is a fit and proper person to be granted a liquor license with the State of Utah.

Terry W Hawick

Date: 12/10/15

I, CECIL DRWALL, a resident of St. George, Utah personally know Henry F. Moore. Henry F. Moore is an individual of good moral character that in my opinon is a fit and proper person to be granted a liquor license with the State of Utah.

Dec 10 2015

Date:

Cecil DrWall

I, CECIL C WALL, a resident of St. George, Utah personally know Henry F. Moore. Henry F. Moore is an individual of good moral character that in my opinon is a fit and proper person to be granted a liquor license with the State of Utah.

12/10/15

Date:

Cecil C Wall

I, Ray Beckham, a resident of St. George, Utah personally know Henry F. Moore. Henry F. Moore is an individual of good moral character that in my opinon is a fit and proper person to be granted a liquor license with the State of Utah.

Date: 12/10/15

R E Beckham

I, Henry F. Moore, Owner of Hank's Riverwalk Grill LLC will permit any authorized representative of the city or any law enforcement officer an unrestricted right to enter the licensed premise of Hank's Riverwalk Grill located at 4210 Bluegrass Way, St. George, UT 84790

HMoore

HENRY F. MOORE

12-10-15

OPEN 7 AM - 9 PM

Hank's

RIVERWALK GRILL

7 DAYS A WEEK

STARTERS

BOTTOMLESS CHIPS AND SALSA ● ● GF
Hank's homemade salsa with corn chips. $5
Add a bowl of fresh guacamole $3

MUCHO NACHOS ●
Corn chips on a bed of rice, black beans, and verde. Topped with corn, jalapenos, cheese, salsa, and guacamole. $11

CHEESE QUESADILLA ●
Two large flour tortillas filled with Jack and Mozzarella $9
Add chicken or a portobello mushroom $3

PESTO QUESADILLA ●
Two large flour tortillas spread with pesto, layered with cheese, topped with fresh tomatoes, pistachios, and more cheese. $11
Add chicken or a portobello mushroom $3

VEGGIE QUESADILLA ●
Two large flour tortillas filled with cheese, topped with tomatoes, olives, onions, jalapeños, and more cheese. $11
Add chicken or a portobello mushroom $3

SALADS

GF

PORTOBELLO AVOCADO SALAD ● ●
Romaine lettuce, black olives, avocado, tomatoes, pistachios, corn, grated carrots topped with our house dill-vinaigrette, a grilled Portobello mushroom and served with garlic bread. $15

SHRIMP ON THE GREENS
Romaine lettuce, pistachios, avocado, black olives, tomatoes, corn, and mushrooms topped with crumbled blue cheese, grilled shrimp, Hank's dill vinaigrette and a side of garlic bread. $18

SALMON FILLET SALAD
Romaine lettuce, pistachios, avocado, black olives, tomatoes, corn, carrots, and mushrooms topped with a grilled salmon fillet, Hank's dill vinaigrette and served with garlic bread. $17

GRILLED CHICKEN SALAD
Romaine lettuce, black olives, avocado, tomatoes, pistachios, mushrooms, corn, and grated carrots, topped with our house dill-vinaigrette and grilled chicken breast topped with our sweet and spicy rub and served with garlic bread. $16

BLACK BEAN SALAD ● ●
Romaine lettuce, black olives, tomatoes, pistachios, mushrooms, corn, and grated carrots topped with black beans, Hank's dill vinaigrette, guacamole, and sour cream. Served with corn chips. $14

CHICKEN CAESAR AVOCADO SALAD
Romaine lettuce, grilled chicken breast, avocado, Parmesan, and croutons. $15

MEXICAN

GF

ENCHILADAS ● ●
Corn tortillas dipped in our green chili sauce then layered with New Mexico chilis, and jack and cheddar cheese. Served with a side of Hank's black beans and rice.
- Sautéed vegetables $15
- Green chilis and sautéed sweet onions $15
- Grilled chicken breast $16
- Pork chili verde $18

HANK'S BURRITOS AND CHIMICHANGAS ● ●
YOUR CHOICE BAKED (BURRITO) OR FRIED (CHIMICHANGA)
A flour tortilla filled with black beans, rice, a mixture of cheese, Hank's salsa, and smothered in our green chili sauce and topped with sour cream.
- Hank's Black Bean $12
- Sauteed veggies $16
- Grilled chicken breast $17

TACO GRANDE ● ●
A cheese quesadilla folded around mushrooms, onions, sour cream, guacamole, lettuce and tomato. Served with a side of Hank's black beans and rice.
- Sautéed vegetables $16
- Grilled chicken breast $17

PORK CHILI VERDE BURRITO
Pork slow cooked with fire roasted green chilis, tomatillos, onions, and baked in a flour tortilla with a blend of three cheeses and our homemade salsa. The burrito is then smothered in sauce, cheese, and topped with sour cream. Served with Hank's black beans and rice. $16

HANK'S CHILI VERDE TAMALES ●
Two corn tamales filled with a jack cheese/cream cheese blend, mild green chilis smothered in our homemade verde sauce. Served with a side of Hank's black beans and rice. $14
With shredded pork $16

SPECIALTIES

SOUTHWEST CHOPS GF
Two chops thin cut for flavor smothered with green chili sauce. Served with twice baked cheddar mashed potatoes with corn stuffed in a poblano pepper and Hank's black beans. $16

KILLER RIBS GF
Smothered in homemade Jack Daniel's BBQ sauce and served with french fries and a golden onion ring topper.
Half rack $21 Full rack $27

SALMON FILLET GF
Grilled 8 oz. salmon fillet on a bed of rice. Served with twice baked cheddar mashed potatoes with corn stuffed in a poblano pepper, Hank's black beans, and homemade guacamole. $16

SHRIMP TACOS GF

BURGERS

GF

GARLIC BURGER
A flame-broiled, half pound burger with a spoonful of garlic and topped with provolone cheese, lettuce, tomato, onion, pickle, mayo, and mustard. **$10**

MURDER BURGER
The burger to die for! Half-pound garlic burger topped with pepper jack and cheddar cheese, bacon, onion, lettuce, tomato, pickle, mayo and ketchup fry sauce. **$12**

BIGASS DOUBLE BURGER
A flame broiled one pound burger, a spoonful of garlic, topped with melted cheddar cheese, lettuce, tomato, pickle, onion, mayo, and ketchup. Served with sides of jalapeños and guacamole. **$14**

WHOOPASS BURGER
A half-pound garlic burger with a slice of pepper jack cheese, jalapeños, green chilis, guacamole, more jalapeños, lettuce, tomato, onion, pickle and chipotle mayo. Can you handle the heat? **$12**

MAUI BURGER
A half-pound garlic burger topped with fresh grilled pineapple, bacon, lettuce, tomato, onion, Swiss cheese, dill pickle, ketchup, and mayo. **$12**

BLUE BACON BURGER
A half-pound garlic burger with two strips of bacon, blue cheese, lettuce, tomato, onion, pickle, mayo and mustard. **$12**

HANK'S BURGER
A half-pound garlic burger topped with pastrami, provolone, lettuce, tomato, onion, pickle, mayo, and mustard. **$12**

AVOCADO CHIP BURGER
Half-pound garlic burger topped with melted provolone, cheddar, and pepper jack cheeses, topped with avocado, tomato, pickle, onion, lettuce, chipotle mayo, & corn chips. **$12**

BBQ BURGER
A half-pound garlic burger with melted cheddar cheese and topped with Jack Daniel's BBQ sauce, lettuce, tomato, sauteed onion, pickle and corn chips. **$12**

NEIL'S BURGER
A half pound garlic burger with melted Swiss cheese, sautéed onions & mushrooms, lettuce, tomato, pickle, mayo and mustard. **$12**

TURKEY BURGER
A homemade turkey patty topped with provolone cheese, onion, pickle, lettuce, tomato, and chipotle mayo. The best turkey burger in the world! **$11**

BLACK BEAN VEGGIE BURGER ● ●
Hank's homemade black bean veggie patty topped with provolone cheese, lettuce, tomato, onions, pickle, mayo and mustard. **$10**

RICKY FOWLER BURGER
A half-pound garlic burger with bacon, horseradish, aioli, grilled onions, and American cheese. **$10**

DESSERTS

VOLCANO BROWNIE SUNDAE
A warm brownie topped with vanilla bean ice cream, chocolate syrup, whipped cream, and walnuts. **$7**

KATHY'S FAMOUS CARROT CAKE
Our homemade recipe with an unforgettable cream cheese frosting! **$7**

SANDWICHES & WRAPS

GF

TURKEY & AVOCADO WITH BACON
Sliced turkey breast, two strips of bacon, lots of avocado, Monterey Jack cheese, lettuce, tomato, and mayo. **$12**

HOT HAM & PINEAPPLE SANDWICH
Ham, lettuce, tomato, mayo, Swiss cheese, and fresh grilled pineapple served on sourdough. **$12**

CHICKEN AND SWISS
Mesquite-roasted chicken breast covered with melted Swiss cheese and topped with lettuce, tomato, mayo, and mustard. **$11**

SPICY CHICKEN
Grilled chicken breast topped with sweet and spicy rub, green chilis, jalapeños, and melted Monterey Jack cheese. Served with lettuce, tomato, onions, and guacamole. **$11**

HANK'S STEAK & CHEESE
Sliced grilled steak, sautéed onions, bell peppers, cream cheese, and mozzarella on 8" Italian bread. **$13**

GRILLED PORTOBELLO & AVOCADO ● ●
A balsamic vinegar, rosemary, and garlic marinated, flame-broiled portobello mushroom topped with melted provolone cheese, avocado, lettuce, tomato, onion, mayo and mustard. Served on a wheat oatmeal bun. **$12**

BBQ PULLED PORK
Succulent slow roasted pork topped with sauteed onions, bell peppers, cream cheese, and mozzarella on 8" Italian bread. **$12**

PASTRAMI & SAUERKRAUT
Sliced pastrami with grilled sauerkraut and Swiss cheese topped with Hank's honey horseradish aioli. Served on grilled marble rye. **$13**

VEGGIE WRAP ● ●
Monterey Jack rolled in a spinach tortilla with lettuce, tomato, olives, onions, avocado, black beans, and Hank's dill vinaigrette. **$11**

DRINKS

Coke
Diet Coke
Sprite
Dr. Pepper
Root Beer
Lemonade
Raspberry Lemonade
Bottled Water
San Pelligrino

MILK
Dairy, Soy, Almond

JUICE
Apple, Orange,
Cranberry, Tomato,
Ruby Red Grapefruit

COFFEE
Fresh Brewed
Fresh Brewed Decaf
Espresso
Cappuccino
Latte
Iced-Coffee

TEA
Hot tea
Iced tea

Flavorings:
chocolate, caramel,
vanilla, mango,
raspberry

DRAFT

Agenda Item Number : 6B

Request For Council Action

Date Submitted	2015-12-07 11:49:31
Applicant	Jeff Ralph Whiting, of Pizzeria Limone
Quick Title	Alcohol License Request
Subject	Consider approval of a request for a Class C Beer License and Local Consent for Pizzeria Limone, Located at 231 North Red Cliffs Drive #102, St. George. Jeff Ralph Whiting, Applicant.
Discussion	Approval of the request for a Class C Beer License and Local Consent for Pizzeria Limone, Jeff Ralph Whiting is the applicant.
Cost	$0.00
City Manager Recommendation	Meets all requirements for a new restaurant.
Action Taken	
Requested by	Laura Woolsey
File Attachments	Pizzeria Limone.pdf
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	Mr. Jeff Ralph Whiting is requesting approval for a Class C Beer License and Local Consent to apply for a Limited-Service Restaurant Liquor License from the State of Utah Division of Alcohol, for Pizzeria Limone restaurant, located at 231 North Red Cliffs Drive, #102, St. George. The background information for Mr. Whiting is clear. St. George Municipal Code defines a Class C Beer License as a license entitling the licensee to sell beer in original containers of a size not to exceed one quart capacity for consumption on the licensed premises of a restaurant at which food sales constitute no less than seventy percent (70%) of the gross monetary receipts of the licensee's business and in connection with a license issued by the state of Utah to operate as a restaurant liquor licensee. The City has no quota established for Class C Licenses. The business license office has received all the required documents from the applicant. The restaurant is scheduled to open January 2, 2016.
Attachments	Pizzeria Limone.pdf

CITY OF ST GEORGE 00037569
RECH: 01485627 12/03/2015 9:38 AM
TRAN: 89.0000 LICENSES
OPER: LIC TERM: 035
REF#: 1269

50.00CR
TENDERED: 50.00 1 CHECK(S)
APPLIED: 50.00-
CHANGE: 0.00

BEER LICENSE APPLICATION

CITY OF ST GEORGE
BUSINESS LICENSE OFFICE
175 EAST 200 NORTH, ST GEORGE, UT 84770
435-627-4740

(This application must be accompanied by an Applicant's Questionnaire and satisfactory fingerprint cards)

Applicant must be the owner/operator. If the owner is a corporation, the applicant shall be the corporation's agent; if the owner is a partnership; the applicant shall be a general partner of the partnership.

Please print or type

1. Applicant's Name JEFFERY RALPH WHITING
First Middle Last

Corporation or partnership name, if applicant is an agent. Pizzeria Limone Holdings, LLC

2. Name under which business will be operated (If different from name of applicant, corporation or partnership) _____
First Middle Last

3. Location of Business ~~245~~ 231 N Red Cliff Dr. St. George, UT 84790 #102 ok

4. Mailing address(If different from location of business)
P.O. Box 17020, Holladay UT 84117
Address City State Zip

5. If party who will manage the business is different from the applicant; please provide the name and address of the managing party.
Brenda Hafen
First Middle Last
[redacted] [redacted] UT [redacted]
Address City State Zip

6. If a corporation, list below or attach on a separate sheet, the names and addresses of the corporation's principal officers and any stockholders who own 10 % or more of the corporation. If a partnership, list the names and addresses of the other general

Jeff Whiting 2440 E. Warren St. SLC, UT 84124
Michael Tempest 4944 Marilyn DR. SLC, UT 84117
Alan Kellogg 12563 Bear Castle Cove. Draper, UT 84020

Applicant Signature_____ Date_____

STATE OF UTAH)
) ss.
County of Washington)

I, DEBORAH ENGEBRETSEN being first duly sworn, depose and say the foregoing questionnaire is in all respects true and correct, to the best of my knowledge and belief and that I am the above named applicant . I understand that any false information constitutes perjury.

SUBSCRIBED AND SWORN TO before me this 22nd day of OCTOBER 2015.

Deborah Engebretsen
Notary Public

DEBORAH ENGEBRETSEN
Notary Public
State of Utah
Comm. No. 683981
My Comm. Expires Jul 10, 2019

My Commission Expires 7.10.19.

If applicant is an agent for the corporation or partnership, an officer using the authority to do so, or the other general partners, will indicate the desire of the corporation or partnership to have the above –named applicant hold the beer license in his (her) name as the agent for the benefit of the corporation by affixing his (her) signature here, and he (she) further certifies that by signing this application he (she) is duly appointed, authorized and acting agent of the corporation or general partner of the partnership.

Name	Title	Date
	M. Member	10.22.15

License Number: _____

CITY OF ST. GEORGE

175 East 200 North • St. George, UT 84770 (435) 627-4740

APPLICATION FOR BUSINESS LICENSE

Office use only _____

Please check applicable box

- ☒ New
- ☐ Renewal (Must still complete form)
- ☐ Address change (Requires zoning approval)

FOR CITY OFFICE USE ONLY

APPROVALS: (Required for New Business or Change of Location)

Zoning _____ /Date Business L.O. _____

City Attorney _____ /Date Police Chief _____

Fire Chief _____ /Date Building Dept. _____ /Date

Receipt Number _____ /Date Date _____ /Date

Please Print

Name of Business Pizzeria Limone

Address at Which Business Will be Conducted 231 N #102 245 Red Cliff Dr. St. George UT 84790 (Street, City, State, Zip) Business Phone 801-251-0831

Mailing Address (If Different) P.O. Box 17020 Holladay, UT 84117 Cell Phone [redacted]

Name of Applicant Jeff Whiting SSN# [redacted] Home Phone _____

Residence Address of Applicant [redacted] (Street, City, State, Zip)

Please attach a copy of the applicable documents filed with the State or Utah Division of Corporations and Commercial Code

Business is: ☐ Corporation ☐ Sole Proprietorship ☐ Partnership ☒ Limited Liability Company

List all owners other than applicant. If a corporation, partnership, or limited liability company, list other officers, general partners or members.

Email Address [redacted]

Date of Commencing Business in St. George 1-2-16 Sales Tax Number [redacted] Federal Tax ID [redacted]

Type of business to be conducted Restaurant

If Required to be Licensed by State, Check Here ☐ **ALSO** ATTACH A COPY OF STATE LICENSE.

Average Number of Employees 20 Days & Hours of Operation Mon-Sat: 11am to 10pm. Sun: 12pm-8pm

HOME OCCUPATION ORDINANCE: (Sign only if your are conducting a business out of your home. Request a copy of the Home Occupation Ordinance.)
I will comply with the provisions of the City's Ordinance for Home Occupation.

Signature — Date —

BUSINESS LICENSE FEE PAYABLE:

General Business License Fee ($50.00)	$ 50.00
Number of Full-Time Employees 1 at $10.00 each	$ 10.00
Number of Part-Time Employees 19 at $5.00 each (Who Will Work Less Than 450 Hours Per Year)	$ 95.00
$25.00 Late Charge on renewals after February 28	$ —
Amount of Bond (If Required)	$ —
Total Fees Due ($350.00 Maximum Before Late Fee)	$ 155.00

Application completed by (please print): _____ Title 9-2-15

By submitting a signed application, the applicant certifies that the business does not and will not during the licensing period knowingly employ, or subcontract with any entity which employs workers in violation of 8 USC § 1324a. By signing, the applicant acknowledges that the applicant has read, understands, and agrees to comply with the requirements of federal and state law regarding eligibility of workers.

I understand that falsifying any information on this application constitutes sufficient cause for rejection or revocation of my license. I also understand that the City License Officer may require additional information as permitted by the ordinance, and also agree to supply the same as part of this application. I understand this License will expire December 31 and it is my responsibility to renew this License annually without further notification from the City of St. George.

*Authorized Applicant Signature _____ Title M-Member Date 9-2-15

* Application must be signed by: a) a corporate officer if the business is a corporation (i.e. a president, corporate secretary-treasurer, or vice president of the corporation, or the manager of one or more manufacturing, production or operation facilities, with authority to sign documents); b) a general partner, member or proprietor if the business is a partnership, limited liability company or proprietorship respectively; or, c) a duly authorized representative (written authorization and written change of authorization must be attached) of the corporation, general partnership, limited liability company or proprietorship.

RETAIN GOLDEN ROD COPY FOR YOUR RECORDS

CERTIFICATE

I hereby certify I have been associated with Jeff Whiting who resides in Holladay, UT since 2/2015. To the best of my knowledge he/she is of good moral character and fit to be granted an alcohol license:

Name: Dean Lehwalder

Address: 1896 E 3300 South City: Salt Lake City State: UT ZIP 84106

Signature Date: 8/25/15

I hereby certify I have been associated with Jeff Whitting who resides in Holladay UT since 6/15. To the best of my knowledge he/she is of good moral character and fit to be granted an alcohol license:

Name: Scott Dyrul

Address: 1515 S 1800 E City: SLC State: UT ZIP 84108

Signature Date: 8/31/15

I hereby certify I have been associated with JEFF whiting who resides in Holladay ut since 20-12. To the best of my knowledge he/she is of good moral character and fit to be granted an alcohol license:

Name: Jesus Rodriguez

Address: 4366 S. 3720 W City: West Valley State: ut ZIP 84120

Signature Date: 8-20-15

CERTIFICATE

I hereby certify I have been associated with Jeff Whiting who resides in Holladay, UT since 12/2012. To the best of my knowledge he/she is of good moral character and fit to be granted an alcohol license:

Name: Michael Killpack

Address: 14944 Bridgemark Drive City: Sandy State: UT ZIP 84092

Signature [signature] Date: 8/25/15

I hereby certify I have been associated with Jeff Whiting who resides in Holladay since 2014. To the best of my knowledge he/she is of good moral character and fit to be granted an alcohol license:

Name: Nathan Lui

Address: 11891 S Pond Ridge DR City: Draper State: UT ZIP 84020

Signature [signature] Date: 8/25/15

I hereby certify I have been associated with _____ who resides in _____ since _____. To the best of my knowledge he/she is of good moral character and fit to be granted an alcohol license:

Name: _____

Address: _____ City: _____ State: ____ ZIP _____

Signature _____ Date: _____

PERMISSION TO ENTER PROPERTY

1. The undersigned property owner, Pizzeria Limone Holdings, LLC, ("undersigned"), hereby gives permission to the City of St. George, its agents and contractors to enter the undersigned's property ("the property") located at 245 Red Cliff Drive, St. George, UT 84790.

2. This permission is specifically limited to the following activities which may be performed by the Department, its agents or contractors: Checking compliance with laws and codes.

3. The granting of this permission by the undersigned is not intended, nor should it be construed, as an admission of liability on the part of the undersigned or the undersigned's successors and assigns for any contamination discovered on the property.

4. The Department, its agents or contractors may enter the property during normal business hours and may also make arrangements to enter the property at other times after agreement from the undersigned.

5. The undersigned shall not be liable for any injury, damage or loss on the property suffered by the Department, its agents or employees not caused by the negligence or intentional acts of the undersigned's agents or employees.

6. The Department acknowledges and accepts its responsibility under applicable law for damages caused by the acts of its employees while on the property.

Signature of Undersigned (Property Owner) 10-19-15 Date

Jeffrey R. Whiting
Print Name

Enjoy! We use only the freshest ingredients at Pizzeria Limone™. Our sauce, soup and salad dressings are created fresh, in-house, for you.

PIZZAS

*Every pizza is topped with five cheeses: aged mozzarella, fresh mozzarella, parmigiano reggiano, parmigiano pecorino & asiago.

Limone 8.45
Olive oil base • garlic • red onions
sliced lemons •*five cheeses • basil

Viola 8.95
House marinara • prosciutto
blackberries •*five cheeses • olive oil • basil

Pera 8.95
Olive oil base • garlic • red onions • sliced pears
prosciutto •*five cheeses • pistachios • basil

Caprese 8.45
Olive oil base • garlic • red onions •*five cheeses • sliced tomatoes
balsamic glaze • basil • olive oil & balsamic vinegar

Margherita 7.45
Olive oil base • garlic • red onions
grape tomatoes •*five cheeses • basil

Salsiccia 7.95
House marinara • house blend sausage • red onions • kalamata olives
grape tomatoes •*five cheeses • olive oil • basil

Verdure 7.95
House marinara • garlic • red onions • grape tomatoes
portobello mushrooms • kalamata olives
*five cheeses • olive oil • basil

Secca 7.95
House marinara • dry salami
kalamata olives •*five cheeses • olive oil

Formaggi 6.45
House marinara •*five cheeses

Pepperoni 7.45
House marinara •*five cheeses • pepperoni

Extra Premium Topping 1.95 ea.

KID'S MENU

Includes small fountain drink
No substitutions or extra toppings

Pepperoni Pizzette 4.45
House marinara •*five cheeses • pepperoni

Formaggi Pizzette 4.45
House marinara •*five cheeses

LIMONE™

SALADS

Full salads served with our Crosta

Tre Sorelle 6.95
Fresh greens • red onions • blackberries • sliced pears
pistachios • parmigiano reggiano • basil • lemon vinegarette
Side Salad 4.45

Italiana 7.95
Fresh greens • mozzarella • beets • kidney & garbanzo beans
blue cheese vinegarette • sausage • fresno peppers

Caesar Limone 6.45
Fresh greens • parmigiano reggiano • house herb caesar dressing
Add chicken 1.95
Side Salad 4.45

Insalata Caprese 6.95
Sliced fresh mozzarella • sliced tomatoes • balsamic glaze
pistachios • basil • olive oil & balsamic vinegar
Served with small Crosta

SOUP

Large soup served with our Crosta

Zuppa 5.95
House fire roasted tomato • mozzarella
crème fraîche • pistachios • basil
Small Soup 3.95

SIDES

Crosta 3.45
Fresh baked crust • olive oil • salt • parmigiano reggiano

Crosta Formaggi 5.45
Fresh baked crust • olive oil • garlic • *five cheeses

Antipasto 6.95
Small Crosta • prosciutto • dry salami • pepperoni • three cheeses
kalamata olives • pear slices • basil • fresno peppers

House Marinara 1.50

Olive Oil & Balsamic Vinegar 1.50

DESSERTS

Gelato 2.95
Limone • Double Chocolate • Pistachio • Salted Caramel Mocha

Limone Brownie 2.25
A rich chocolate brownie with lemon
buttercream & chocolate ganache

BEVERAGES

Fountain Drinks 1.95

European Bottled Water / Soda
Small 1.95
Large 4.25

Alcohol

Domestic Beer **3.95**
Squatters, Hop Rising
Uinta Monkshine Belgian Barley
Wasatch Devastator

Import Beer **4.95**
Peroni, Nastro Azzurro

Wine **11.95**
J. Lohr, Seven Oaks Cabernet
J. Lohr, Charred River Stone Chardonnay

LIMITED-SERVICE RESTAURANT LIQUOR LICENSE

Local Consent

PURPOSE: Local business licensing authority provides written consent to the Alcoholic Beverage Control Commission (1) to issue an on-premise alcohol license for a person to store, sell, offer for sale, furnish, or allow the consumption of an alcoholic product on the premises of the applicant; and (2) to authorize a variance reducing the proximity requirements

AUTHORITY: Utah Code 32B-1-202; 32B-5-201 through 203; 32B-5-205 and -206

City of St. George, [✓] City [ ] Town [ ] County
Local business license authority

hereby grants its consent to the issuance of a limited-service restaurant liquor license to:

Business Name (DBA): Pizzeria Limone

Applicant Entity/Business Owner: Jeff Ralp Whiting

Location Address: 231 North Red Cliffs Dr #102

Authorized Signature

Name/Title

Date

LOCAL CONSENT FOR PROXIMITY VARIANCE

In accordance with Utah Code 32B-1-202, the local authority also grants consent to a variance regarding the proximity of this establishment relative to a public or private school, church, public library, public playground, or park.

Authorized Signature

Name/Title

Date

This is a suggested format. A locally produced city, town, or county form is acceptable. Local consent may be faxed to the DABC at 801-977-6889 or mailed to: Department of Alcoholic Beverage Control, PO Box 30408, Salt Lake City, UT 84130-0408
DABC Local Consent (RL) 1/2012

DRAFT

Agenda Item Number : 6C

Request For Council Action

Date Submitted	2015-12-03 15:22:24
Applicant	Kent Perkins
Quick Title	Donations to Seegmiller Park
Subject	Donations Seegmiller Farm Park.
Discussion	Acceptance of items donated to the Seegmiller Farm Park: 1) Antiques - Jennings Family 2) Barn wood - Larry Gardner
Cost	$0.00
City Manager Recommendation	Acceptance of donated historical items for the Seegmiller Farm project. This will add the final touch to this historic park.
Action Taken	
Requested by	Kent Perkins
File Attachments	Seegmiller Donations - Jennings & Gardner.docx

Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	
Attachments	Seegmiller Donations - Jennings & Gardner.docx

Antiques Donated to Seegmiller Farm Park by the Jennings Family

#4 of four small tractors

2nd of 4 small tractors

20140305_155059

20140305_155211

20140305_155230

20140305_155247

doors from jail

Federal Truck

First hay bailer in Southern Utah

four hay cutters from front angle

Four hay cutters

Four hay rakes

Four small Tractors

Grader tractor

Grader

Grader

hand and attachable plows - Copy - Copy

hand cart - Copy - Copy

Hay bailer from front

Hay Bailer wagon

One of 4 small tractors

Orange Tractor

Picture

plow attachment with roller

Sickles

Sickles

third of 4 small tractors

Three trucks

trailer with rubber wheels

Truck missing many parts

Truck missing some parts

Two man saws

various attachments

Wagon Wheel tool

Wagon Wheels that crossed the plains

Wagon

Walk behind cutter

Wood Chipper

Woodworking tool

Barn Wood Donated to Seegmiller Farm Park by Larry Gardner

North Barn

20140728_134644

20140728_134843

20140728_134825

20140728_135013

20140728_134907

South Barn

back of barn

20140728_135525

20140728_135254

20140422_134444

20140728_135538

Motel Room

1st motel room front

1st motel room rear view with scale

1st motel room side view

20150203_110336

Scale

DRAFT

Agenda Item Number : 6J

Request For Council Action

Date Submitted	2015-12-14 08:00:27
Applicant	Water Services
Quick Title	2015 Sewer Slip-lining Project
Subject	Consider Approval of a sewer slip-lining project to rehabilitate approximately 6,200 LF of failing sewer line in the Bloomington area.
Discussion	This past July, we discovered several sections of concrete pipe in the Bloomington area that had failed. At that time, we slip-lined over 400 feet of pipe under an emergency requisition. After video inspection of the entire Bloomington area, we have identified over 6,000 LF that needs immediate rehabilitation. We budget $250,000 per year for rehabilitation. This project exceeds the amount budgeted because of the extent of the failing pipe.
Cost	$653,995
City Manager Recommendation	We need to complete this repair asap even though we will exceed budget amounts. Recommend approval.
Action Taken	
Requested by	Scott Taylor
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

City of St. George
2015 Sewer Relining Project
Bid Date: December 8, 2015

Alternate #1

Item No.	Item Description	Quantity	Units	Val Kotter and Sons		C&L		Superior Gunite	
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
1	Mobilization	1	L.S.	$30,000.00	$30,000.00		$0.00		
2	Furnish and Install 10" PVC Fold and Form Liner	5,967	L.F.	$48.00	$286,416.00		$0.00		
3	Furnish and Install 10"X4" Lateral Connection Including Lateral Liner Insert	86	Each	$1,350.00	$116,100.00		$0.00		
4	Furnish and Install 8" PVC Fold and Form Liner	249	L.F.	$40.00	$9,960.00		$0.00		
5	Furnish and Install 8"X4" Lateral Connection Including Lateral Liner Insert	2	Each	$1,350.00	$2,700.00		$0.00		
6	Furnish and Install 15" PVC Fold and Form Liner	2,334	L.F.	$78.50	$183,219.00		$0.00		
7	Furnish and Install 15"X4" Lateral Connection Including Lateral Liner Insert	16	Each	$1,350.00	$21,600.00		$0.00		
8	Point Repair including Surface Improvements	1	Each	$4,000.00	$4,000.00		$0.00		
				TOTAL OF SCHEDULE	$653,995.00		$0.00		$0.00

Alternate #2

Item No.	Item Description	Quantity	Units	Val Kotter and Sons		C&L		Superior Gunite	
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
1	Mobilization	1	L.S.			$82,297.00	$82,297.00	$137,781.00	$137,781.00
2	Furnish and Install 8" Cured-in-Place Liner	249	L.F.			$53.00	$13,197.00	$61.00	$15,189.00
3	Furnish and Install 8"X4" Lateral Connection Including Lateral Liner Insert	2	Each			$2,320.00	$4,640.00	$2,799.00	$5,598.00
4	Furnish and Install 10" Cured-in-Place Liner	5,967	L.F.			$68.00	$405,756.00	$97.00	$578,799.00
5	Furnish and Install 10"X4" Lateral Connection Including Lateral Liner Insert	86	Each			$2,320.00	$199,520.00	$2,799.00	$240,714.00
6	Furnish and Install 15" Cured-in-Place Liner	2,334	L.F.			$64.00	$149,376.00	$153.00	$357,102.00
7	Furnish and Install 15"X4" Lateral Connection Including Lateral Liner Insert	16	Each			$2,620.00	$41,920.00	$2,799.00	$44,784.00
8	Point Repair including Surface Improvements	1	Each			$9,694.00	$9,694.00	$9,376.00	$9,376.00
				TOTAL OF SCHEDULE	$0.00		$906,400.00		$1,389,343.00

Prepared By:
Water Services Staff
12/14/2015

City of St. George

2015 SEWER RELINING PROJECT

Addendum #3

12/14/2015

Contractors shall acknowledge the receipt of this addendum as indicated in the bid documents.

1. **Specification**

- Bid Schedule - Items #6 and #7 have been removed from the bid schedule and the project. A revised bid schedule is included with this addendum and all contractors will be required to use the revised bid schedule. Any bids turned in on the original bid schedule will be considered non-responsive and will be rejected.

CITY OF ST. GEORGE
REVISED BID SCHEDULE
2015 SEWER RELINING PROJECT

Bidder agrees to perform all the work described in the CONTRACT DOCUMENTS for the following unit or lump sum prices. The contractor may elect to bid either or both bid schedules, however only one schedule will be awarded.

Bidder will complete the work in accordance with the Contract Documents for the following unit prices. Quantities indicated are not guaranteed; they are solely for comparing bids and establishing the initial Contract Price. Final payment will be based on actual quantities.

NOTE: The Engineer shall check all bids for mathematical errors. If errors have been made in the extension of the figures, it will be assumed that the unit prices are correct and the total amounts will be revised to reflect the corrections.

Bid Alternate #1

ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNITS	UNIT COST	TOTAL
1	Mobilization	1	L.S.	$30,000.00	$30,000.00
2	Furnish and Install 10" PVC Fold and Form Liner	5,967	L.F.	$48.00	$286,416.00
3	Furnish and Install 10"X4" Lateral Connection Including Lateral Liner Insert	86	Each	$1,350.00	$116,100.00
4	Furnish and Install 8" PVC Fold and Form Liner	249	L.F.	$40.00	$9,960.00
5	Furnish and Install 8"X4" Lateral Connection Including Lateral Liner Insert	2	Each	$1,350.00	$2,700.00
8	Point Repair including Surface Improvements	1	Each	$4,000.00	$4,000.00
				TOTAL OF BID SCHEDULE	$449,176.00

ATTEST:

RESPECTFULLY SUBMITTED:

_____

_____

(Seal - If Bid is by Corporation)

_____

Address

_____

Signature

_____

Name

_____

Title

DRAFT

Agenda Item Number : 6D

Request For Council Action

Date Submitted	2015-12-07 11:51:17
Applicant	PC
Quick Title	PC Report from Dec 8, 2015
Subject	Consider the Planning Commission report from the meeting on Dec 8, 2015.
Discussion	The PC had a long agenda for the 8th. Agenda items included a Hillside Permit, Final Plat, two Preliminary Plats, Preliminary Plat Amendment and two CUP's. The CUP's are for a time extension for a wireless tower and Natural Gas Regulator. CUP's are listed separately on the agenda.
Cost	$0.00
City Manager Recommendation	Long meeting for the Planning Commission. CUP's, plats, and a hillside report were major items.
Action Taken	
Requested by	John Willis
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH

PLANNING COMMISSION REPORT: DECEMBER 8, 2015
CITY COUNCIL MEETING: DECEMBER 17, 2015

1. **PUBLIC HEARINGS TO BE ADVERTISED FOR JANUARY 7, 2016**

A. Consider a zone change request to change 3.64 acres from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to PD-C (Planned Development Commercial) for **'Boulder Creek Commons North'** and to rezone 13 acres from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to PD-C (Planned Development Commercial) for **'Boulder Creek Commons South.'** This zone change includes a request for approval of the 'conceptual layouts' (North & South), the written text,' and the 'use list' as submitted for the total area of 16.64 acres. The owner and applicant is Shefco LLC and the representatives are Mike and Steve Sheffield. Case No. 2015-ZC-035. (Staff Ray Snyder)

B. Consider a zone change amendment (ZCA) to change the **Desert Canyons Planned Development Master Plan** from PD-8 to R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) on 5.96 acres located at approximately Rim Runner Drive and Church Rocks Drive (east of Deserts Edge Phase 1). The owner and applicant is Quality Development LLC and the representative is Mr. Ken Miller, Development Solutions. Case No. 2015-ZCA-034 (Staff - John Willis)

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

A. Consider a request for a conditional use permit for a **time extension** for an expired conditional use permit to construct a one (1), one hundred foot (100') high co-locatable wireless tower and to construct related multiple equipment enclosure(s). The project is called **"Verizon** - UT4 Airplane." Located on Riverside Drive (east side of Town Storage) and zoned C-3 (General Commercial) *Note: Previously approved by City Council on August 21, 2014.* Case No. 2014-CUP-017 (Staff – Ray Snyder)

B. Consider a request for a conditional use permit for 1) a proposed **"Natural Gas Regulator Station,"** 2) an eight foot (8') high security wall around the site, 3) site development mitigation, 4) landscaping, and 5) roadway improvements to the site. The applicant is **"Questar"** and the representative is Mr. Tim Blackham. The property is located at approximately 2300 South 3210 East and is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size). Case No. 2015-CUP-014. (Staff – Ray Snyder).

3. **HILLSIDE PERMIT (HS)**

Consider a request for a hillside permit to allow for the removal of a hill (*called the "Jones Family Hill"*). This is a request to determine if it is noncontiguous and insignificant. The owner is 'Myron and Helen Jones Trust,' and the representative is Mr. and Mrs. Tovey. The property is located at 1923 South River Road and is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size). Case No. 2015-HS-003. (Staff – Ray Snyder)

4. **FINAL PLAT / LOT LINE ADJUSTMENT (LRE)**

Consider approval of an amended residential final plat / lot line adjustment to clean up lot lines that are running through buildings and to better accommodate the existing facilities. The property is zoned PD-C (Planned Development Commercial) and is located at 1380 East Medical Center Drive and surrounding buildings (Dixie Medical Center). The owner is **IHC** and the representative is Mr. Kent Withers, McNeil Engineering. Case No. 2015-LRE-030. (Staff – Wes Jenkins)

5. **PRELIMINARY PLATS (PP)**

A. Consider approval of a preliminary plat for a three (3) lot commercial subdivision development called **"South Posse Plaza."** The applicant is QCO LLC and the representative is Mr. Eric McFadden, Premiere Design. The property is zoned C3 (General Commercial) and is located at 1062 West Sunset Boulevard. Case No. 2015-PP-033. (Staff – Wes Jenkins).

B. Consider approval of a preliminary plat for an eight (8) lot residential subdivision development called **"Meadows Edge Phase 2."** The applicant is DSG Holdings LLC, K & D Family LLC, and KDQD LLC. The representative is Mr. Logan Blake, Development Solutions Group, Inc. The property is zoned RE-20 (Residential Estates 20,000 sq. ft. minimum lot size and is located at 2100 East 3970 South. Case No. 2015-PP-035. (Staff – Wes Jenkins).

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

Consider approval of a preliminary plat amendment for a forty-one (41) lot residential subdivision development called **"The Cove at Little Valley."** The applicant is Sullivan Field LLC and the representative is Mr. Paul Blackmore, Blackrock Engineering. The property is primarily zoned R-1-12 (Lots 2 – 40 = approx. 14 acres) with a small portion (Lot 1 = 0.47 ac.) of RE-12.5 and is located on Horseman Park Drive between 2350 East Street and Little Valley Drive. Case No. 2015-PP-034 (Staff – Wes Jenkins).

7. OTHER BUSINESS

A. Review Time Required

The Planning Commission (PC) meeting was quite long as it ran 4 ½ hours (5:00 – 9:30 pm). The items which required the most time were: 1) the proposed zoning regulation amendment for Title 10 Chapter 8A "Traditional Neighborhood District (TND) which required one hour and was recommended to be denied, however the PC encouraged staff in lieu to create a Planned Development (PD) category to support the goals discussed, 2) the hillside permit request which required 50 minutes and was recommended to be approved with several conditions, and 3) a determine use discussion of 'Shrimp Farming' in the M-1 zone which was determined to be permitted by a finding.

B. Shrimp Farming

The Planning Commission determined that a 'Shrimp Farming' business is a **permitted use** and is similar to and in harmony with other permitted uses in the M-1 (Industrial) zone. The applicants are Mr. William Matthews and Mr. Reed Noble. Case No. 2015-DU-001. (Staff – John Willis). The finding was that the use would be in harmony and similar to other permitted uses such as dairy and dairy products and also warehousing.

C. TND

The Planning Commission (PC) considered and **denied** a zoning regulation amendment (ZRA) to Title 10 Zoning Regulations Chapter 8A Traditional Neighborhood District (**TND**) Case No. 2015-ZRA-006 (Staff John Willis). The PC was supportive of many of the goals discussed; however staff was encouraged to return with a new proposal for a Planned Development (PD) category.

PCR ITEM 3
Hillside Permit

HILLSIDE REVIEW BOARD AGENDA REPORT:	**11/18/2013**
PLANNING COMMISSION MEETING:	**12/8/2015**
CITY COUNCIL MEETING:	**12/17/2015**

HILLSIDE DEVELOPMENT PERMIT: Case No. 2015-HS-003
Jones Family Hill - Removal

Request: A request for a Hillside Development Permit to allow for the removal of a hill (*called the "Jones Family Hill"*). This is a request to determine if it is an isolated noncontiguous and insignificant hill and may be removed.

Project Overview: The purpose is to remove the hill and allow for residential development.

Location: This property is located at approximately 1923 South River Road.

APN:
SG-5-3-5-1211
SG-5-3-5-1212
SG-5-3-5-1213
SG-5-3-5-1214

Property Owner: Myron and Helen Jones Trust

Applicant(s): Dan and Lori Tovey

Representative: Bush & Gudgell, Inc.

Area(s):
Approximately 6.87 acres (SG-5-3-5-1211)
Approximately 0.89 acres (SG-5-3-5-1212)
Approximately 0.89 acres (SG-5-3-5-1213)
Approximately 0.93 acres (SG-5-3-5-1214)

Total: 9.58 acres

Zoning: R-1-10

General Plan: LDR (up to 4 du/ac)

Density & Disturbance: The applicant is requesting to remove the entire hill.

Drainage: No drainage report was prepared for the site, given it would change if the hill was approved to be removed.

Powers & Duties: Section 10-13A-12.B.1 of the "Hillside Review Board Powers and Duties" states that the hillside board can make recommendations for approval, conditional approval, and denial to the Planning Commission (PC) and City Council (CC).

Permit required: Section 10-13A-6.A requires that all major development (i.e, cut greater than 4', etc.) on slopes above 20% requires a 'hillside development permit' granted by the City Council upon recommendation from the Hillside Review Board and the Planning Commission.

Applicable Ordinance:

There is a provision in Section 10-13A-5.B.3 of the Zoning Ordinance that may apply to this request to remove non contiguous insignificant slopes 'if' the HSRB concurs that it applies and is deemed not significant (see code section below)

B. Procedure: The location of the natural twenty percent (20%), thirty percent (30%) and forty percent (40%) slopes for the purposes of this article shall be determined using the following procedure: (Ord. 2005-07-007, 7-21-2005)

3. Determination of Slope Areas For Density Calculations: Using the contour maps, slopes shall be calculated in intervals no greater than forty feet (40') along profile lines. Points identified as slopes of twenty percent (20%), thirty percent (30%), and forty percent (40%) shall be located on the contour map and connected by a continuous line. That area bounded by said lines and intersecting property lines shall be used for determining dwelling unit density. Small washes or rock outcrops which have slopes distinctly different from surrounding property and not part of the contiguous topography may be excluded from slope determination if, in the opinion of the hillside review board, the exclusion of such small areas from slope determination will not be contrary to the overall purpose of this article. For the purpose of determining developable areas and allowable densities, previously disturbed hillside areas shall be considered on a pre-disturbance natural slope basis, where feasible, as proposed by the applicant's engineer and approved by the hillside review board. Where a property owner restores a previously disturbed area to a natural or near natural condition, the area may be included within a required no disturbance area. (Ord. 2005-07-007, 7-21-2005)

Comments: This area includes a complete hill which the applicant wants to be considered as non-contiguous to any significant outcroppings for single family site development. Due to the request, several of the requirements typically required were not submitted (*drainage report, geotechnical report, cross sections, etc.*), given any engineering would not be applicable if the hill was removed.

The hillside board did determine that the hillside itself was not significant and supported its removal, but was concerned that if approved, it would be removed entirely, in a reasonable amount of time, and not partially remain as a scarred eyesore to the community.

Staff recommends the hill be removed to a similar elevation as that of adjacent River Road. This would prevent development being terraced up the hillside for the creation of view lots.

If the hillside permit is approved by Council, staff would work with the applicant for processing a SPR (Site Plan Review application - civil engineering plan set), Preliminary Plat, and Final Plat.

Material Removal: A discussion of the time required to remove the material occurred. The engineer's estimate for material contained in the hill is 200,000 cubic yards. A typical large dump truck can haul approximately 10 yards at a time (270 cu. ft.) and 200,000 / 10 = 20,000 trips.

How long would it take to complete 20,000 trips? It depends. It depends upon the days trucks would operate and the number of trips made each day. For example, if 20,000 trips were divided by 18 (months) that equals approximately a goal of 1,111.11 trips a month. At operating 5 days a week or 20 days a month; 1,111.11/20 = 55 trips a day. This is a very 'rough' calculation and a lot of trucks in a day. For 24 months under this scenario it would be approx. 41 trips a day. This illustrates that removal of the hill would require time and a minimum of 18 months would most likely be required.

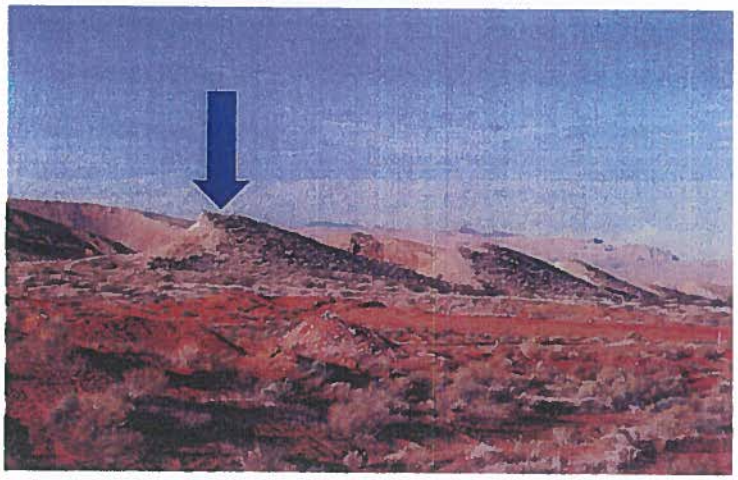
This project consists of removing soil, rock, boulders, debris, and trash. Blasting may be required. The applicant proposes to work from the backside removing material.

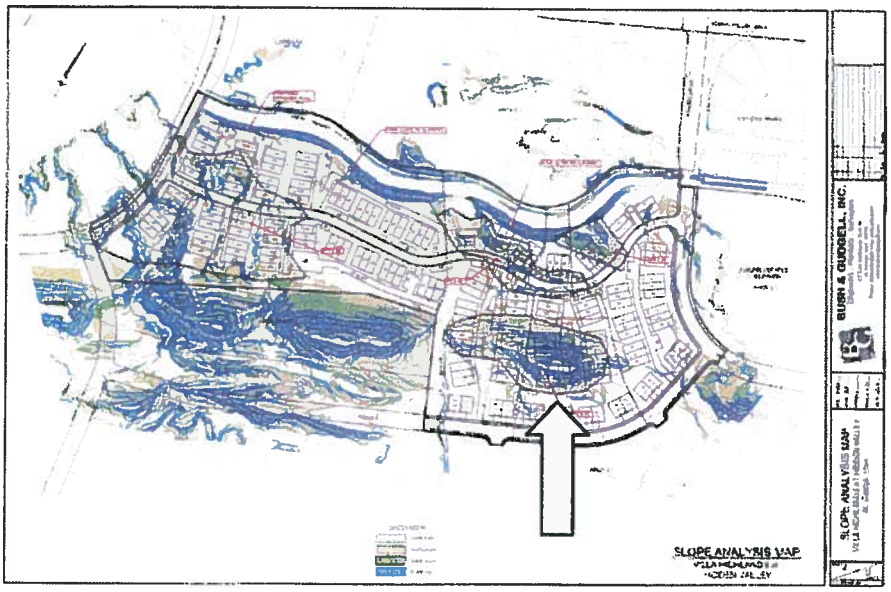
Once the project commences, the whole City will be impacted (truck traffic, noise, dust, etc.)

Demand for Mat'l.: According to the applicant, there are approximately five (5) large project sites in the area which have expressed an interest in purchasing the material. All of the sites are within 5 miles travel distance.

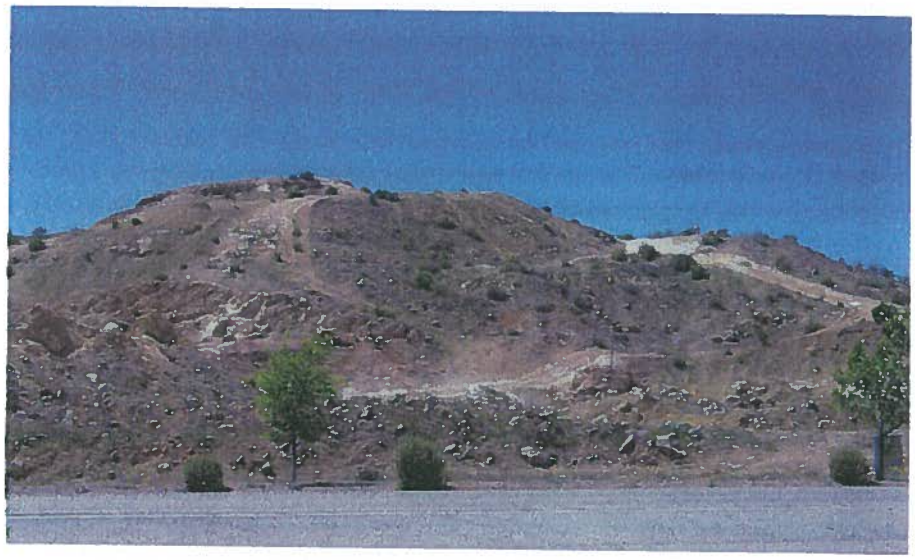
Other Projects: In comparison to this request, the following projects were previously approved *(this is not an all encompassing list)*:

1. Hidden Valley – Case No. 2012-HS-003 – removal of a cuseta (hill) to accommodate 164 future residential units – Total area for development was 26.14 acres - "The Villa Highlands at Hidden Valley." Approved by council October 4, 2012.





2. Ft Pierce – located on River Rd between 3662 and 3790 South River Road – Case No. 2010-HS-006 – 2 acres. Approved by council on July 1, 2010.



3. Atkinville Interchange – Case No 2007-HS-005 – a number of small hills on the east side of the proposed interchange were removed from a 153 acre site. Approved by council on April 19, 2007.

No photo available

4. Sunset Corners – Several members of the hillside board and councilman Almquist shared that there was once a large hill that was removed to allow the development of the intersection of Bluff Street and Sunset Boulevard (to develop intersection and the 'Sunset Corners' commercial center. Date not knowm.

No photo available

HSRB:

The Hillside Review Board (HSRB) made a motion to remove the entire hill with the condition that removal begins on the back side and works towards the front and that if the developer cannot complete the removal that a bond shall be in place to ensure complete removal occurs and no scarring or negative aesthetics to the community results. The vote was 4:1 (*the Chairman did not vote, but expressed he was in favor of the motion*).

All board members were in favor of the removal, but the opposition questioned if it was a small and insignificant hill. A discussion then occurred which resulted in asking staff to show other comparable projects in the staff reports (to the Planning Commission and City Council).

P.C.:

The Planning Commission recommends approval with suggested conditions.

EXAMPLE Motion(s):

Approval

It's recommended the City Council approve the hillside permit to allow removal of the hill (*called the "Jones Family Hill"*) because it is an isolated, noncontiguous, and insignificant hill and may be removed upon the following conditions:

1. The applicant shall demonstrate **ownership** prior to obtaining a grading permit.
2. Obtain a **grading permit** through Development Services. Note: the applicant may require up to 6 months time prior to pulling the permit.
3. Obtain a City **air quality permit**.
4. Obtain a **SWPPP** permit.
5. Obtain a **blasting permit**.
6. Install temporary **no-trespass fencing** during grading.
7. Mitigate the site by using a fire hydrant as a water source to **keep the site wet and dust down** during all grading work. Ensure that a 'crust' will be established to prevent future air borne particulates.
8. All **haul material** (approx. 200,000 cubic yards) shall be removed from the site to an approved location by Development Services (it is anticipated that the material will go to fill other current development sites).
9. After issuance of a grading permit, all material shall be removed, and grading shall be completed within approximately **18 months to 2 years time.** (*No long term borrow site may be established*).
10. To prevent a partially removed hill from occurring; **Bonding** to the satisfaction of the City Attorney's Office and City Engineer is required.

Denial
It is recommended that the hillside permit be denied for the removal of a hill (*called the "Jones Family Hill"*) because it is _____

_____.

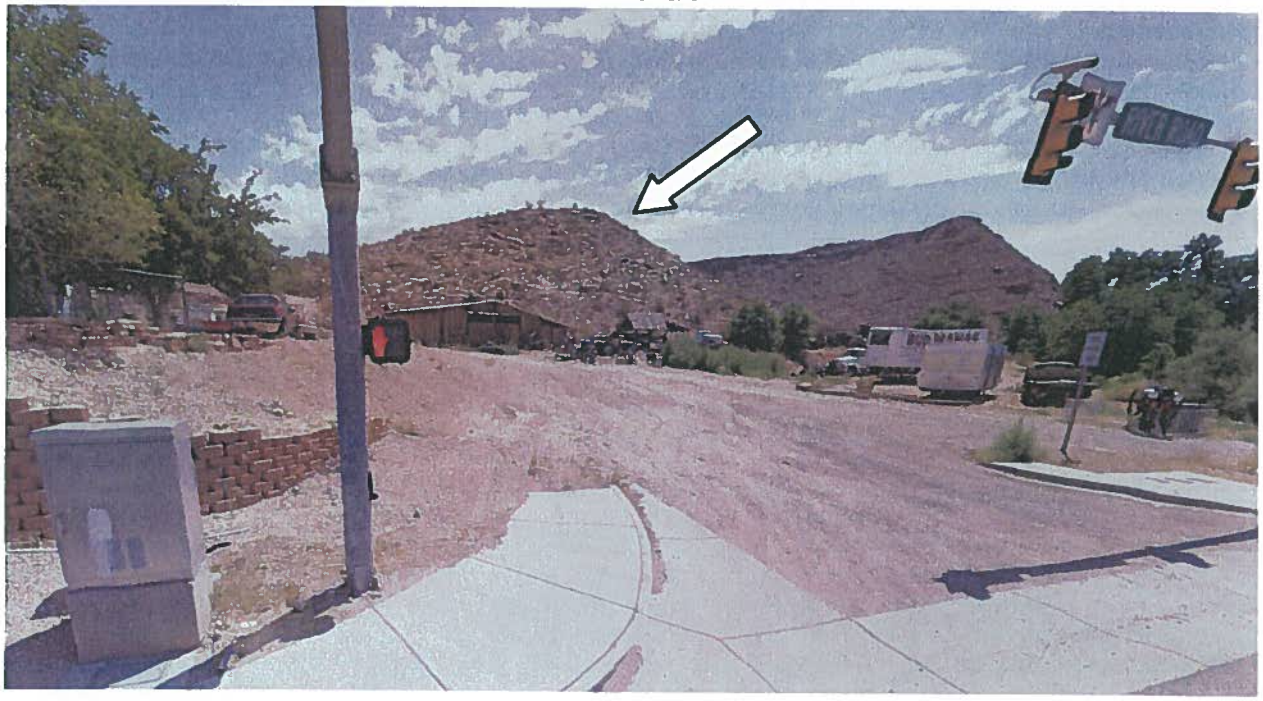
Table
It is recommended to table the request for a hillside permit because _____

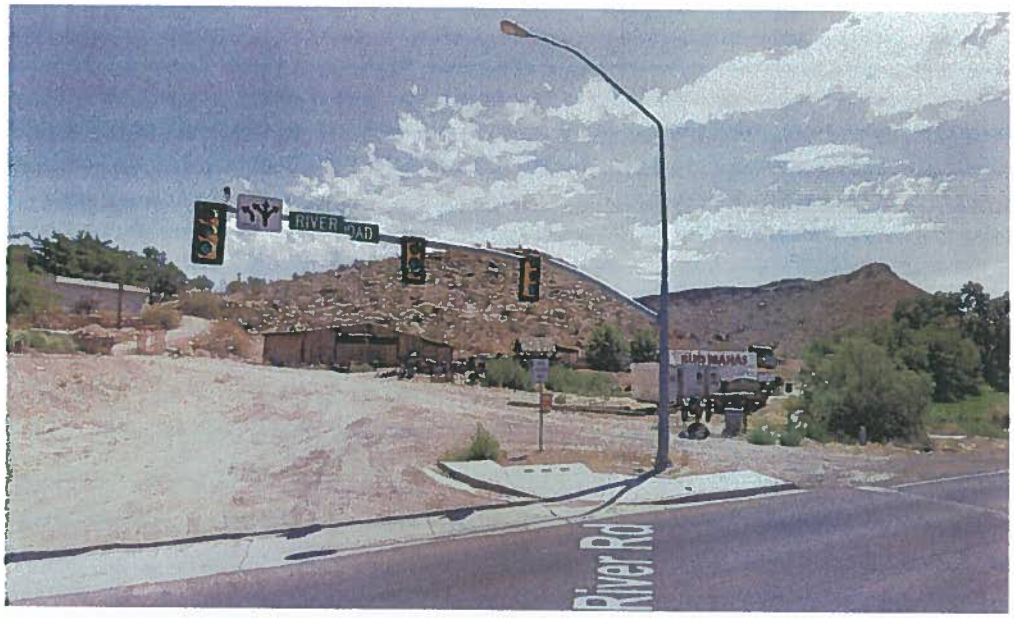
_____.

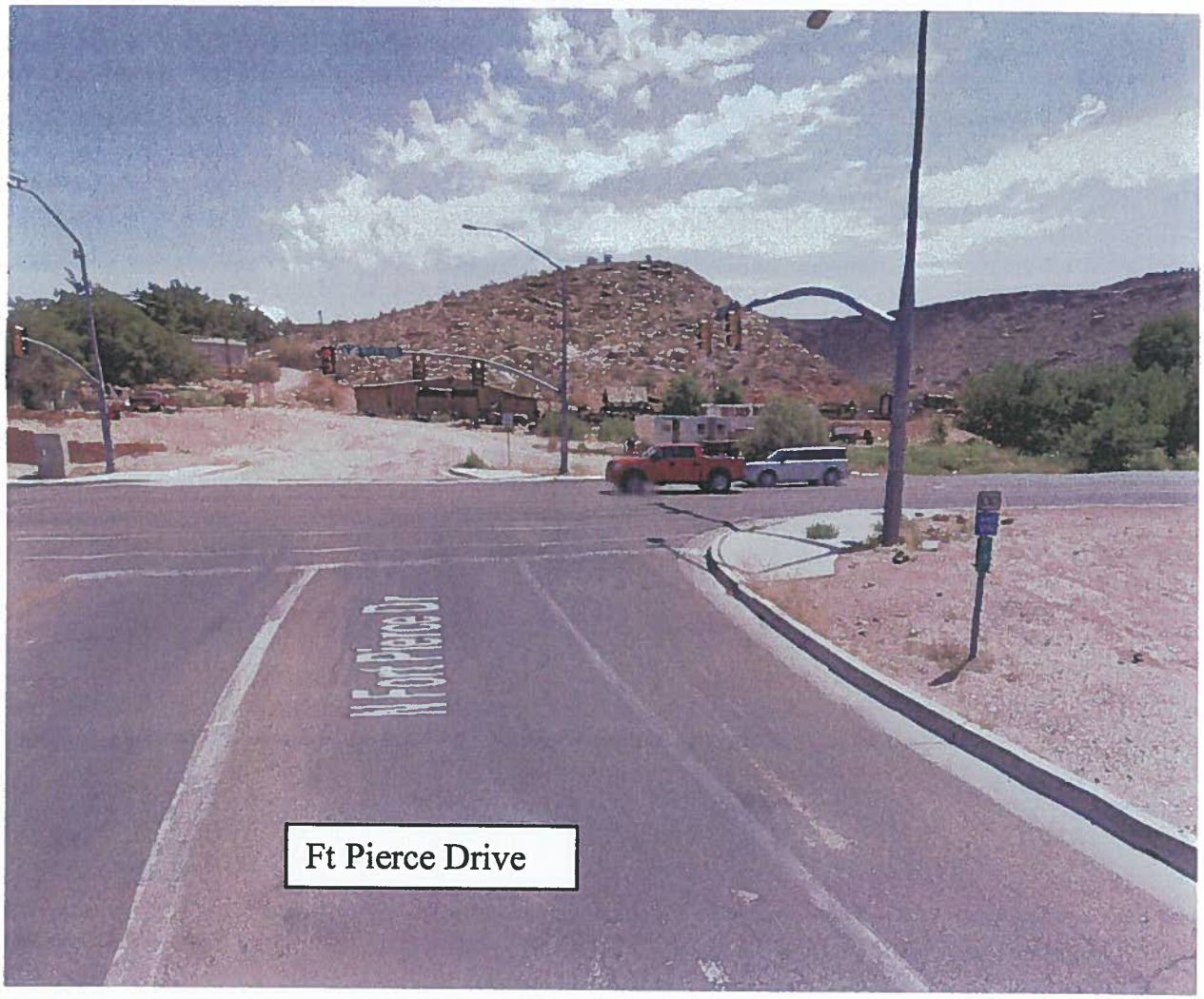
1810 S ST
1570 E ST
1850 S ST
RIVER RD
ERCE DR
1400 E ST
DIHEDRAL DR
SPRAG LN
TALUS WAY
SHELLEE DR
1400 E ST

Across the Street (Mr. "D's")

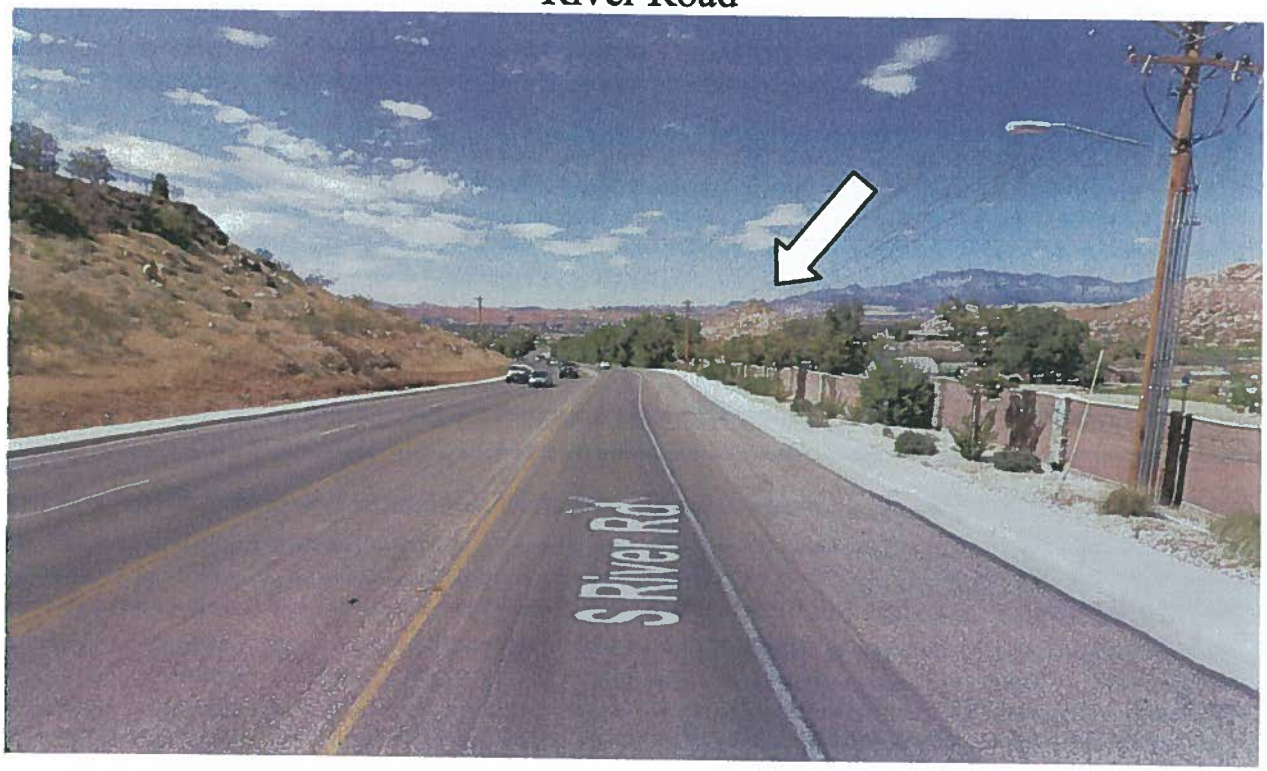
Hillside



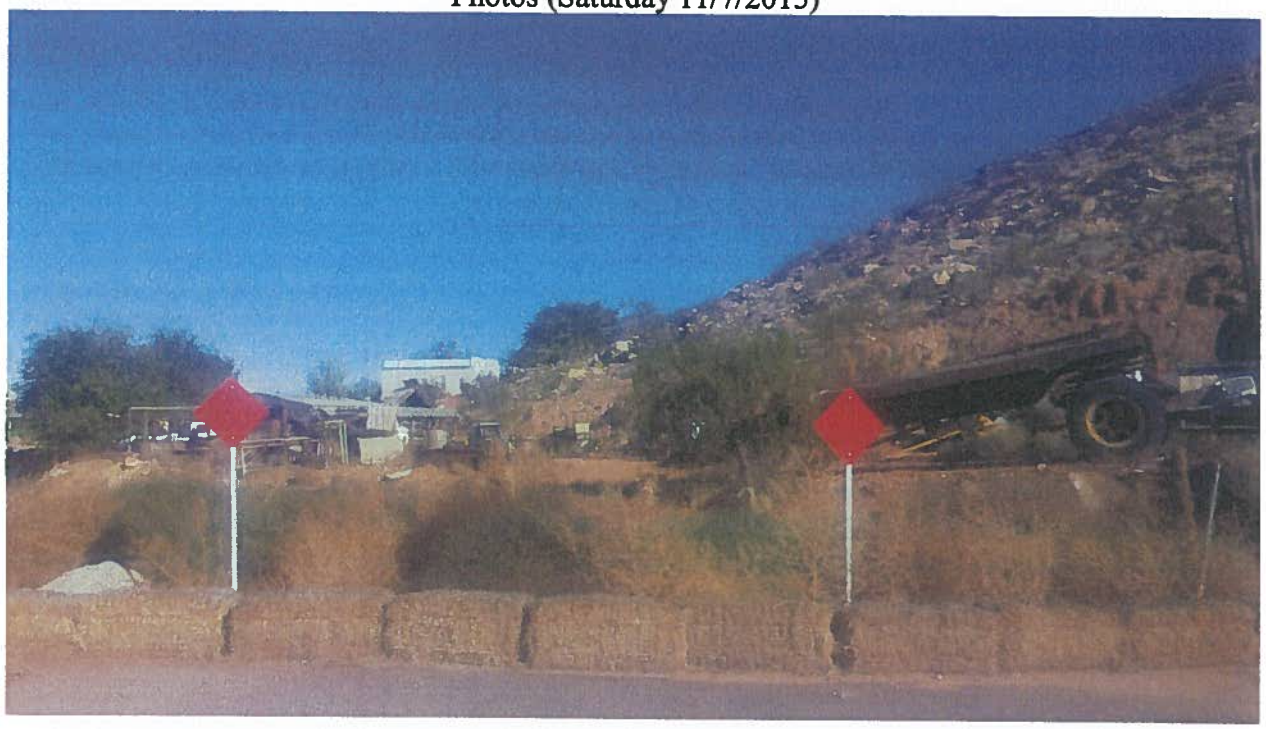

RIVER ROAD
River Rd

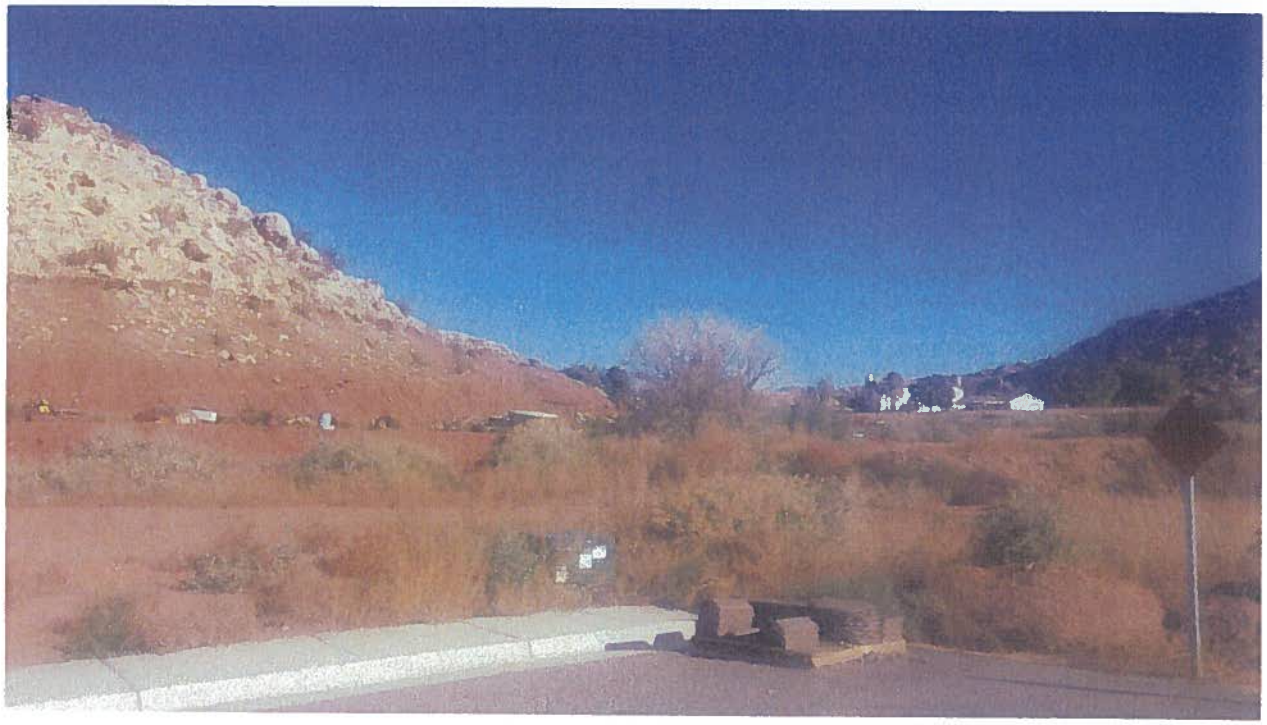

N Fort Pierce Dr
Ft Pierce Drive

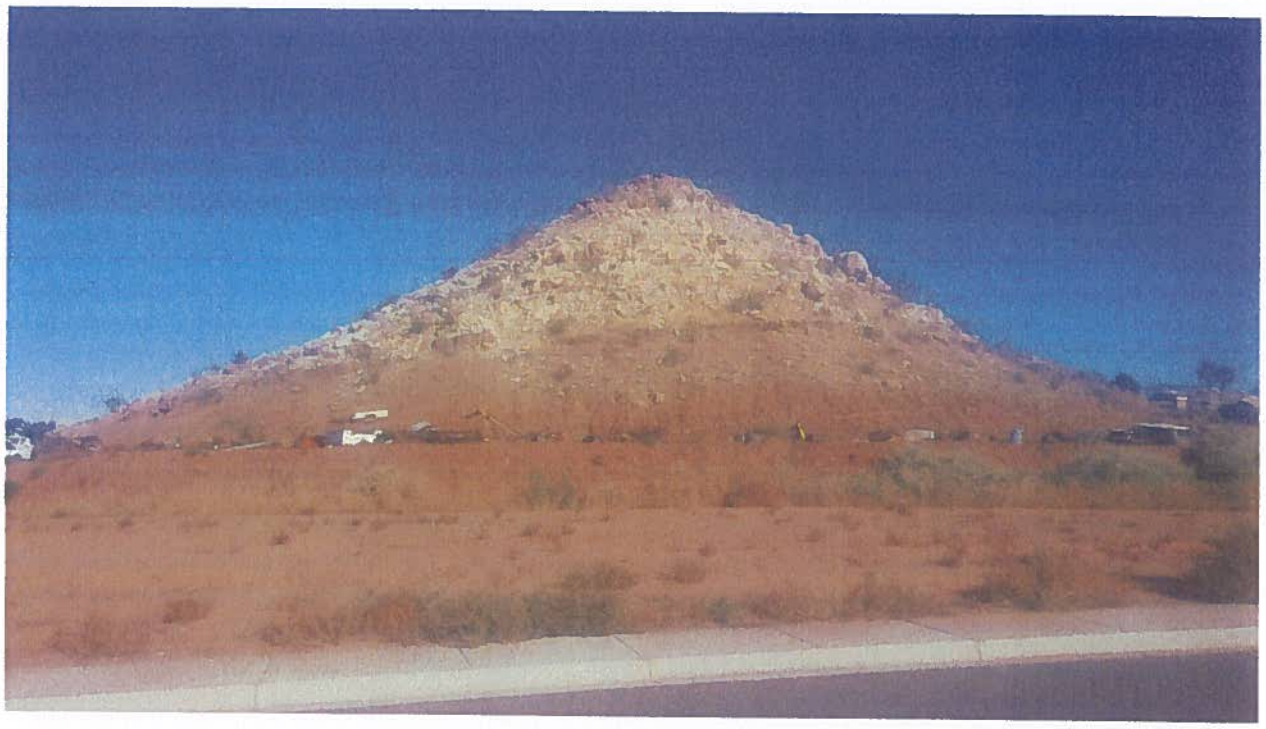
River Road

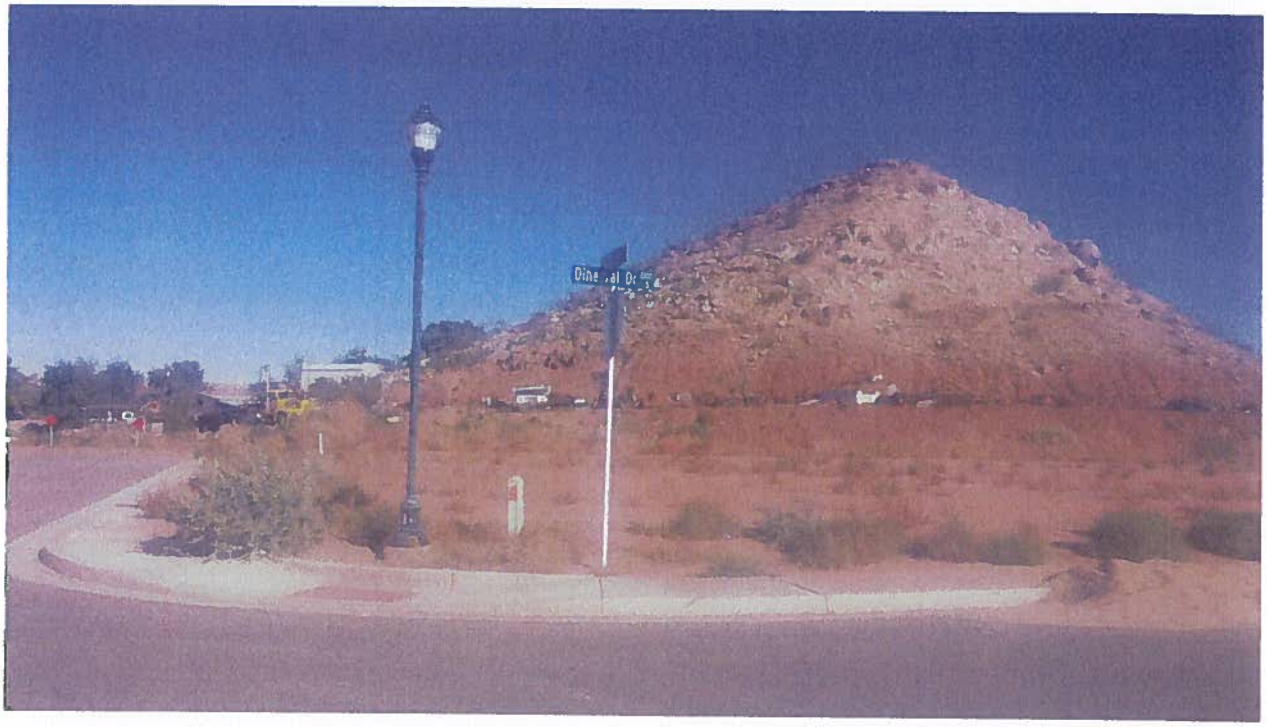


Photos (Saturday 11/7/2015)



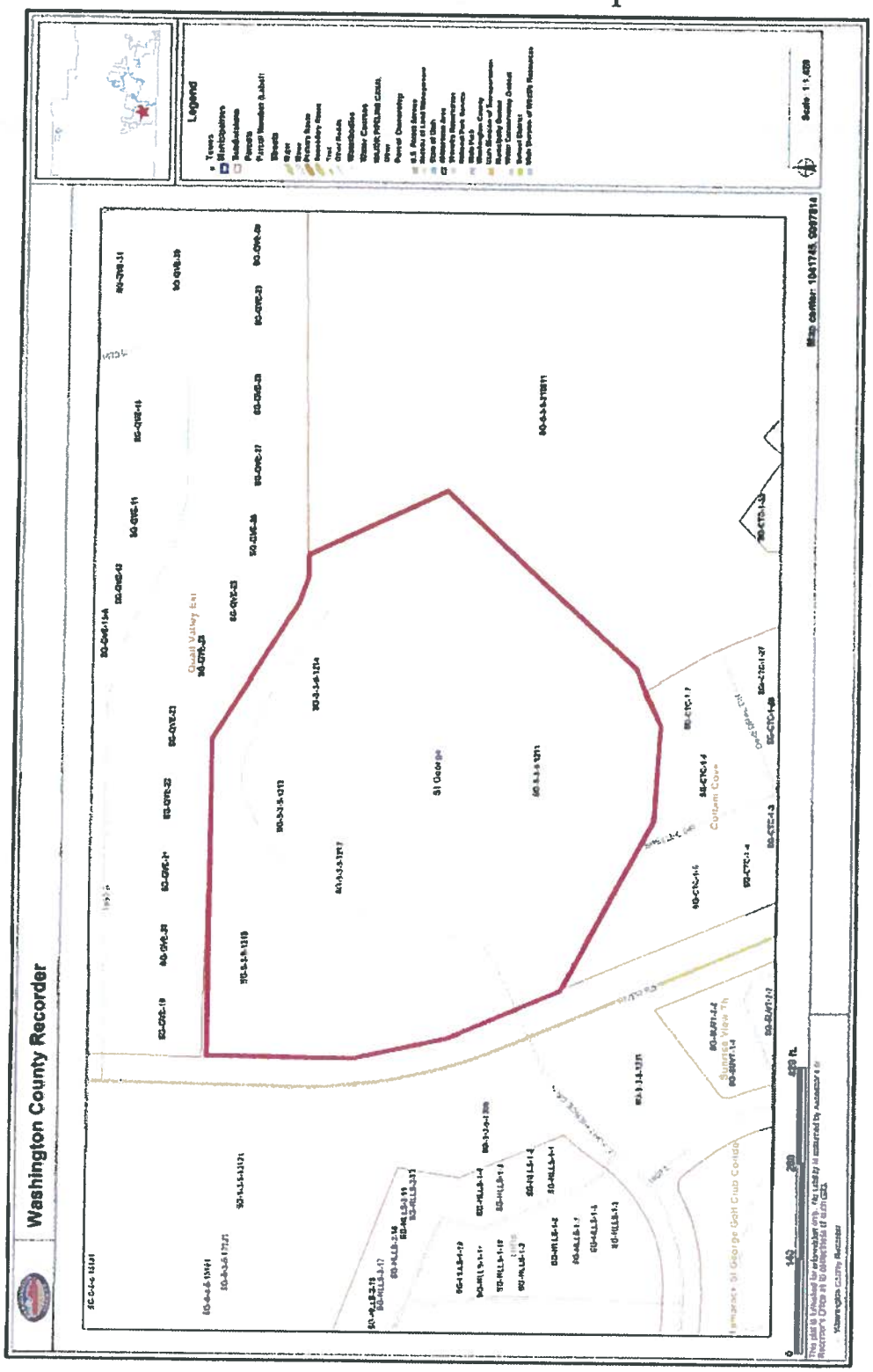


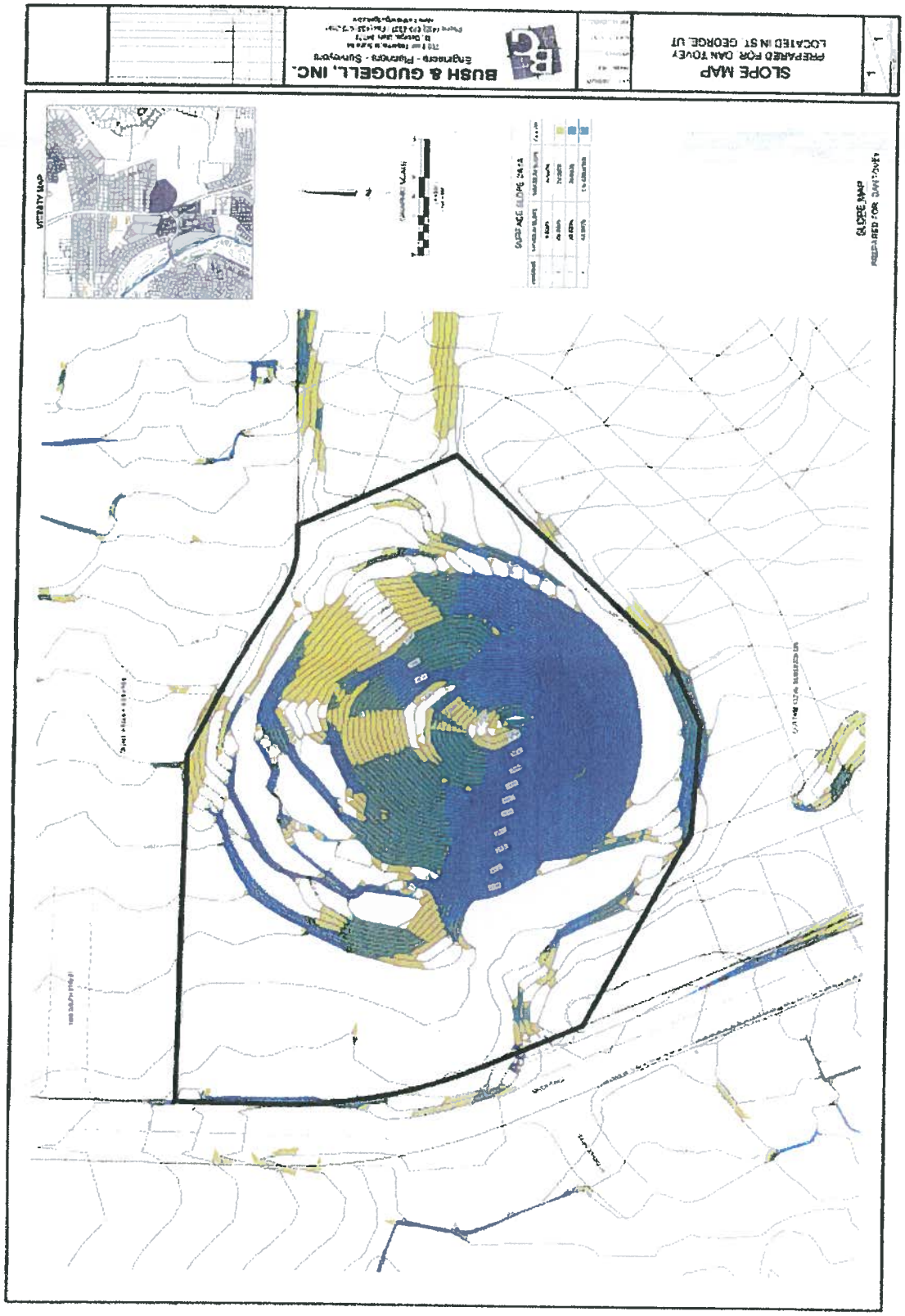


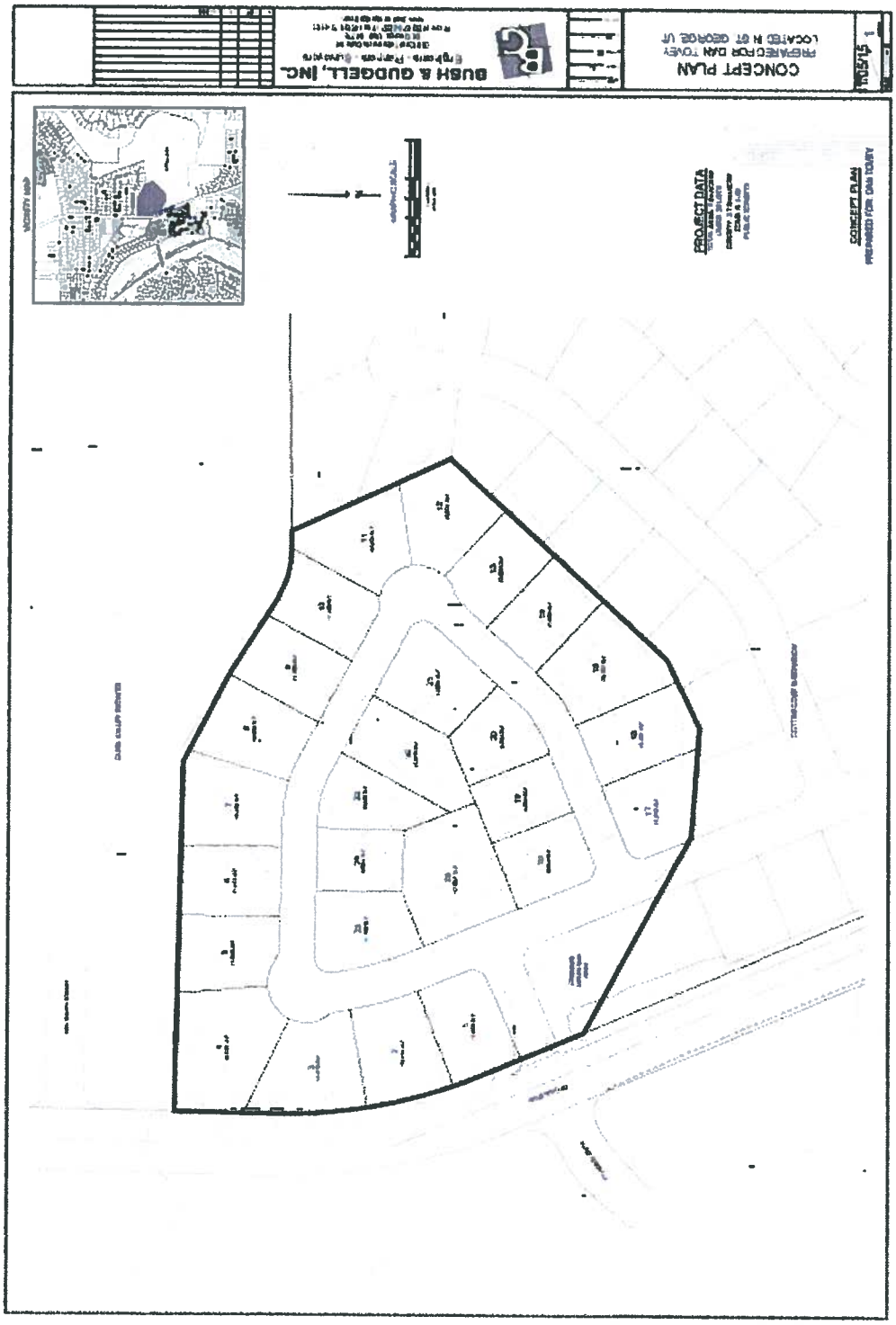


Zoning (R-1-10)

APN Map


Washington County Recorder
Legend
St George
Quail Valley Est
Cottam Cove
Tamarack St George Golf Club Condo


SLOPE MAP
PREPARED FOR DAN TOVEY
LOCATED IN ST GEORGE UT
BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
SLOPE MAP
PREPARED FOR DAN TOVEY


CONCEPT PLAN
PREPARED FOR DAN TOMEY
LOCATED IN GT GEORGE, UT
BUSH & GUDGELL, INC.
Engineers · Planners · Surveyors
PROJECT DATA
CONCEPT PLAN
PREPARED FOR DAN TOMEY
VICINITY MAP
GRAPHIC SCALE

PARCELS

APN SG-5-3-5-1211

APN SG-5-3-5-1212

APN SG-5-3-5-1213

APN SG-5-3-5-1214

CITY OF ST GEORGE
RECD: 11/04/2015 4:45 PM
TRAN: PLANNING FEES
OPER: LTC TERM: 03
REF#: 03
HILLSIDE APPLICATION
PLANNING FEES 200.00CR
TENDERED: 200.00 1 CASH
APPLIED: 200.00-
CHANGE: 0.00

HILLSIDE REVIEW
APPLICATION

FILE #: 2015 HS-003 FILING DATE: 11/5/15 RECEIVED BY: JW
FEE: $200 FEES PAID: 1114 PSR Date: _____

APPLICANT INFORMATION

LEGAL OWNER(S) OF SUBJECT PROPERTY: _____

MAILING ADDRESS: _____

PHONE: _____ CELL: _____ FAX: _____

APPLICANT: DAN AND LORI TOVEY
(If different than owner)

MAILING ADDRESS: 925 S. 700 W. HURRICANE UTAH 84737

PHONE: _____ CELL: [redacted] FAX: _____

CONTACT PERSON/REPRESENTATIVE: _____
(If different than owner)

MAILING ADDRESS: _____

PHONE: _____ CELL: _____ FAX: _____

PROPERTY INFORMATION

STREET ADDRESS OF PROPERTY: 1923 S. RIVER ROAD

ASSESSOR'S PARCEL NUMBER(S): SG-S-3-S-1210, 1211, 1212, 1213, 1214

ZONING: R-1-10 GENERAL PLAN: _____

LEGAL DESCRIPTION: (Attach separate sheet if necessary) _____
Lot / Plat

EXISTING USE: _____
Use of property and/or Buildings

PROPOSED USE: REQUEST TO REMOVE HYL
Use of property and/or Buildings

SUBMITTAL "CHECK LIST"

Note: The applicant is responsible for familiarizing themselves with Title 10, Chapter 13-A "Hillside Development Overlay Zone" of the St. George City Code Zoning Regulations from which this check list was condensed.

Density and Disturbance Standards
Any area greater than 40% will not be reviewed for development.
No portion of the parcel having a slope greater than 40% shall be included in the calculations for conformity with the density requirements shown below.

Complete the following checklist:

Submitted

Yes	No	N/A		
___	___	___	**1-19%**:	See the underlying zone.
___	___	___	**20-29%**:	2 d.u. per acre, provided clustering is done on 30% or less of the land in this category. 70% remained undisturbed.
___	___	___	**30-39%**:	1 d.u. per 10 acres, provided no more than 5% of the site is disturbed. 95% is to remain undisturbed.
___	___	___	**40%** +:	Development is not permitted.
___	___	___		Contour intervals, maps and calculations prepared by a professional civil engineer.
___	___	___		Engineer's certification and signature on reports and plans.

Slope Determination
The location of the natural 20%, 30%, or 40% is determined by a professional licensed engineer or surveyor who is to prepare contour maps, conduct a field survey, and calculate the slope area.

___	___	___	Slope Analysis Map
___	___	___	Contours at intervals no greater than five (5) feet.
___	___	___	Scale to be drawn at one-inch equals one hundred (1"= 100') feet scale maximum.

Lot Size

___	___	___	Lot size determined

Site Plan

___	___	___	A grading plan showing existing and proposed contours extending at least 100 feet beyond property has been submitted.
___	___	___	All excavations and fills conform to Appendix "K" of the Utah Uniform Building Standards Act rules and the current adopted edition of the International Building Code.
___	___	___	The height of cut(s) does not exceed 10'. (Combined height of cuts and fills does not exceed 20'.)

___	___	___	Detailed plans of all surface and subsurface drainage systems are shown.
___	___	___	Location of existing and proposed streets, buildings, structures, and easements have been shown.
___	___	___	Detailed site plans and elevation drawings showing the location of all structures and mitigation of cuts or fills.
___	___	___	Cross sections provided

Earth Moving Plan (Shall be prepared by a licensed Civil Engineer and shall include but not be limited to the following items)

___	___	___	Topography. 2' for tableland. 5' for steep slopes.
	___	___	Terrain details
___	___	___	Proposed earth-moving details
___	___	___	Description of the method used to dispose of earth, etc.
___	___	___	A time table for each step of the project has been submitted. This shall include the starting and completion dates.

Drainage

___	___	___	A drainage control plan (study) has been prepared by a licensed Civil Engineer.

Geology & Soils Report (Study)
(Shall be prepared by a licensed professional engineer trained in geo-technical engineering) (A geology & soils report/study shall include but not be limited to the following items)

___	___	___	Slope stability analysis.
___	___	___	Foundation investigation.
___	___	___	Location and yield of springs.
		___	Structural features
___	___	___	Existence of surface hazards.
___	___	___	Conclusions and recommendations regarding effect of geological conditions.

Landscape & Vegetation Plan (Shall be prepared by a qualified professional prior to Final Plat and approved) (A landscape and vegetation plan shall include but not be limited to the following items)

___	___	___	Replant disturbed areas.
___	___	___	Types of retention to be used
___	___	___	Sprinkler plans and projected water usage.

Street Design

___	___	___	Street design conforms to City standards.

Submitted by

DAN TOVEY
(Print Name)

(Signature)

11/4/2015
(Date)

Last revised: May 22, 2006 G:\COMDEVMT\Common\Hillside\Hillside Application.doc

PCR ITEM 4
FP / Lot Line Adjustment

PLANNING COMMISSION AGENDA REPORT: **12/08/2015**

LOT LINE ADJUSTMENT
IHC Health Care Services
Case No. 2015-LRE-030

Request:	Approval of an Amended Residential Subdivision Final Plat/Lot Line Adjustment
Representative:	Kent Withers, McNeil Engineering 8610 South Sandy Parkway, Suite 200 Sandy, UT 84070
Property:	Located at 1380 East Medical Center Drive & surrounding buildings (Dixie Regional Medical Center)
Zone:	PD-C
Staff Comments:	The purpose of this Lot Line Adjustment is to clean up lot lines that are running through the buildings and to better accommodate the existing facilities. 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.
P.C.:	The Planning Commission recommends approval.

RECORD OF SURVEY/ LOT LINE ADJUSTMENT

SURVEYOR'S CERTIFICATE

[illegible]

DENNIS A. WITHERS
No. 6338180
11/17/15
STATE OF UTAH

[illegible]

NARRATIVE

[illegible]

RECORD DESCRIPTIONS

PARCEL 1 (FEE) (10-[illegible])

[illegible]

PARCEL 2 (FEE) (10-[illegible])

[illegible]

PARCEL 3 (FEE) (10-[illegible])

[illegible]

PARCEL 4 (FEE) (10-[illegible])

[illegible]

PROPOSED DESCRIPTIONS

PROPOSED PARCEL 1:

A PARCEL OF LAND SITUATE WITHIN THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, LOCATE IN ST. GEORGE CITY, COUNTY OF WASHINGTON, STATE OF UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT NORTH 88°42'21" WEST, ALONG THE SECTION LINE, A DISTANCE OF 1306.11 FEET AND NORTH 0°19'39" EAST, PERPENDICULAR TO SAID SECTION LINE, A DISTANCE OF 341.77 FEET, FROM THE SOUTHEAST CORNER OF SAID SECTION 20; AND RUNNING THENCE NORTH 88°37'07" WEST, A DISTANCE OF 443.84 FEET, TO THE EAST LINE OF AINER ROAD, RECORDED AS ENTRY NO.: 368881, IN BOOK 553, A PARE 23 OF PLATS, ON FILE WITH THE WASHINGTON COUNTY RECORDER'S OFFICE; THENCE NORTHERLY ALONG SAID EAST LINE THE FOLLOWING TWO (2) COURSES: (1) NORTHEASTERLY ALONG THE ARC OF A 915.00 FOOT NON-TANGENT CURVE TO THE RIGHT, THE CENTER OF WHICH BEARS SOUTH 75°40'06" EAST, THROUGH A CENTRAL ANGLE OF 16°01'11", A DISTANCE OF 257.82 FEET, THE LONG CHORD OF WHICH BEARS NORTH 23°20'23" EAST, A DISTANCE OF 256.15 FEET, TO A POINT OF TANGENCY; (2) NORTH 30°21'00" EAST, 268.57 FEET; THENCE DEPARTING SAID RIVER ROAD BEARING ON A NON-RADIAL LINE BEARING SOUTH 88°37'00" EAST, A DISTANCE OF 118.04 FEET, THENCE SOUTH 1°26'00" WEST, A DISTANCE OF 481.94 FEET, TO THE POINT OF BEGINNING.

CONTAINS: 167,005 SQUARE FEET, OR 3.834 ACRES

PROPOSED PARCEL 2:

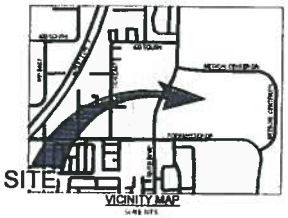
A PARCEL OF LAND SITUATE WITHIN THE SOUTHEAST QUARTER OF SECTION 20, AND THE NORTHEAST QUARTER OF SECTION 32, ALL IN TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, LOCATE IN ST. GEORGE CITY, COUNTY OF WASHINGTON, STATE OF UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF FORESMASTER DRIVE, AS MONUMENTED, SAID POINT BEING NORTH 88°42'21" WEST, ALONG THE SECTION LINE, A DISTANCE OF 300.97 FEET AND NORTH 0°36'39" EAST, PERPENDICULAR TO SAID SECTION LINE, A DISTANCE OF 66.16 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 20, SAID POINT ALSO BEING NORTH 0°16'00" WEST, A DISTANCE OF 33.00 FEET, FROM A FOUND BRASS CAP MONUMENT MARKING A POINT OF CURVATURE IN SAID FORESMASTER DRIVE, RECORDED AS ENTRY NO. 684878, IN BOOK 890, AT PAGE 463 OF PLATS, ON FILE WITH THE WASHINGTON COUNTY RECORDER'S OFFICE; AND RUNNING THENCE NORTH 88°42'57" WEST, ALONG THE NORTH LINE OF SAID FORESMASTER DRIVE, AND 33.00 FEET PERPENDICULARLY NORTHERLY AND PARALLEL WITH THE MONUMENT LINE THEREOF, A DISTANCE OF 1344.06 FEET, TO THE NORTHERLY LINE OF PARCEL CONVEYED TO ST. GEORGE CITY BY ENTRY NO.: 20080000950; THENCE ALONG THE LINE OF SAID PARCEL THE FOLLOWING FOUR (4) COURSES: (1) NORTH 52°40'46" WEST, A DISTANCE OF 51.84 FEET; (2) NORTH 84°01'38" WEST, A DISTANCE OF 88.13 FEET; (3) NORTH 88°42'58" WEST, A DISTANCE OF 131.23 FEET; (4) NORTHWESTERLY ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 23.71 FEET, THE LONG CHORD OF WHICH BEARS NORTH 44°42'58" WEST, A DISTANCE OF 30.77 FEET; NORTH 89°38'43" WEST, ALONG A RADIAL BEARING, A DISTANCE OF 11.91 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE OF RIVER ROAD, AS MONUMENTED, RECORDED AS ENTRY NO.: 368881, IN BOOK 553, AT PAGE 282, SAID POINT ALSO BEING NORTH 0°26'49" EAST, ALONG THE CENTERLINE OF SAID RIVER ROAD, A DISTANCE OF 88.49 FEET AND SOUTH 89°38'17" EAST, PERPENDICULAR TO SAID CENTERLINE, A DISTANCE OF 43.00 FEET, FROM A FOUND BRASS CAP MONUMENT AT THE INTERSECTION OF FORMASTER DRIVE AND RIVER ROAD; THENCE NORTH 0°26'49" EAST, ALONG THE EAST LINE OF SAID RIVER ROAD, A DISTANCE OF 183.11 FEET, TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG THE ARC OF A 915.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 11°58'14", A DISTANCE OF 213.34 FEET, THE LONG CHORD OF WHICH BEARS NORTH 7°30'39" EAST, A DISTANCE OF 212.98 FEET; THENCE DEPARTING SAID EAST LINE ALONG A NON-RADIAL LINE BEARING SOUTH 83°13'01" EAST, A DISTANCE OF 443.84 FEET; THENCE NORTH 1°26'00" EAST, A DISTANCE OF 481.94 FEET; THENCE NORTH 88°37'00" WEST, A DISTANCE OF 118.04 FEET, TO THE APOREAD EAST LINE OF RIVER ROAD NOTE: PRIOR COURSE IS A NON-RADIAL LINE; THENCE NORTH 30°21'00" EAST, A DISTANCE OF 88.81 FEET, TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG THE ARC OF A 1045.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 16°31'52", A DISTANCE OF 301.60 FEET, THE LONG CHORD OF WHICH BEARS NORTH 11°55'24" EAST, A DISTANCE OF 300.61 FEET, TO THE NORTH LINE OF PARCEL CONVEYED TO INC HEALTH SERVICES, INC. RECORDED AS ENTRY NO.: 461111; THENCE SOUTH 88°34'43" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 88.34 FEET, TO THE WESTERLY LINE OF PARCEL CONVEYED TO THE CITY OF ST. GEORGE, RECORDED AS ENTRY NO.: 20080000950; THENCE SOUTH 75°17'32" EAST, ALONG SAID WESTERLY LINE, A DISTANCE OF 86.86 FEET, TO THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 88°18'33" EAST, ALONG THE SOUTH LINE OF SAID PARCEL, AND THE NORTH LINE OF APOREAD PARCEL CONVEYED TO INC HEALTH SERVICES INC., A DISTANCE OF 30.11 FEET, TO THE SOUTHERLY LINE OF MEDICAL CENTER DRIVE, ALSO KNOWN AS 400 SOUTH STREET, RECORDED AS ENTRY NO.: 598854, IN BOOK 1432, AT PAGE 1208 OF PLATS; THENCE SOUTH 73°27'07" EAST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 84.71 FEET, TO A POINT OF CURVATURE; THENCE EASTERLY ALONG THE ARC OF A 180.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 13°38'46", A DISTANCE OF 43.19 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 81°56'52" EAST, A DISTANCE OF 43.08 FEET, TO A POINT OF TANGENCY; THENCE SOUTH 88°32'55" EAST, ALONG THE SOUTHERLY LINE OF SAID 400 SOUTH STREET AND THE SOUTHERLY LINE OF SAID MEDICAL CENTER DRIVE, AS MONUMENTS, RECORDED AS ENTRY NO.: 20070050667, A DISTANCE OF 1072.00 FEET, TO THE WEST LINE OF PARCEL CONVEYED TO STATE OF UTAH, DIXIE STATE COLLEGE, RECORDED AS ENTRY NO.: 20080000649; THENCE SOUTH 1°30'49" WEST, ALONG SAID WEST LINE, A DISTANCE OF 455.56 FEET (454.71 FEET BY RECORD), THENCE SOUTH 88°34'33" EAST, ALONG THE SOUTHERLY LINE OF SAID DIXIE STATE COLLEGE PARCEL, A DISTANCE OF 256.20 FEET (253.13 FEET BY RECORD), TO A POINT ON THE WEST LINE OF APOREAD MEDICAL CENTER DRIVE, AS MONUMENTED, SAID POINT ALSO BEING SOUTH 1°30'49" WEST, ALONG THE MONUMENT LINE OF MEDICAL CENTER DRIVE, A DISTANCE OF 146.64 FEET AND NORTH 88°34'18" WEST, A DISTANCE OF 33.00 FEET, FROM A FOUND BRASS CAP P.I. MONUMENT; THENCE SOUTH 1°28'42" WEST, ALONG THE WEST LINE OF SAID MEDICAL CENTER DRIVE, AND 33.00 FEET PERPENDICULARLY WESTERLY AND PARALLEL WITH THE MONUMENT LINE THEREOF, A DISTANCE OF 383.13 FEET, TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 200.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 80°56'42", A DISTANCE OF 414.16 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 32°03'03" WEST, A DISTANCE OF 394.97 FEET, TO A POINT OF TANGENCY; THENCE SOUTH 62°30'24" WEST, ALONG THE WEST LINE OF SAID MEDICAL CENTER DRIVE, A DISTANCE OF 54.34 FEET, TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 79°09'17" (81°09'38"), A DISTANCE OF 34.54 FEET (34.38 FEET), THE LONG CHORD OF WHICH BEARS NORTH 82°28'28" WEST, A DISTANCE OF 31.71 FEET, TO A POINT OF INTERSECTION WITH THE EASTERLY LINE OF APOREAD FORESMASTER DRIVE AS MONUMENTED; SAID POINT BEING ON THE ARC OF A NON-TANGENT CURVE TO THE LEFT, THE CENTER OF WHICH BEARS SOUTH 56°57'04" WEST; THENCE NORTHWESTERLY ALONG THE ARC OF A 453.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 53°41'55", A DISTANCE OF 424.62 FEET, THE LONG CHORD OF WHICH BEARS NORTH 42°53'27" WEST, A DISTANCE OF 404.15 FEET TO THE POINT OF BEGINNING.

CONTAINS: 2,114,777 SQUARE FEET, OR 52.111 ACRES

GENERAL NOTES

1. [illegible]
2. [illegible]
3. [illegible]
4. [illegible]
5. [illegible]



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Structural Engineering • Land Surveying & MORE

IHC HEALTH CARE SERVICES

APPROXIMATELY 700 SOUTH RIVER ROAD
ST. GEORGE, UTAH
LOCATED IN THE SE. 1/4 OF SEC. 20, & THE NE. 1/4 OF SEC. 32 T.42S., R.15W., S.L.B. & M

REVISIONS

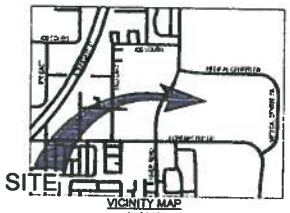
REV	DATE	DESCRIPTION

PROJECT NO:	15573
CAD FILE:	15573 BND-LLA
DRAWN BY:	EXL
CALC BY:	DEW
FIELD CREW:	FIELD CREW
CHECKED BY:	DEW
DATE:	11/20/15

RECORD OF SURVEY & LLA

1 OF 2

RECORD OF SURVEY/ LOT LINE ADJUSTMENT



NORTH

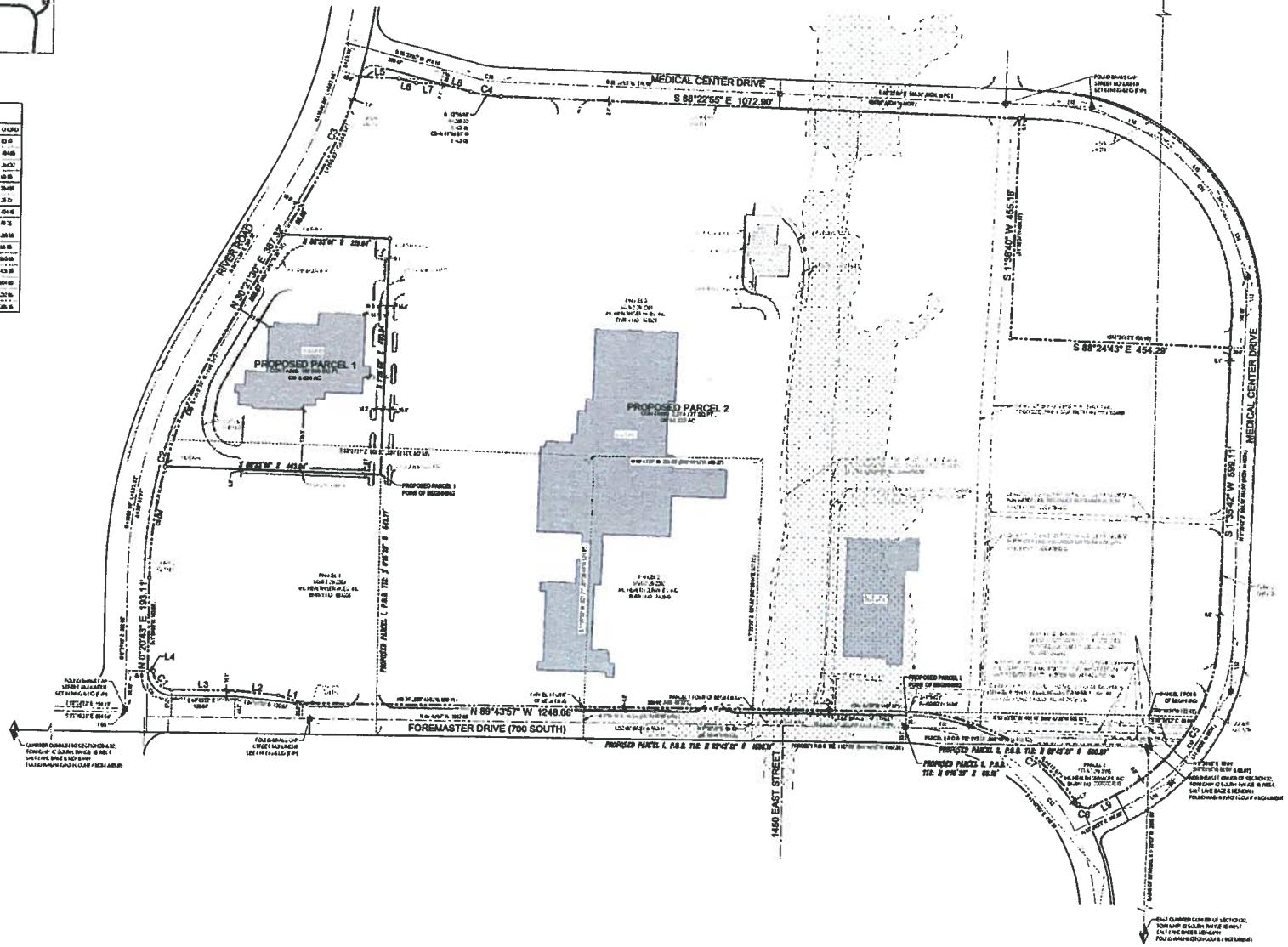
SCALE: 1" = 100'

CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C2	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C3	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C4	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C5	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C6	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C7	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C8	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C9	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C10	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C11	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C12	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C13	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C14	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C15	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C16	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

LINE TABLE		
LINE #	LENGTH	BEARING
L1	[illegible]	[illegible]
L2	[illegible]	[illegible]
L3	[illegible]	[illegible]
L4	[illegible]	[illegible]
L5	[illegible]	[illegible]
L6	[illegible]	[illegible]
L7	[illegible]	[illegible]
L8	[illegible]	[illegible]
L9	[illegible]	[illegible]
L10	[illegible]	[illegible]
L11	[illegible]	[illegible]
L12	[illegible]	[illegible]
L13	[illegible]	[illegible]
L14	[illegible]	[illegible]
L15	[illegible]	[illegible]
L16	[illegible]	[illegible]
L17	[illegible]	[illegible]
L18	[illegible]	[illegible]
L19	[illegible]	[illegible]
L20	[illegible]	[illegible]

LEGEND

- RIGHT OF WAY LINE
- LOT LINE
- PROPERTY LINE
- EASEMENT LINE
- LANDSCAPE
- BUILDING
- FEMA FLOOD ZONE A



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IHC HEALTH CARE SERVICES

APPROXIMATELY 700 SOUTH RIVER ROAD
ST. GEORGE, UTAH
LOCATED IN THE SE. 1/4 OF SEC. 29, & THE NE. 1/4 OF SEC. 32 T.42S., R.15W., S.L.B. & M.

REVISIONS

REV.	DATE	DESCRIPTION

PROJECT NO:	15573
CAD FILE:	15573 SHD-11A
DRAWN BY:	KSL
CALC BY:	DRW
FIELD CREW:	FIELD CREW
CHECKED BY:	DRW
DATE:	11/20/15

RECORD OF SURVEY & LLA

2 OF 2

PCR ITEM 5A
Preliminary Plat

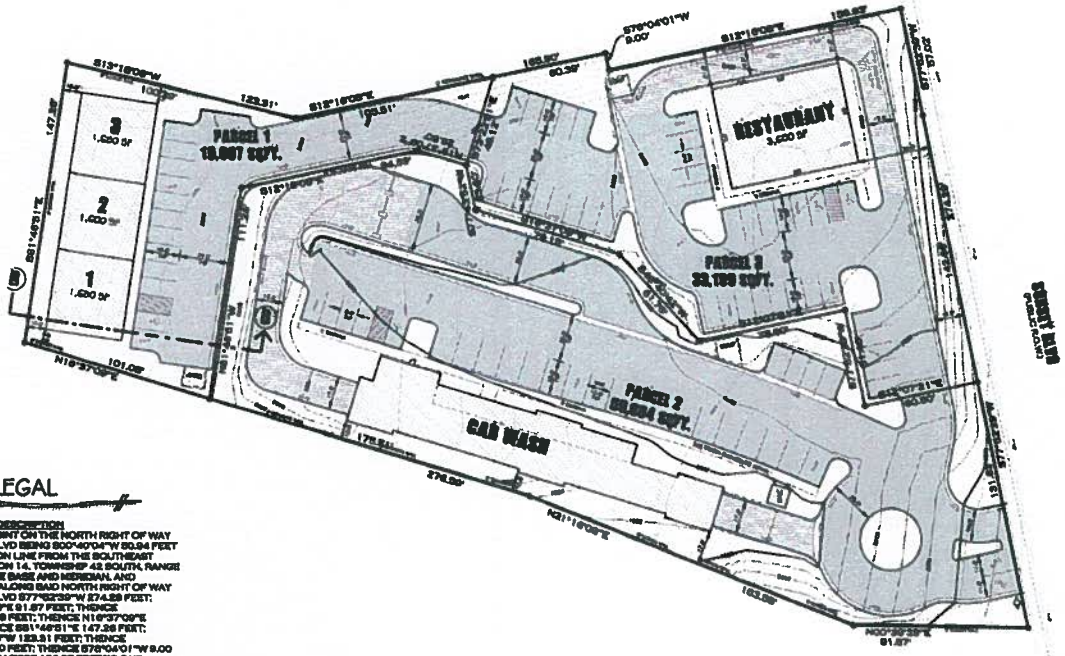
PLANNING COMMISSION AGENDA REPORT: **12/08/215**
CITY COUNCIL MEETING: **12/17/2015**

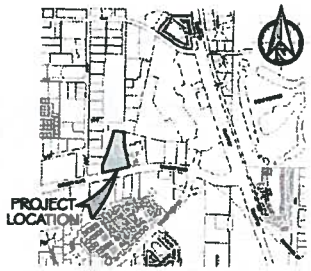
PRELIMINARY PLAT
South Posse Plaza
Case No. 2015-PP-033

Request:	A request to approve a preliminary plat for a three (3) lot commercial subdivision.
Location:	1062 W Sunset Blvd
Property:	2.486 acres
Number of Lots:	3
Density:	N/A
Zoning:	C-3 (General Commercial)
Adjacent zones:	This plat is surrounded by the following zones: North – C-3 South – C-3 East – C-3 West – C-3
General Plan:	COM
Applicant:	QCO LLC
Representative:	Eric McFadden, Premier Design
Comments:	Prior to final plat recording the developer will be required to provide a cross access/maintenance, shared sewer and drainage, and shared parking agreement, as all three parcels share the same private drainage and sewer system, shared parking, and shared access to Sunset Boulevard.
P.C.:	The Planning Commission recommends approval subject to the developer providing: 1. Cross access / maintenance agreement 2. Shared sewer and drainage agreement 3. Shared parking agreement

PRELIMINARY PLAT

SOUTH POSSE PLAZA





VICINITY MAP

N.T.S.

Call before you Dig 1-800-662-4111

PROPERTY INFO

PROPERTY ADDRESS = 1062 WEST SUNSET BLVD.
ST.GEORGE, UTAH 84770

CIVIL ENGINEERS:
PREMIER DESIGN & ENGINEERING
75 EAST 100 NORTH
NIBLEY, UTAH 84738
(435) 313-2257
CONTACT: MARC FONGER / ERIC MCFADDEN

DEVELOPER:
Q CO. LLC
PO BOX 31
HURRICANE, UTAH 84737
(435) 663-9719
CONTACT: GUNN ALLGOOD

LEGAL

OVERALL PARCEL DESCRIPTION
BEGINNING AT A POINT ON THE NORTH RIGHT OF WAY LINE OF SUNSET BLVD BEING S00°40'04"W 50.94 FEET ALONG THE SECTION LINE FROM THE SOUTHEAST CORNER OF SECTION 14, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE ALONG SAID NORTH RIGHT OF WAY LINE OF SUNSET BLVD S77°52'39"W 274.29 FEET; THENCE N00°39'39"E 91.87 FEET; THENCE N21°16'08"E 163.88 FEET; THENCE N16°37'09"E 276.59 FEET; THENCE S81°46'51"E 147.28 FEET; THENCE S12°16'08"W 123.51 FEET; THENCE S12°16'08"E 105.90 FEET; THENCE S76°04'01"W 9.00 FEET; THENCE S12°16'08E 159.55 FEET TO SAID NORTH RIGHT OF WAY LINE OF SUNSET BLVD; THENCE S77°52'39"W 57.04 FEET ALONG SAID NORTH RIGHT OF WAY LINE TO THE POINT OF BEGINNING.
CONTAINS 108,302 SF OR 2.486 ACRES

SITE DATA

1.) CURRENT ZONING = C3
2.) GENERAL PLAN = COMMERCIAL
3.) ZONING OR GENERAL PLAN CHANGES = NONE
4.) TOTAL AREA SQUARE FOOTAGE = 108,302 SQ.FT. = 2.486 ACRES = 100.00%
5.) BUILDING AREA = 14,346 SQ.FT. = 0.329 ACRES = 13.23%
6.) PARKING LOT & SIDEWALKS AREA = 59,774 SQ.FT. = 1.372 ACRES = 55.19%
7.) LANDSCAPE AREA = 34,212 SQ.FT. = 0.785 ACRES = 31.58%
8.) BUILDING HEIGHT = UP TO 35' MAXIMUM
9.) PROPOSED USE = CAR WASH, RESTAURANT & C3 USES ALLOWED FOR CITY ZONING
10.) RESTAURANT BUILDING WILL BE FIRE SPRINKLED
11.) PARKING REQUIRED =

CAR WASH
CITY STAFF RECOMMENDATION = 8-10 SPACES REQUIRED
8 SPACES PROVIDED WITH 1 HANDICAP VAN ACCESSIBLE SPACE

RESTAURANT
1 SPACE PER 100 SQ.FT.
3,600 SQ.FT. TOTAL = 36 SPACES REQUIRED
HANDICAP ACCESSIBLE SPACES = 2 REQUIRED
36 SPACES PROVIDED WITH 2 HANDICAP ACCESSIBLE SPACES W/VAN

3 UNITS ON NORTHSIDE
1 SPACE PER 500 SQ.FT. SERVICE COMMERCIAL
(2) UNITS 1,620 SQ.FT. EACH = 3,240 SQ.FT.
(1) UNIT 1,600 SQ.FT. = 1,600 SQ.FT.
TOTAL = 4,840 SQ.FT.
4,840 SQ.FT. SERVICE COMMERCIAL = 10 SPACES REQUIRED

11 SPACES PROVIDED WITH 1 HANDICAP VAN ACCESSIBLE SPACES

** NOTE: LIMITED USES BASED ON PARKING REQUIREMENTS FOR THESE UNITS THIS WILL BE HANDLED AT THE BUSINESS LICENSE APPROVAL STAGE

LEGEND

TOC=XXXX.XX	= TOP BACK OF CURBING ELEV.
TA=XXX.XX	= TOP FINISHED ASPHALT
FFE=XXXX.XX	= FINISHED FLOOR ELEVATION OF BUILDING
	= DIRECTION OF FLOW
	= EXISTING 1' CONTOUR
	= EXISTING 5' CONTOUR
	= PROPOSED 1' CONTOUR
	= PROPOSED 5' CONTOUR
	= PROPOSED 4-8' RETAINING WALL
	= PROPOSED STOP SIGN

SECTION A-A

SECTION B-B

DATE:	1/30/2015
DRAWN BY:	E.A.M.
CHECKED BY:	M.A.F.
CLIENT:	QCO

SCALE: 1" = 20'

PRELIMINARY PLAT
SOUTH POSSE PLAZA
1062 WEST SUNSET BOULEVARD
ST. GEORGE, UTAH 84770

PREMIER Design & Engineering
75 EAST 100 NORTH NIBLEY, UTAH 84738 (435) 313-2257

SHEET
PP

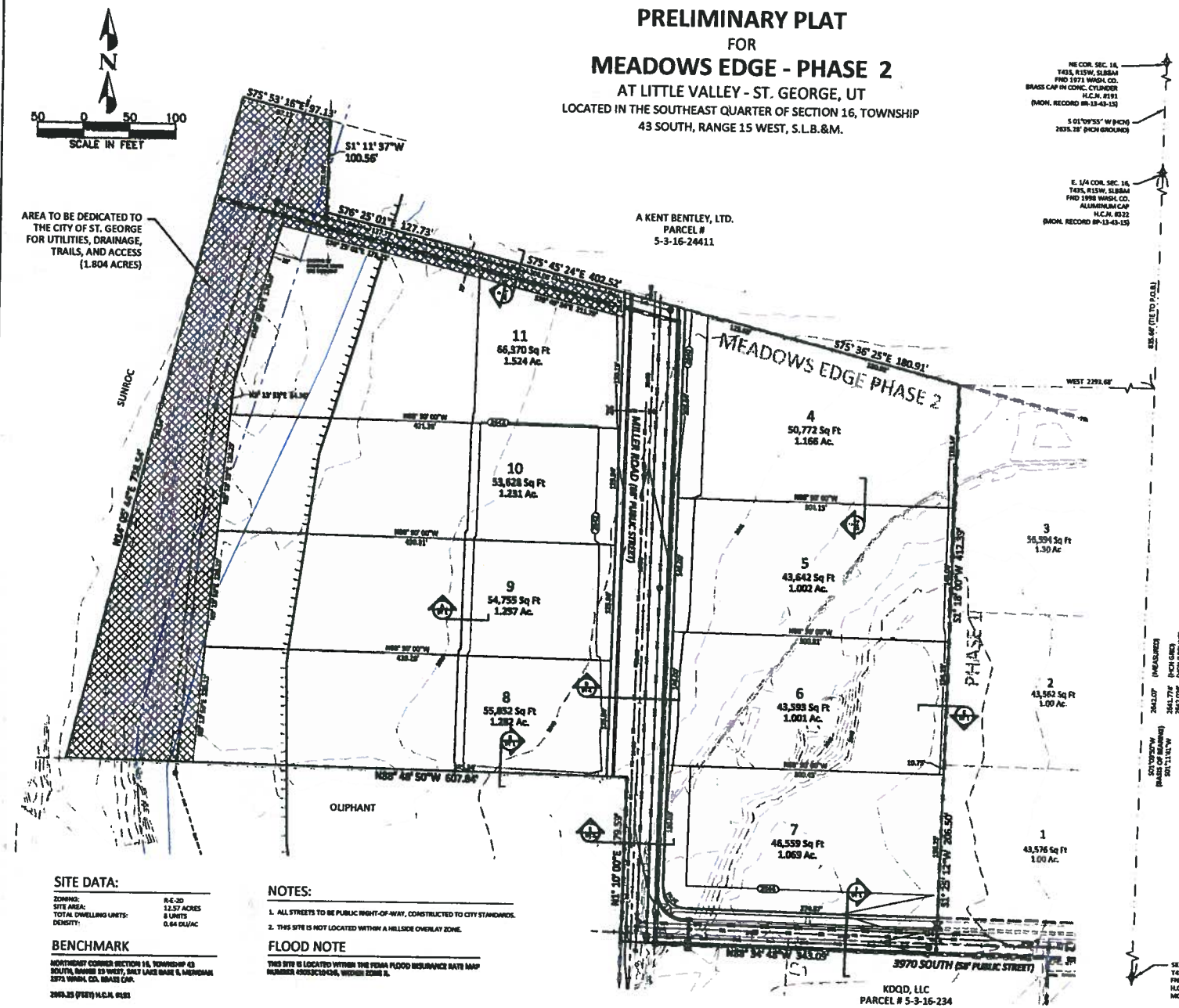
PCR ITEM 5B
Preliminary Plat

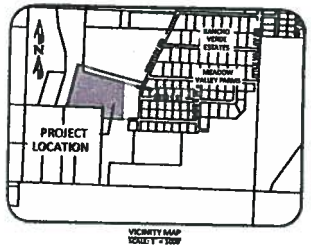
PLANNING COMMISSION AGENDA REPORT: **12/08/2015**
CITY COUNCIL MEETING: **12/17/2015**

PRELIMINARY PLAT
Meadows Edge Phase 2
Case No. 2015-PP-035

Request:	To approve a preliminary plat for an eight (8) lot residential subdivision
Location:	The site is located at approximately 2100 E 3970 S
Property:	12.75 acres
Number of Lots:	8
Density:	0.64 du/ac
Zoning:	RE-20 (Residential Estates, 20,000 s.f. lot sizes), OS
Adjacent zones:	This plat is surrounded by the following zones: North – A-1, OS South – OS East – RE – 20 West – OS
General Plan:	LDR (Low Density Residential)
Applicant:	Development Solutions Group, Inc
Representative:	Logan Blake
Comments:	A portion of the rear of lots 8-11 is zoned open space, from the 100-year flood plain to the west. This area of each lot still need to remain open. There is an existing sewer main along the rear of these lots that is located within an existing 25-foot easement.
P.C.:	The Planning Commission recommends approval subject to the developer providing: 1. The rear area of each lot zoned as open space shall remain open.

PRELIMINARY PLAT
FOR
MEADOWS EDGE - PHASE 2
AT LITTLE VALLEY - ST. GEORGE, UT
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 15 WEST, S.L.B.&M.





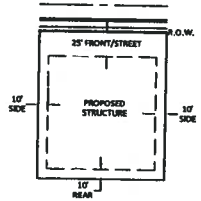
LEGEND:

- PROPOSED RIGHT OF WAY LINE
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- PROPOSED STREET CENTERLINE
- EXISTING CURB & GUTTER
- PROPOSED CURB & GUTTER
- EXISTING CONTOUR LINE
- PROPOSED CONTOUR LINE
- PROPOSED SEWER LINE
- PROPOSED WATER LINE
- PROPOSED IRRIGATION LINE
- PROPOSED STORM DRAIN LINE
- PROPOSED SEWER MANHOLE
- PROPOSED STORM DRAIN MANHOLE
- PROPOSED FIRE HYDRANT
- PROPOSED WATER VALVE
- 1997 EROSION HAZARD LINE
- FIRM 100 YEAR FLOOD PLAIN
- FIRM FLOOD WAY
- AREA TO BE DEDICATED TO THE CITY OF ST. GEORGE

LEGAL DESCRIPTION:

BEGINNING AT POINT SOUTH 01°09'50" WEST ALONG THE SECTION LINE, A DISTANCE OF 835.66 FEET AND WEST 1293.68 FEET FROM THE EAST QUARTER CORNER OF SECTION 16, TOWNSHIP 53 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, THENCE SOUTH 1°18'00" WEST 412.39 FEET ; THENCE SOUTH 01°25'12" WEST 206.50 FEET; THENCE NORTH 88°34'48" WEST 343.09 FEET; THENCE NORTH 01°10'00" EAST 179.59 FEET; THENCE NORTH 88°34'50" WEST 607.84 FEET; THENCE NORTH 14°05'44" EAST 738.54 FEET; THENCE SOUTH 75°53'16" EAST 97.13 FEET; THENCE SOUTH 1°11'37" WEST 100.56 FEET; THENCE SOUTH 78°25'01" EAST 127.73 FEET; THENCE SOUTH 75°45'24" WEST 402.52 FEET; THENCE SOUTH 75°36'25" EAST 180.91 FEET TO THE POINT OF BEGINNING.

CONTAINS 12.57 ACRES



TYPICAL SETBACKS

SITE DATA:

ZONING:	R-E-2D
SITE AREA:	12.57 ACRES
TOTAL DWELLING UNITS:	8 UNITS
DENSITY:	0.64 DU/AC

BENCHMARK

NORTHEAST CORNER SECTION 16, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE & MERIDIAN 1971 WASH. CO. BRASS CAP.

2869.35 (FEET) H.C.N. #191

NOTES:

1. ALL STREETS TO BE PUBLIC RIGHT-OF-WAY, CONSTRUCTED TO CITY STANDARDS.
2. THIS SITE IS NOT LOCATED WITHIN A HILLSIDE OVERLAY ZONE.

FLOOD NOTE

THIS SITE IS LOCATED WITHIN THE FEMA FLOOD INSURANCE RATE MAP NUMBER 49053C0343G, WITHIN ZONE X.

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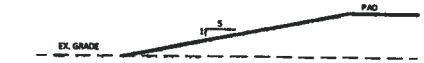
www.bluestakes.org
1-800-662-4111

DEVELOPMENT SOLUTIONS, INC.
LAND PLANNERS, CIVIL ENGINEERS

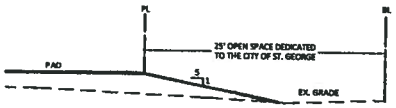
PROJECT NAME: MEADOWS EDGE PHASE 2

NO.	DESCRIPTION	DATE	APP'D

DATE:
FM:
DRAWN BY:
DESIGNED BY:
CHECKED BY:
PROJECT NO.:
SCALE:
SHEET NUMBER: PP



A — SECTION A
N.T.S.

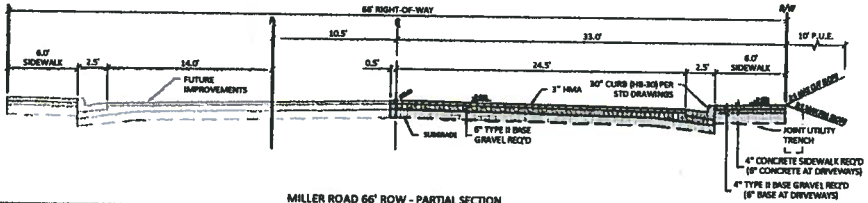


B — SECTION B
N.T.S.

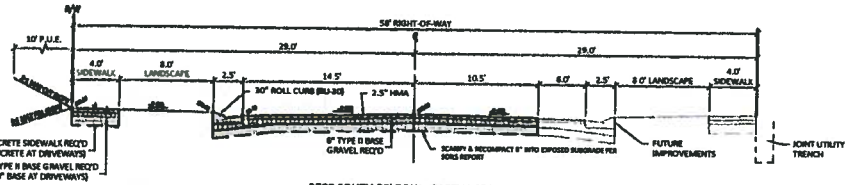
C — SECTION C
N.T.S

D — MILLER ROAD 66' ROW - TYPICAL SECTION
SCALE 1" = 5'

G — SECTION G
N.T.S



E — MILLER ROAD 66' ROW - PARTIAL SECTION
SCALE 1" = 5'



F — 3790 SOUTH 58' ROW - PARTIAL SECTION
SCALE 1" = 5'

NO.	DESCRIPTION	DATE	APP'D

PROJECT NAME: MEADOWS EDGE PHASE 2
LOCATED IN ST. GEORGE, UT

SHEET NAME: DETAILS AND SECTIONS

DEVELOPMENT SOLUTIONS, INC.
LAND PLANNERS, CIVIL ENGINEERS
113 East 200 North Suite #2
St. George, UT 84770
Office (435) 628-2121 - Fax (435) 674-3553
www.developmentsolutions.us

DATE:	NOV 2013
FM:	LG
DRAWN BY:	LG
DESIGNED BY:	LG
CHECKED BY:	DSP
PROJECT NO.:	14-017
SCALE:	AS SHOWN

SHEET NUMBER: DT-1

2 OF 2 TOTAL

PCR ITEM 6
Preliminary Plat Amendment

PLANNING COMMISSION AGENDA REPORT: **12/08/2015**
CITY COUNCIL MEETING: **12/17/2015**

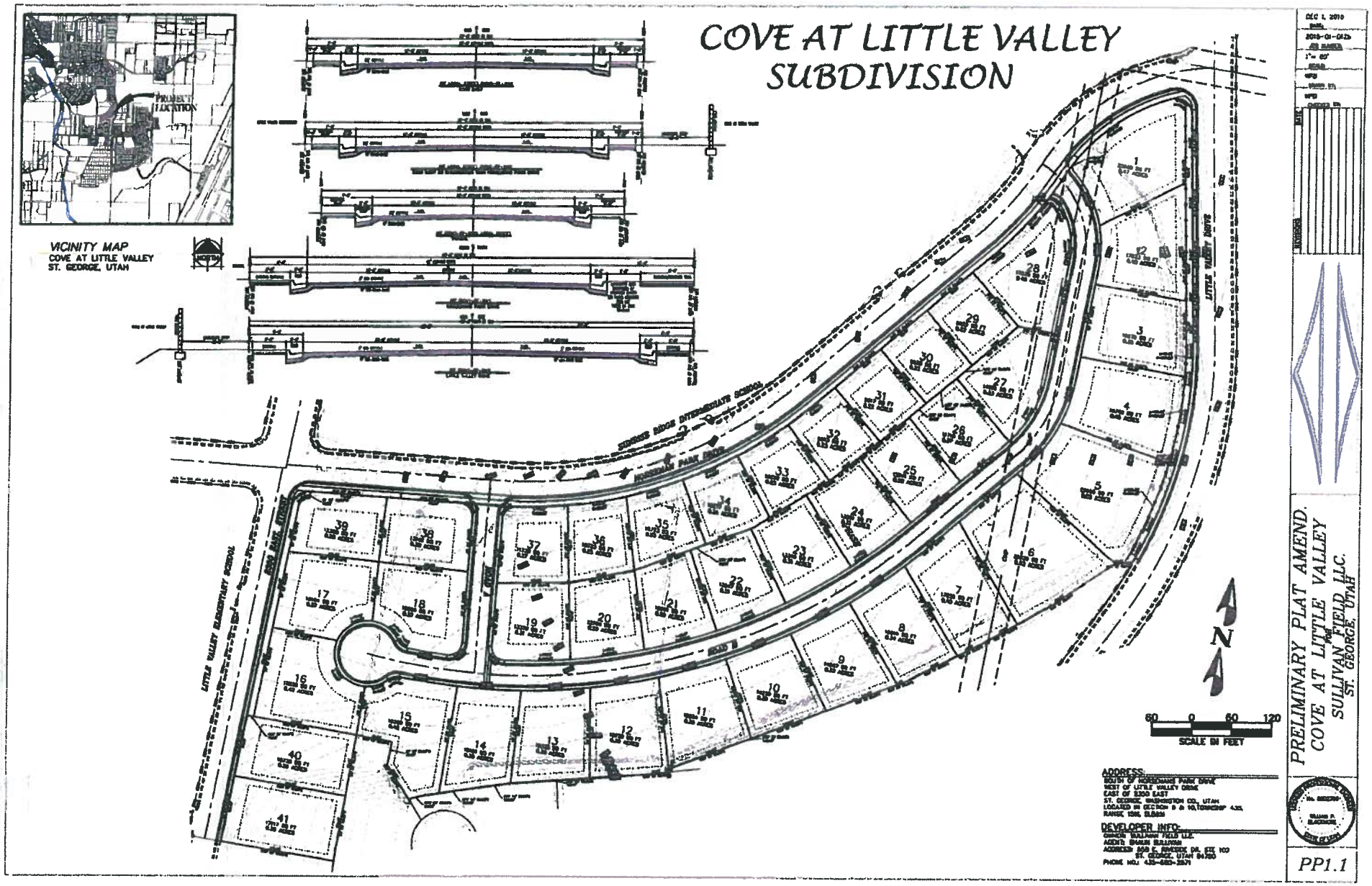
PRELIMINARY PLAT
The Cove at Little Valley
Case No. 2015-PPA-034

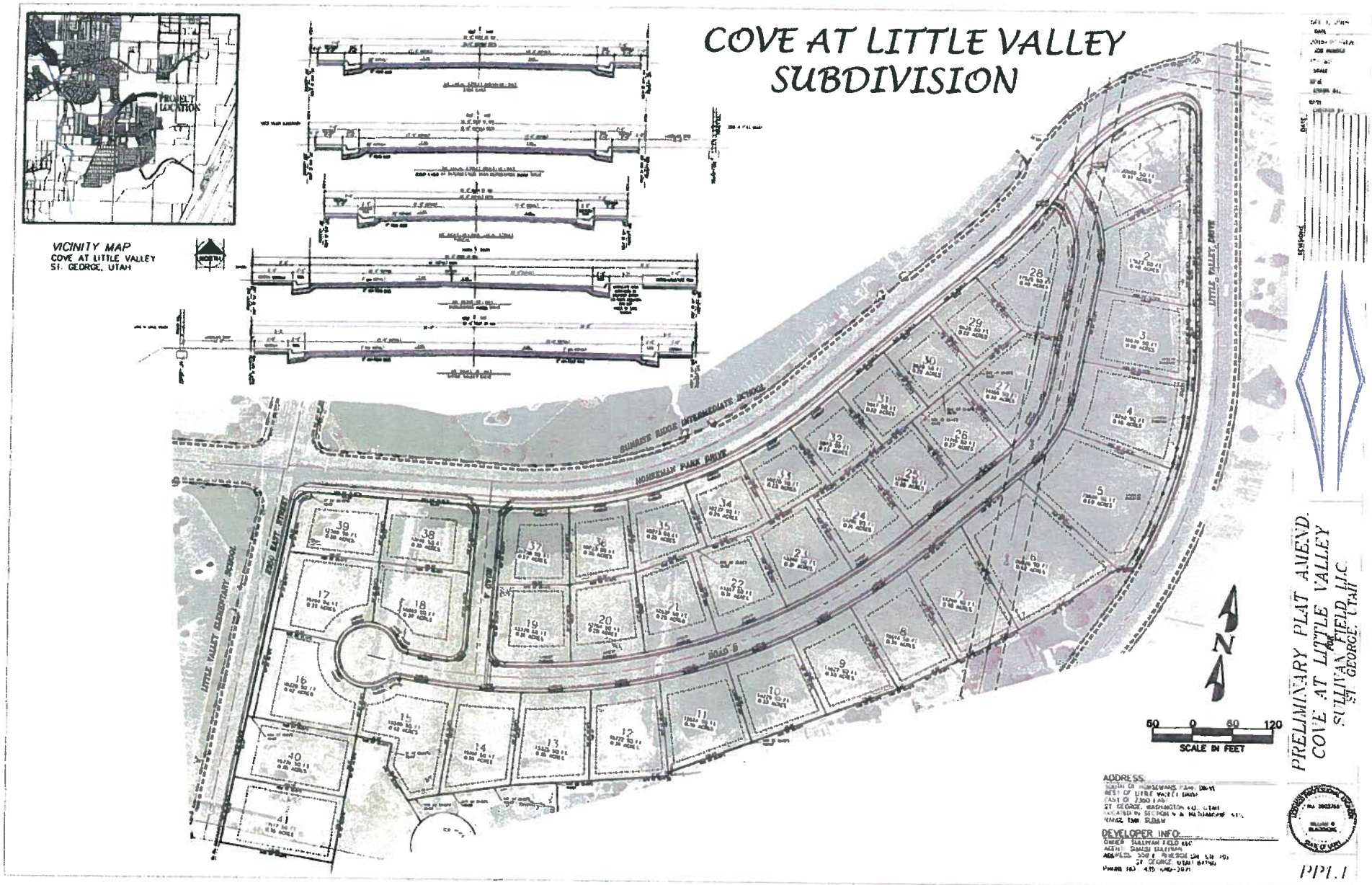
Request:	A request to approve a preliminary plat amendment for a forty-one (41) lot residential subdivision
Location:	Southwest corner of the intersection of Horseman Park Drive and Little Valley Road
Property:	R-1-12 = 12.98 acres RE-20 = 3.15 acres
Number of Lots:	41
Density:	R-1-12 is 2.69 dwelling units per acre RE-20 1.90 dwelling units per acre
Zoning:	R-1-12 and RE-20
Adjacent zones:	This plat is surrounded by the following zones: North – RE-20 South – R-1-12 & RE-20 East – A-1 West – R-1-12
General Plan:	LDR (Low Density Residential)
Applicant:	Sullivan Field LLC
Representative:	Paul Blackmore, Blackrock

Comments:

1. Developer is proposing double frontage lots along Little Valley Road and 2350 East Street. These will require a 10-foot landscape strip and 6-foot high privacy wall along Little Valley Road and 2350 East Street.

2. This is an amendment to the originally approved preliminary plat. The original preliminary plat was approved for 35 lots (*now 41*).


COVE AT LITTLE VALLEY
SUBDIVISION
VICINITY MAP
COVE AT LITTLE VALLEY
ST. GEORGE, UTAH
PROJECT LOCATION
NORTH
SUNRISE RIDGE INTERMEDIATE SCHOOL
HORSEMAN PARK DRIVE
LITTLE VALLEY ELEMENTARY SCHOOL
LITTLE VALLEY DRIVE
N
60 0 60 120
SCALE IN FEET
ADDRESS:
SOUTH OF HORSEMANS PARK DRIVE
WEST OF LITTLE VALLEY DRIVE
EAST OF 2350 EAST
ST. GEORGE, WASHINGTON CO., UTAH
DEVELOPER INFO:
OWNER: SULLIVAN FIELD LLC.
ADDR: SHAUN SULLIVAN
ST. GEORGE, UTAH 84790
PRELIMINARY PLAT AMEND.
COVE AT LITTLE VALLEY
FOR
SULLIVAN FIELD LLC.
ST. GEORGE, UTAH
PP1.1


COVE AT LITTLE VALLEY
SUBDIVISION
VICINITY MAP
COVE AT LITTLE VALLEY
ST. GEORGE, UTAH
PROJECT LOCATION
NORTH
SUNRISE RIDGE INTERMEDIATE SCHOOL
HONEEMAN PARK DRIVE
LITTLE VALLEY ELEMENTARY SCHOOL
LITTLE VALLEY DRIVE
ROAD B
N
60 0 60 120
SCALE IN FEET
ADDRESS:
DEVELOPER INFO:
PRELIMINARY PLAT AMEND.
COVE AT LITTLE VALLEY
FOR
SULLIVAN FIELD LLC
ST. GEORGE, UTAH
PP1.1

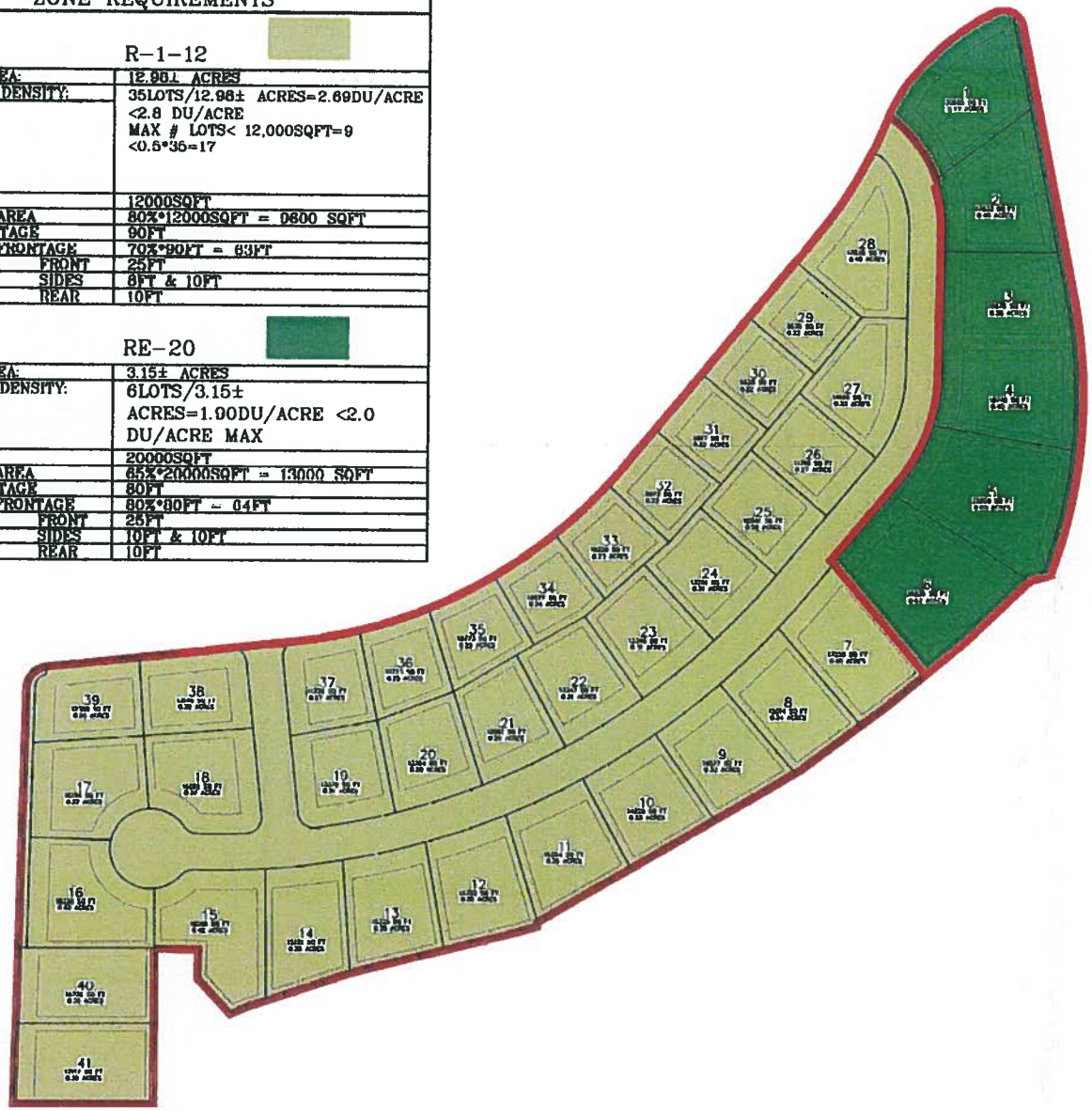
ZONE REQUIREMENTS

R-1-12

TOTAL AREA:	12.96± ACRES
AVERAGE DENSITY:	35LOTS/12.96± ACRES=2.69DU/ACRE <2.8 DU/ACRE MAX # LOTS< 12,000SQFT=9 <0.5*35=17
LOT AREA	12000SQFT
MIN LOT AREA	80%*12000SQFT = 9600 SQFT
LOT FRONTAGE	90FT
MIN LOT FRONTAGE	70%*90FT = 63FT
SETBACK FRONT	25FT
SIDES	8FT & 10FT
REAR	10FT

RE-20

TOTAL AREA:	3.15± ACRES
AVERAGE DENSITY:	6LOTS/3.15± ACRES=1.90DU/ACRE <2.0 DU/ACRE MAX
LOT AREA	20000SQFT
MIN LOT AREA	65%*20000SQFT = 13000 SQFT
LOT FRONTAGE	80FT
MIN LOT FRONTAGE	80%*80FT = 64FT
SETBACK FRONT	25FT
SIDES	10FT & 10FT
REAR	10FT



DATE: DEC 3, '15
JOB NUMBER: 15-01-126
SCALE: N.T.S.

P.O. BOX 488
HURRICANE, UTAH 84737
(435) 680-4600
info@blackrockengineering.net
BLACKROCK ENGINEERING P.C.

ZONING ANALYSIS
COVE AT LITTLE VALLEY
SULTAN FIELDS, LLC.
ST. GEORGE, UTAH

DRAFT

Agenda Item Number : 6E

Request For Council Action

Date Submitted	2015-12-07 12:10:19
Applicant	Questar Gas
Quick Title	CUP to construct a Natural Gas Regulator Station
Subject	Consider a request for a conditional use permit for 1) a proposed â€œNatural Gas Regulator Station,â€ 2) an eight foot (8â€™) high security wall around the site, 3) site development mitigation, 4) landscaping, and 5) roadway improvements to the site. The property is located at approximately 2300 South 3210 East and is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size).
Discussion	A CUP is required for a public utility (facility) in residential zoning districts. Questar requires a natural gas regulator station to provide service to the Little Valley area to support the rapid residential growth.
Cost	$0.00
City Manager Recommendation	Planning Commission recommends approval subject to conditions.
Action Taken	
Requested by	John Willis
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

PCR ITEM 2B
CUP - Natural Gas Facility

PLANNING COMMISSION AGENDA REPORT: **12/08/2015**
CITY COUNCIL MEETING: **12/17/2015**

CONDITIONAL USE PERMIT:
Case # 2015-CUP-014

Request: Consider a request for a conditional use permit for 1) a proposed "**Natural Gas Regulator Station,**" 2) an eight foot (8') high security wall around the site, 3) site development mitigation, 4) landscaping, and 5) roadway improvements as required to the site.

Project Overview: Questar requires a natural gas regulator station to provide service to the Little Valley area to support the rapid residential growth. According to Questar, there is plenty of distribution infrastructure installed (plastic piping), but it needs more capacity to provide service to the area. The proposed facility has one basic purpose; to cut pressure from the 720 psig delivery into the IHP distribution system at 45 psig.

Piping: 2.9 miles of 8 inch steel high pressure to the station site and 2400 feet of 6 inch plastic to tie into the existing IHP system on 3000 East Street. The high pressure line will have a maximum operating pressure of 720 psig.

Location: This property is located at 2300 South 3210 East.

APN: SG-5-3-3-243

Identification: Facility Identification is District Regulator Station WG0003

Property: 100 ft. x 100 ft. parcel (10,000 sq. ft.)

Building: A 144 sq. ft. unoccupied building is proposed. It would be 12 ft. wide x 12 ft. long in size and approximately 9 ft. tall.

Fencing: An eight foot (8') high decorative block wall with a lockable swing gate.

Property Owner: Questar Gas

Applicant: Questar Gas

Representative(s): Mr. Tim Blackham, Site Procurement / Mr. Will Radford, Project Engineer / Mr. Brett Brown, Operations Manager

Zoning: R-1-10 (Single Family Residential 10,000 square foot minimum lot size)

Ordinances: Facility - Per Section 10-7B-3 a conditional use permit is required for a public utility (facility).

Plan - Per Section 10-17-6 a development plan is required (includes a site plan and elevations). Also comply with all other applicable Sections of Title 10 Chapter 17.

Walls and Fencing - Per Section 10-18-5 fencing is required to protect and screen the facility.

Landscaping - Project shall comply with Title 10 Chapter 25 'Landscaping' requirements.

Comments: The PC expressed concerns and asked questions regarding the safety of a regulator station. In response, the Questar representatives explained that there are currently miles of underground pressurized gas in the community and that anywhere a line is located concern could be raised, however safe operating practices, design, dig alert procedures, and experience have resulted in successful and safe operations. Questar mentioned that there are over 30 facilities in southern Utah and there is also a regulator station located by Snow Canyon High School. The nature of natural gas was discussed and it was explained that it will dissipate into the atmosphere unlike propane if a leak were to occur.

P.C.:

1. Public Comments; Staff had not received any written opposition to this request. However, at the PC meeting, a representative from George Washington Academy attended the meeting and expressed concern about the proximity to the school. Also a resident spoke and questioned the address used in the staff report and requested clarification.

2. PC; the Planning Commission recommends approval with conditions and findings (*see items below*).

3. Facility; the site plan and elevations as presented are recommended for approval to the City Council.

4. Fencing (wall); a solid pre-fabricated eight foot (8') high concrete wall is requested for security purposes.

5. Setbacks; the property is located in the R-1-10 zone and a 25 ft. front setback is required. Thus, the wall may only be placed after 25 ft. from the front property line. The area within the front setback will need to be landscaped.

6. Access; current access is from a dirt road and will require improvements to the satisfaction of the City Traffic Engineering Department.

7. Landscaping; the landscaping shall comply with Title 10 Chapter 25.

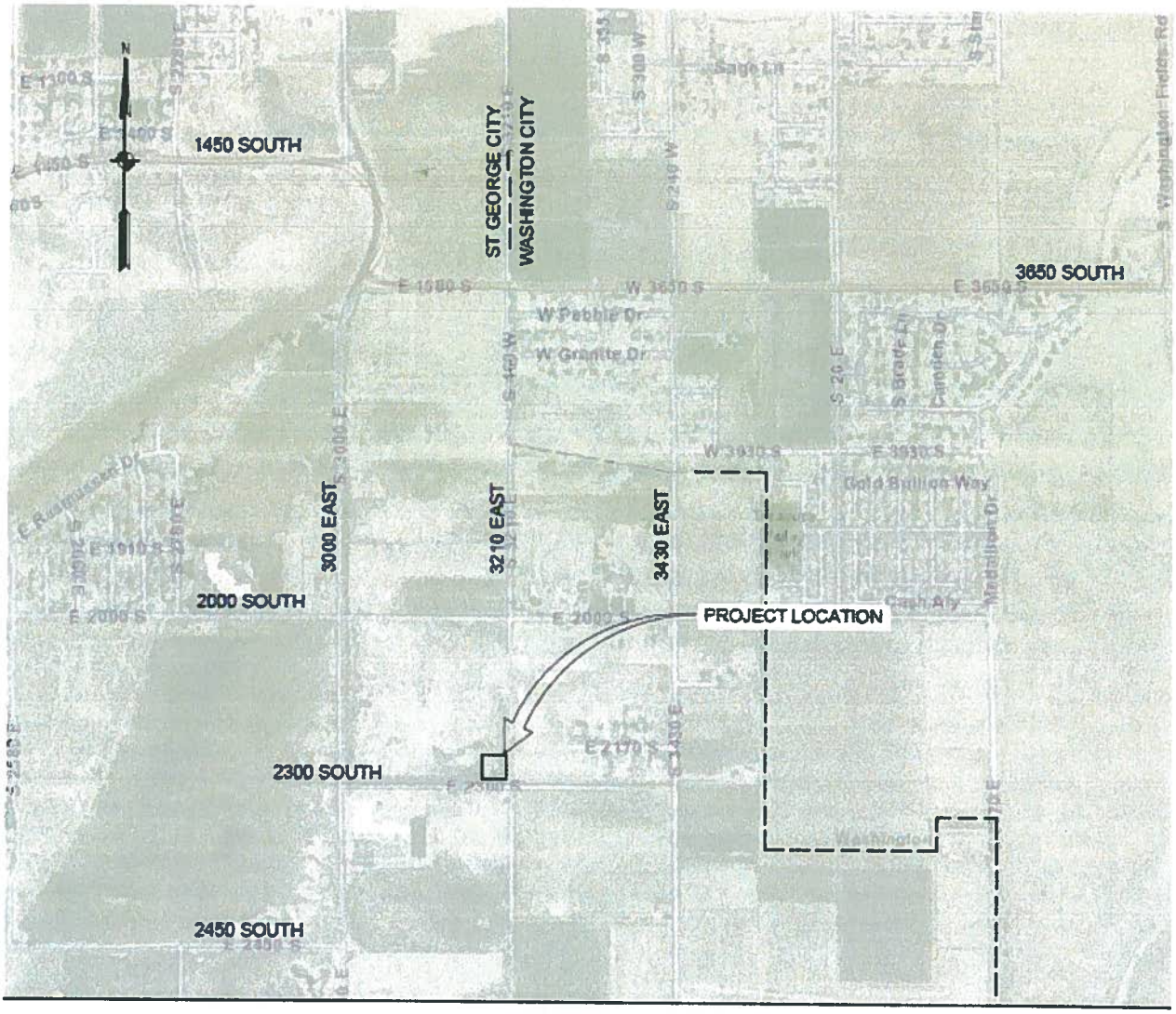
8. SPR; The applicant shall submit a SPR (Site Plan Review) application along with the required civil engineering plans for staff review and processing.

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. Mitigate any exposed earth (by grading activity) with seeding and planting		B. Dust	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious dust beyond the property line.
Meet all applicable codes		C. Odors	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious odors beyond the property line.

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. Fencing shall prevent site access by non-Questar employees		E. Safety	1. Take the necessary measures to avoid or mitigate any safety problems created by the use, including problems due to traffic, rockfall, erosion, flooding, fire, hazardous materials, or related problems. 2. Uses shall not locate within the 100-year floodplain as identified by FEMA unless expressly recommended by the city engineer in conformance with city engineering standards and all state, local and federal laws.
		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". 2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.
Single story and shall comply with approved elevations and rendering	X	G. Height	1. Buildings shall fit into the overall context of the surrounding area. 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.
24/7		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
		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.
Meet all applicable state requirements		K. Public Health	1. Use shall comply with all sanitation and solid waste disposal codes. 2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)



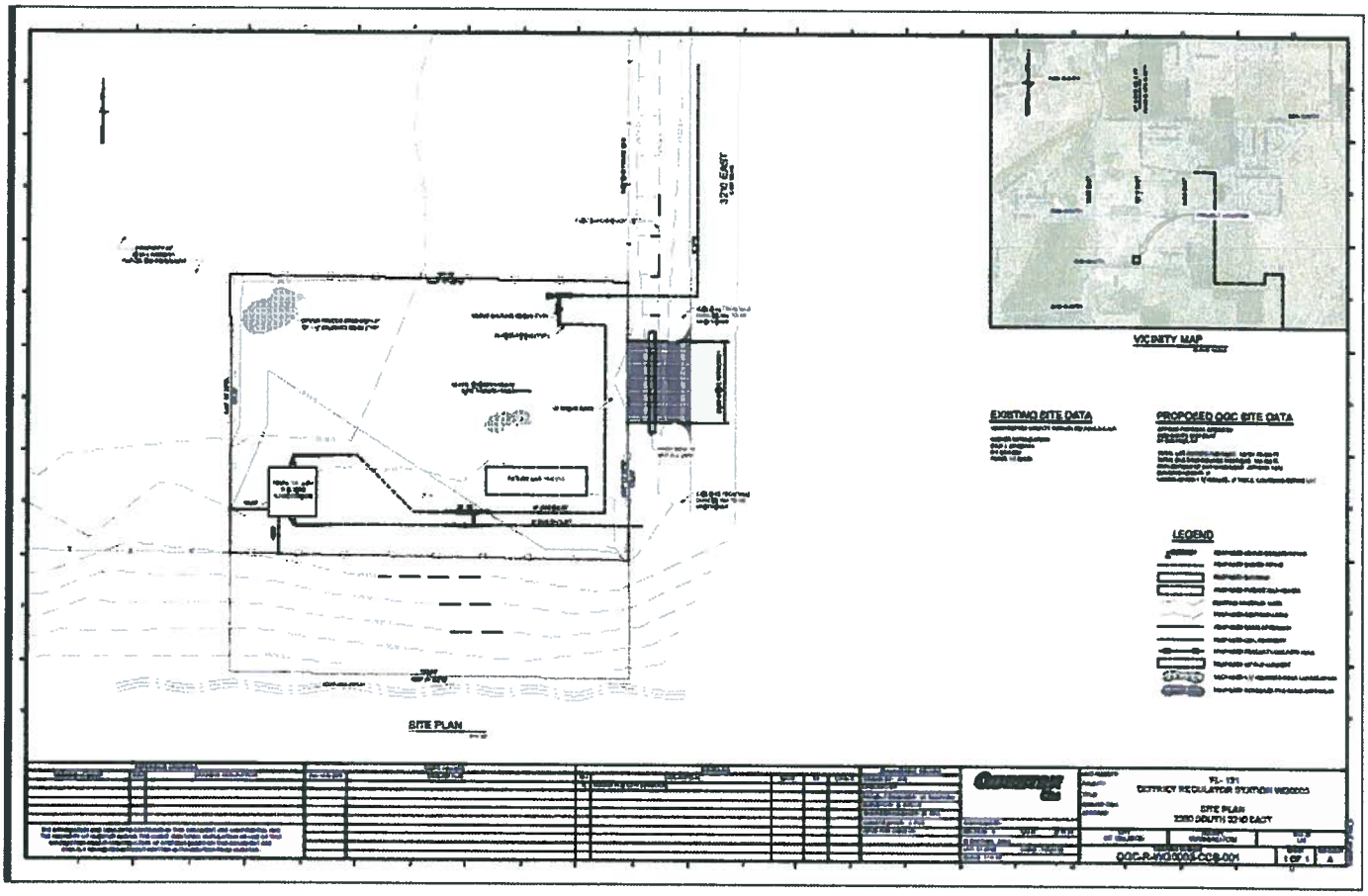
VICINITY MAP

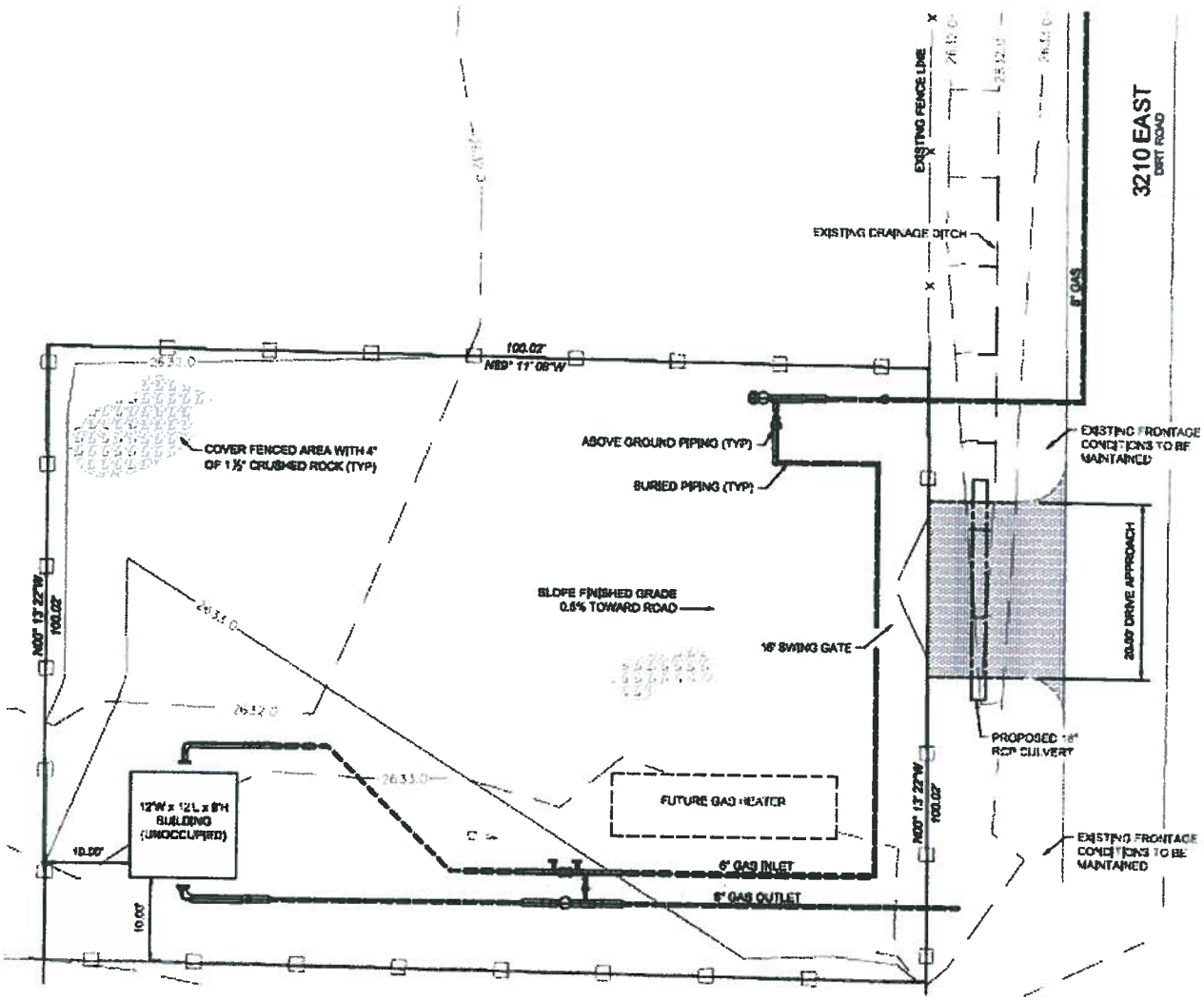
SCALE: NONE

3000 E ST
2330 S ST
X

R-1-10
X
RE-20
A-1
3000 E ST
2330 S ST

Access Roads


3210 EAST
VICINITY MAP
EXISTING SITE DATA
PROPOSED QGC SITE DATA
LEGEND
SITE PLAN



(Note: The wall will need to be relocated behind the front setback; not as shown at the front property line)

Tim Blackham Justification 11-24-15

To: Ray Snyder
Subject: RE: SG-5-3-3-243

Tim Blackham
QUESTAR Gas
P.O. Box 45360
Salt Lake City, UT 84145-0360
Office (801) 324-3856
Cell (801) 556-9948
Tim.blackham@questar.com

From: Ray Snyder [mailto:ray.snyder@sgcity.org]
Sent: Monday, October 19, 2015 10:44 AM
To: Tim Blackham
Subject: SG-5-3-3-243

Tim,

I have some 'preliminary' comments from staff regarding the 3000 East inquiry (APN SG-5-3-3-243).However, staff will still need to meet and discuss further. Perhaps you can answer these comments below for me?

1. Concern for the close proximity to a school (George Washington Academy). Comments?
   This facility will pose no safety risk, disturbance or irritation to the school or any other neighboring unit. The station will operate quietly, a precast concrete perimeter wall will be installed that is visually pleasing and fit in with neighboring requirements and the station will only be accessed a few times a year.
2. The zoning is R-1-10 (Single Family Residential)
3. A CUP (conditional use permit) is required per Section 10-7B-3 of the Zoning Ordinance for a public utility in the R-1-10 zone.
   I will be submitting a conditional use permit to the City as soon as a site plan drawing is available, probably within the next two weeks.
4. Staff will discuss a one lot subdivision, however initially a 100 ft. x 100 ft. lot (1/4 acre) does not appear to meet any subdivision standards, but staff will have to research further.
5. Do you have a picture of a similar facility? Will you send to me?
   Attached are several different sites that exist in our system that are in residential and adjacent to churches and other public facilities.
6. Explain the need for this site? It's for more capacity in Little Valley?
   Your assumption is correct. With the residential growth southeast of St. George, we need to bring more gas to the area. We have plenty of distribution infrastructure installed (plastic Pipe), but need more capacity to provide service to this area.
7. What size line is proposed?
   2.9 miles of 8-inch steel high pressure to the station site and 2400 feet of 6-plastic to tie into the existing IHP system on 3000 East.
8. What would be the PSI of the line?
   This high pressure line will have a maximum operating pressure of 720 psig.

9. What other locations have you considered?

   We investigated several suitable sites in this general area and this is the best option we found with a willing seller and having the station in an ideal location.

10. How does this compare to the unmanned gas regulator on the 7.22 acres at the southwest corner of Bluff Street and Snow Canyon Parkway (that was a conditional use permit approved by Council – Case No. 2013-CUP-003)

    The Bluff Street and Snow Canyon Parkway site has two purposes: 1) To receive smart pigs (internal inspection tools) being launched out of the Central Compressors site, and2) cut the pressure within our high pressure system fro 1000 psig to 720 psig. This proposed facility at about 2220 South and 3210 East is a regulator station that has one basic purpose to cut pressure from the 720 psig and deliver it into the IHP distribution system at 45 psig.

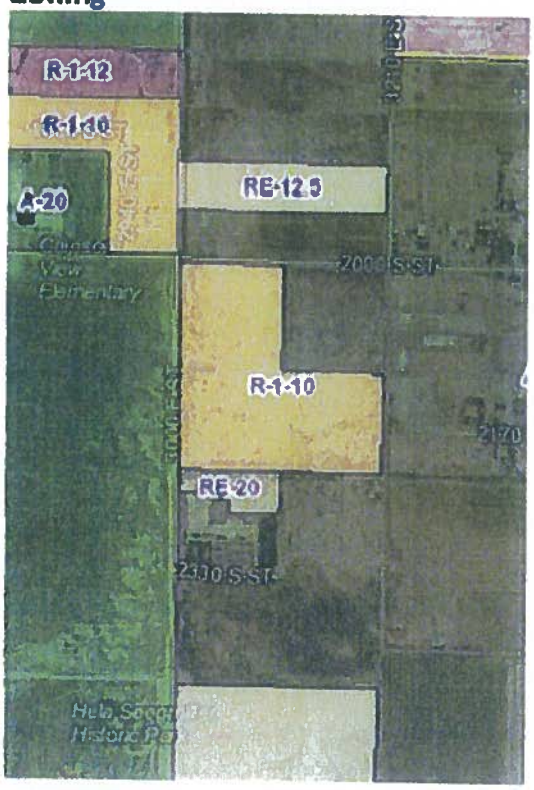
11. If the lot were developed by Questar, there is no improved roadway to the site and an improved roadway from 2000 South Street would be required.

    At the present time the street is used to access the Andrus property and home to the south of the proposed site and behind the George Washington School. Not needing any utility service to this unmanned station the existing access seems to be adequate.

12. Other site improvements would be required.

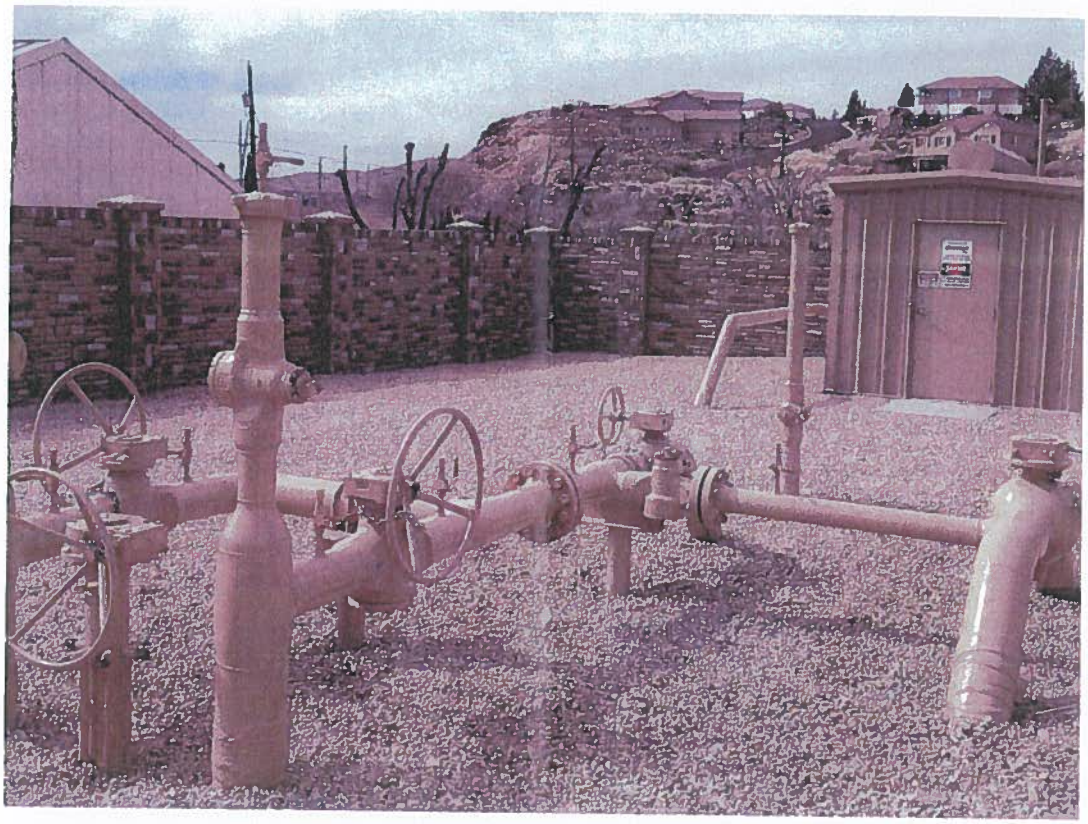
    Questar Gas will be willing, as always, to work with St. George City on any site improvements that would be required.

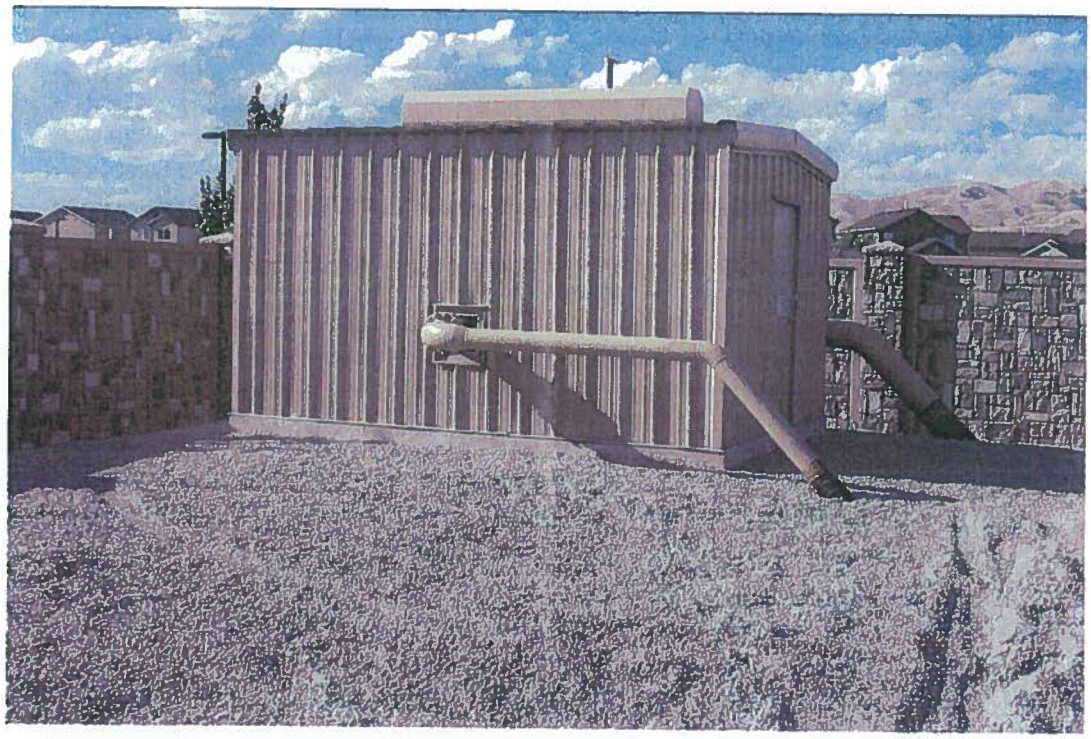
Zoning



Thank you,

Ray Snyder
Planner II





Application

CITY OF ST GEORGE
REC#: 01483783 11/30/2015 11:18 AM
TRAN: 150.0000 PLANNING FEES
300.00CR
1 CHECK(S)

CONDITIONAL USE PERMIT
APPLICATION & CHECKLIST

I. PROPERTY OWNER(S) / APPLICANT INFORMATION

APPLICANT: Questar Gas Company
(If different than owner)
MAILING ADDRESS: P. O. Box 45360
Salt Lake City, Utah 84145-0360

PHONE: 801-324-3856 CELL: 801-559-9948 FAX: 801-324-3803

E-MAIL ADDRESS: tim.blackham@questar.com

LOCATION OF SUBJECT PROPERTY: Approximately 2250 South 3210 East

CONTACT PERSON / REPRESENTATIVE (if applicable): Same
(If different than owner)
MAILING ADDRESS:

PHONE: CELL: FAX:

E-MAIL ADDRESS:

II. PROPERTY INFORMATION

ZONING: R-1-10 SUBDIVISION:

TAX I.D. NUMBER (PARCEL SERIAL NUMBER): SG-5-3-3-243

EXISTING USE: Vacant
Use of property and/or Buildings

PROPOSED USE: Natural Gas Regulator Station
Use of property and/or Buildings.

OFFICE STAFF USE ONLY

CASE NO. 20___-CUP-_____ FILING DATE: 11/30/15 RECEIVED BY: _____ RECIEPT: _____

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 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 acces indicate one-way and two-way drive aisles.
- ☐ 9. Show any significant natural features such as rock outcroppings and water course
- ☐ 10. Show proposed landscaping, including quantity and, locations; a separate landscap substitutes instead of showing information on the site plan.
- ☐ 11. Show locations and dimensions of pedestrian access ways, loading areas, and acce 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. 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. 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. Shown on attached pictures of existing sites
	☒	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.

	x		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.
	x	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". 2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.
	x	G. Height	1. Buildings shall fit into the overall context of the surrounding area. 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.
	x	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.
	x	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.
	x	K. Public Health	1. Use shall comply with all sanitation and solid waste disposal codes. 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.
NONE

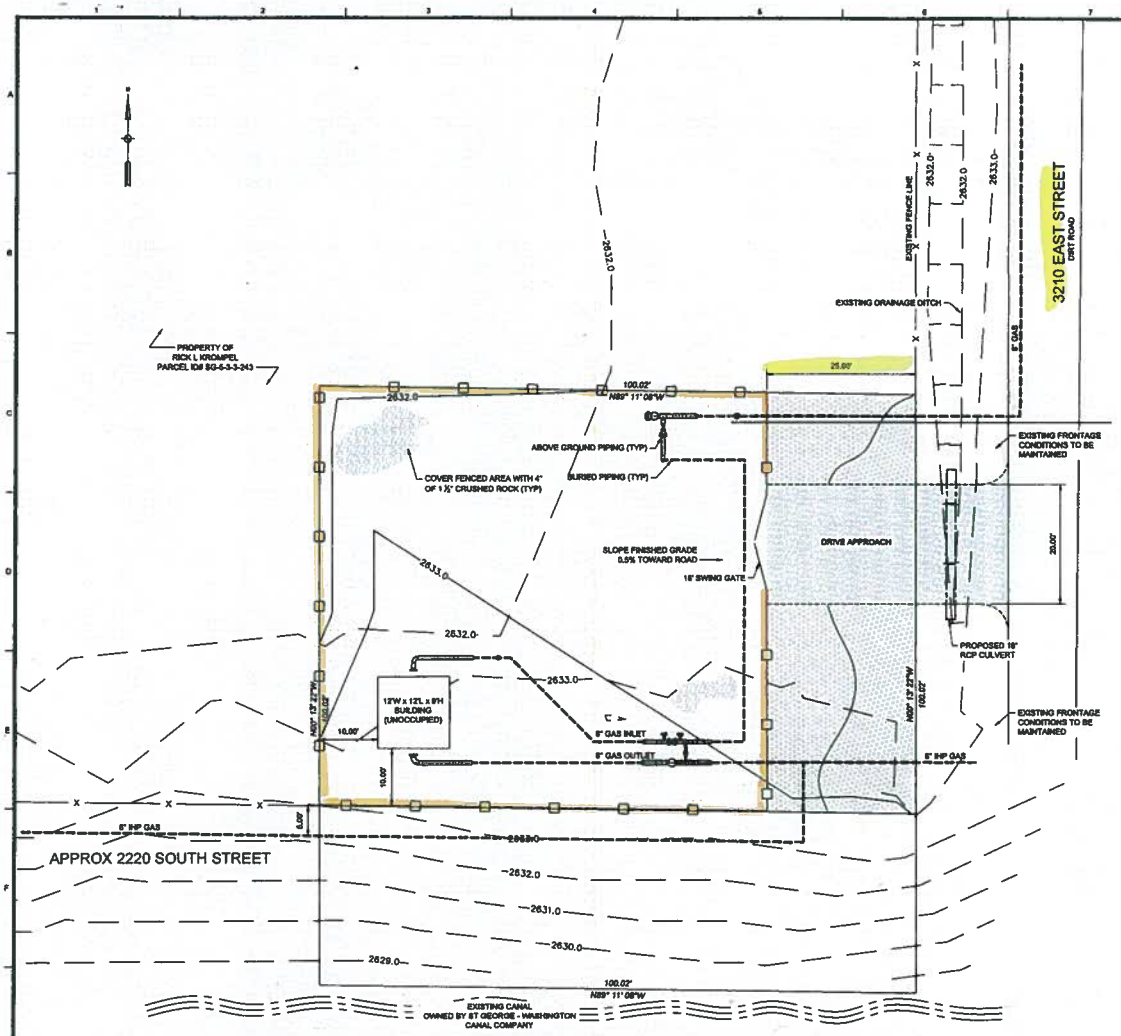
6. Required site improvements such as pavement for parking areas, curb and gutter, privacy walls, landscaping, storm drain facilities, and all other improvements required under City Ordinance shall be completed prior to the issuance of a certificate of occupancy or approval for permanent electric power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

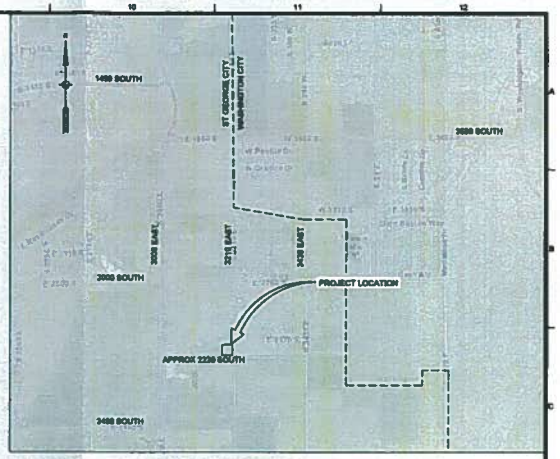
Tim Blackham 11-24-15
Signature Date

Signature Date



SITE PLAN

1" = 10'



VICINITY MAP

SCALE: NONE

EXISTING SITE DATA

WASHINGTON COUNTY PARCEL ID# SG-5-3-3-243

OWNER INFORMATION:
RICK L KROMPEL
PO BOX [illegible]
PRICE, UT 84501

PROPOSED QGC SITE DATA

APPROX PHYSICAL ADDRESS:
2300 SOUTH 3210 EAST
ST GEORGE, UT

TOTAL LOT SQUARE FOOTAGE: 10,001.76 SQ FT
TOTAL BUILDING SQUARE FOOTAGE: 144 SQ FT
PERCENTAGE OF LOT COVERAGE: APPROX 1.4%
BUILDING HEIGHT: 8'
LANDSCAPING: 1 ½" GRAVEL, 4" THICK, COVERING ENTIRE LOT

LEGEND

- PROPOSED ABOVE GROUND PIPING
- PROPOSED BURIED PIPING
- PROPOSED BUILDING
- PROPOSED FUTURE GAS HEATER
- EXISTING CONTOUR LINES
- PROPOSED CONTOUR LINES
- PROPOSED DRIVE APPROACH
- PROPOSED QGC PROPERTY
- PROPOSED PRECAST CONCRETE WALL
- PROPOSED 18" RCP CULVERT
- PROPOSED 1 ½" CRUSHED ROCK LANDSCAPING
- PROPOSED ROADBASE FOR DRIVE APPROACH
- PROPOSED DECORATIVE GRAVEL LANDSCAPING

REFERENCE DRAWINGS			WORK ORDERS	
DRAWING NUMBER	REV	DRAWING DESCRIPTION	WO NUMBER	DESCRIPTION

REVISIONS				
NO	DESCRIPTION	DATE	BY	CHECK
A	ISSUED FOR CITY APPROVAL			

ENGINEERING RECORD
DRAWN BY: JKB
CHECKED BY:
PROJECT ENGINEER: W. RADFORD
SURVEYOR: S. WELLS
ENGINEERING MNGR: M. GILL
CONSTR MNGR: J. FOX
APVD FOR CONSTR:

QUESTAR Gas

ROW NUMBER:
SECTION: 3 T 43 S R 15 W
ELEVATION: 2632
LAT. 37.6769 LONG -113.5170
SCALE: 1" = 10'

LINE NUMBER: FL- 121
FACILITY: DISTRICT REGULATOR STATION WG0003
TITLE: SITE PLAN
DESCRIPTION: 2300 SOUTH 3210 EAST
ADDRESS:

CITY	COUNTY	STATE
ST GEORGE	WASHINGTON	UT

DRAWING NUMBER: QGC-R-WG0003-CCS-001
SHEET: 1 OF 1
REVISION: A

THE INFORMATION AND CONCEPTS CONTAINED IN THIS DOCUMENT ARE CONFIDENTIAL AND THE PROPERTY OF QUESTAR AND/OR THE CLIENT IDENTIFIED. DUPLICATION OR USE OF THIS INFORMATION AND/OR CONSTRUCTION OF SYSTEMS BASED ON THIS DOCUMENT ARE STRICTLY PROHIBITED WITHOUT WRITTEN AUTHORIZATION FROM QUESTAR.

DRAFT

Agenda Item Number : 6F

Request For Council Action

Date Submitted	2015-12-07 11:59:38
Applicant	Technology Associates
Quick Title	CUP Time Extension for 100' Wireless Tower
Subject	Consider a request for a conditional use permit for a time extension for an expired conditional use permit to construct a one (1), one hundred foot (100â€™) high co-locatable wireless tower and to construct related multiple equipment enclosure(s). The project is called â€œVerizon - UT4 Airplane.â€ Located on Riverside Drive (east side of Town Storage) and zoned C-3 (General Commercial).
Discussion	A CUP was approved for constructing one (1) co-locatable wireless tower with unmanned communications facilities on August 21,2015. A CUP expires after one year if the permitted activity has not commenced, or if construction has not begun. At the end of one year, a request may be made by the applicant for an extension. Planning Commission recommends approval.
Cost	$0.00
City Manager Recommendation	PC recommends approval for the requested extension.
Action Taken	
Requested by	John Willis
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

PCR ITEM 2A
Cell Tower - CUP

PLANNING COMMISSION AGENDA REPORT: **08/12/2014**
CITY COUNCIL MEETING: **08/21/2014 – Approved** (8/21/14 to 8/14/15)

PLANNING COMMISSION AGENDA REPORT: **12/08/2015 – Time Extension Request**
CITY COUNCIL MEETING: **12/17/2015 -** " " "

CONDITIONAL USE PERMIT
Case # 2014-CUP-017

Request: Time extension for an expired conditional use permit to construct a one (1) one hundred foot (100') high co-locatable wireless tower and to construct related multiple equipment enclosure(s).

Project: This project is called the "Verizon – **UT4 Airplane**" and would consist of constructing one (1) co-locatable wireless tower with unmanned communications facilities. Previously approved by City Council on August 21, 2014.

Time Extension: Section 10-17-11 reads "A conditional use permit shall expire after one year if the permitted activity has not commenced, or if construction has not begun. At the end of one year, a request may be made by the applicant for an extension. In recommending an extension, the planning commission shall find that substantial work shall have been accomplished toward its completion or that through no fault of the applicant, it has been impossible to diligently pursue the completion of the application. Extensions may be granted for periods of time determined by the city council after recommendation from the planning commission. Once construction has been completed, the permit shall require no further renewal unless stipulated by the planning commission and city council at the time the permit is granted. (Ord. 2007-01-001, 1-4-2007)"

Related Case: Reference wireless master plan - Case No. 2014-WMP-002
(Approved 2/11/2014 by Planning Commission).

Representative: Mr. Jared White, Real Estate Specialist
Technology Associates
5710 South Green Street
Salt Lake City, Utah 84123

APN: SG-5-2-28-2306

Zoning: C3 (General Commercial Zone)

Location: Located at approximately 2014 E +/- Riverside Drive (next to Town Storage).

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

Area / Access: It's proposed to provide a 25 ft. wide access easement from Riverside Drive back to a leased area of 45 ft. x 45 ft. (2025 sq. ft.). The access easement is approximately 220 ft. long. Within the 25 ft. easement it is proposed to establish a 12 ft. wide road base (6 inches deep) driveway.

Identification: UT4 Motor Home

Height: To construct a new one hundred foot (100') monopole wireless telecommunications facility.

Ordinance(s): **Title 10, Chapter 17** "Conditional Uses." Section 10-17-11 "Time Limitation" (see page one (1) of this report for full description);

(Note: the City Council may determine if an extension is warranted and for how long it may be granted (typically for one year).

Title 10, Chapter 22 "Wireless Telecommunication Facilities;"

Section 10-22-5: CONDITIONAL USES:

All wireless communication facilities other than those described in section 10-22-4 of this chapter as permitted uses shall be considered conditional uses and subject to review and approval as set forth in chapter 17 of this title. (1998 Document § 26-4)

(Note: A monopole exceeding thirty five feet (35') in a **commercial** zone is not listed as a permitted use and thus requires a CUP).

10-22-6: FACILITY TYPES:

C. Monopole With Antennas And Antenna Support Structures: The maximum visible width of antennas and antenna mounting structures on a monopole shall not exceed eight feet (8') in height or thirteen feet (13') in width as viewed looking directly at the monopole at the same elevation as the antennas and antenna mounting structure (see figure 3 attached to the ordinance codified herein and on file in the city office). No such antenna shall be located within one hundred fifty feet (150') of a residential zone unless approved by the planning commission. (1998 Document § 26-5; amd. 2003 Code)

(Note: This site is not within one hundred and fifty feet (150') of any residences)

10-22-7: ADDITIONAL STANDARDS:

A. Height Limit: The height limit of any tower or pole is one hundred feet (100'). Each tower or pole shall require a conditional use permit, unless exempted in section 10-22-4 of this chapter.

(Note: The monopole may not exceed 100 ft. maximum, 100 ft. is requested)

B. Collocation: It is the policy of the city to encourage co-location of facilities wherever feasible. The burden will be on the applicant to demonstrate why collocation is not feasible.

(Note: This is a new site and co-location is proposed).

C. Prohibited Areas: Monopoles or towers shall not be allowed within any required front yard setback nor within any required landscaped area, buffer area or parking area.

(Note: This proposal is not in the front setback or landscape area).

E. Accessory Buildings to Antenna Structures: Accessory buildings to antenna structures must comply with the required setback, height and landscaping requirements of the zoning district in which they are located. Monopoles shall be fenced with a six foot (6') vinyl coated chainlink fence or other fencing as approved or required by the planning commission. The climbing pegs shall be removed from the lower twenty feet (20') of the monopole. All power lines on the lot leading to the accessory building and antenna structure shall be underground.

(Note: The applicant proposes a six foot (6') high chain link fence around the tower and shelters. All setbacks must be met.)

F. Historic Districts: Any antenna proposed for a location within a historic district or on a landmark site is subject to approval through the historic preservation commission and planning commission.

(Note: This is not in a historic district)

I. Engineering Review:

1. The city may, if it deems necessary, cause each site to be reviewed by a qualified electrical engineer. The costs shall be borne by the applicant. This review shall indicate whether or not the proposed facility will interfere with

city, county or state communication facilities. In the event the new facility creates an electrical disturbance to these communication wavelengths, the applicant shall take the appropriate action to remove all interference generated by the new facility. Such remedial action may include changing the frequency that is broadcast or relocating the facility to a new location.

2. The electrical engineer may also review the submitted information to determine if other sites are available to achieve an equivalent signal distribution and not significantly affect the operation of the wireless communication facility. Such a review shall be made when an applicant indicates that no other acceptable site exists.

J. Permits: Prior to the construction of any facility, the applicant shall obtain the proper building permits, encroachment permits and other permits as required by city codes. (1998 Document § 26-6)

Comments: The city maintains a master plan for each wireless company in the Community Development Department. This site was shown on related Case No. 2014-WMP-002 (master plan – approved by council on February 11, 2014).

This applicant requests permission to establish one (1) new Verizon cell tower site.

The site could eventually be occupied by at least four (4) users (co-located) on one tower.

The proposed wall enclosure height of six feet (6') meets the maximum allowable height of six feet (6') that the City may permit. It is recommended that the applicant add earth tone slats to the chain link to help screen the site.

The applicant's goal is to increase coverage of wireless services to the area.

The proposed tower would be a steel monopole 100 feet high. Note that the maximum tower height permitted by code with an approved CUP is 100 ft. per Section 10-22-7.

An equipment shelter building for each client would be required on the site.

In addition to any conditions the Planning Commission recommends, CUP findings (attached below) will also be required.

P.C.: The Planning Commission recommends approval of the time extension request and relocation.

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
	X	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. 2. Use shall not create unusual or obnoxious dust beyond the property line.
	X	C. Odors	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious odors beyond the property line.
PC - determine if any aesthetic concerns		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 related fire and electrical codes		E. Safety	1. Take the necessary measures to avoid or mitigate any safety problems created by the use, including problems due to traffic, rockfall, erosion, flooding, fire, hazardous materials, or related problems. 2. Uses shall not locate within the 100-year floodplain as identified by FEMA unless expressly recommended by the city engineer in conformance with city engineering standards and all state, local and federal laws.
	X	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". 2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.
A CUP is required for a height of 100ft.		G. Height	1. Buildings shall fit into the overall context of the surrounding area. 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.

	X	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
Is monopole location consistent with approved master plan		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.
	X	K. Public Health	1. Use shall comply with all sanitation and solid waste disposal codes. 2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)

Time Extension Request – Letter

November 24, 2015

St George City Council and Planning Commission
175 East 200 North
St George, UT 84770

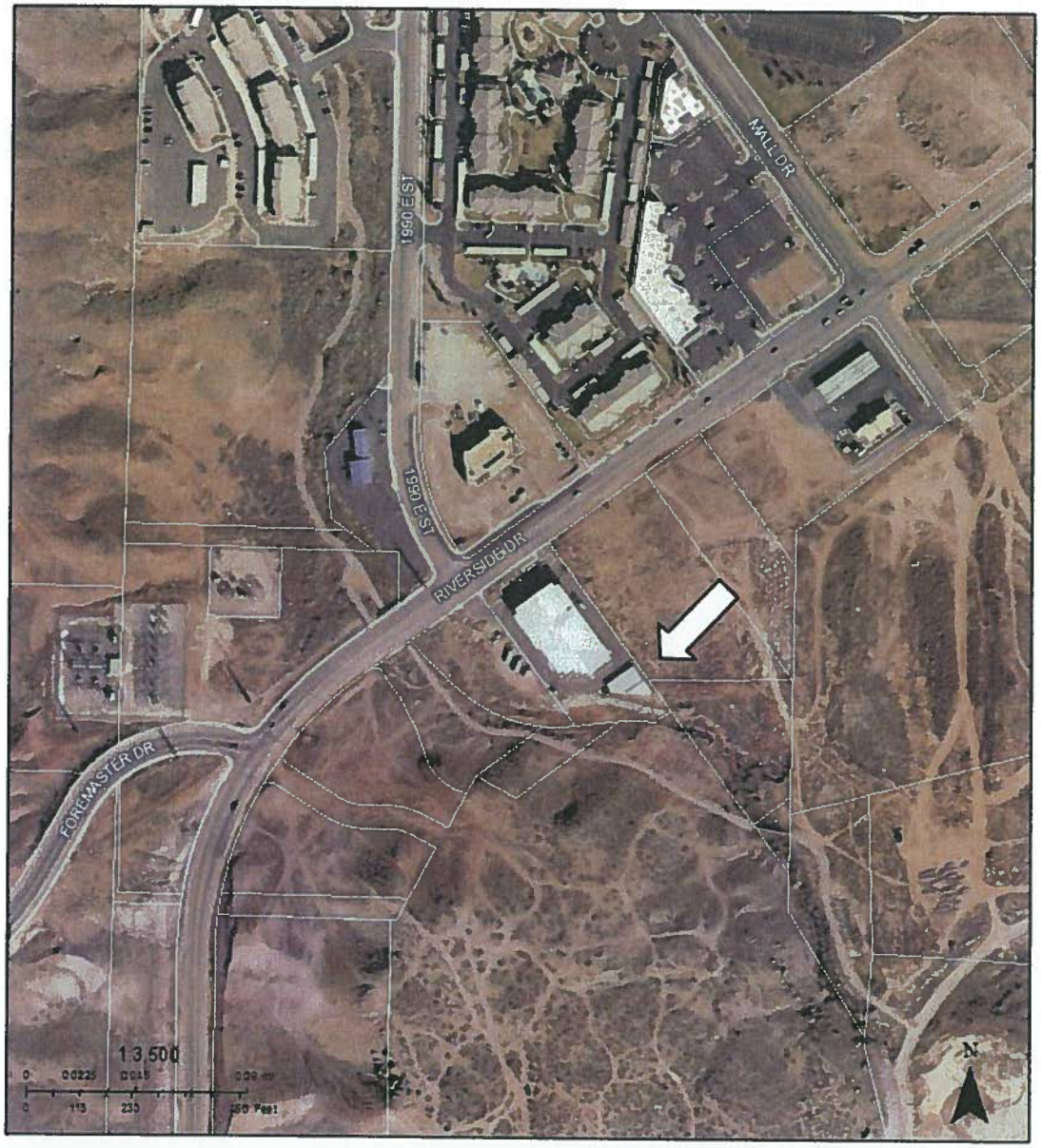
Der Planning Commission City Council Members and

I am writing in regard to the conditional use permit issued to Verizon Wireless on August 21, 2014, approving them to construct a new cellular facility. Due to budget restrictions and design changes Verizon was not able to construct this site in the 1 year time limit and that permit has therefore expired. I am writing to respectfully request a 12 month extension to this permit. The case number is 2014-CUP-017.

This site is still needed to improve the cellular network in the area and Verizon is working to have the site built in 2016. We have several federally required regulatory items that need to be completed which we are working towards. The 12 month extension would allow us the time necessary to complete the remaining items needed to be ready to construct this site. In addition the property owner is working on plans to further commercially develop the property, as such he has asked that Verizon move the site approximately 100' to the east on the same property. In discussion with St George city staff they did not feel that this was a significant change from what the council had originally reviewed and approved. Although the project is not complete Verizon has invested a great deal of time and capitol into the project and are still dedicated to completing it. Thank you for you consideration in this matter.

Sincerely,

Jared White
Site Acquisition Specialist
Technology Associates (Representing Verizon Wireless)
801-232-0953

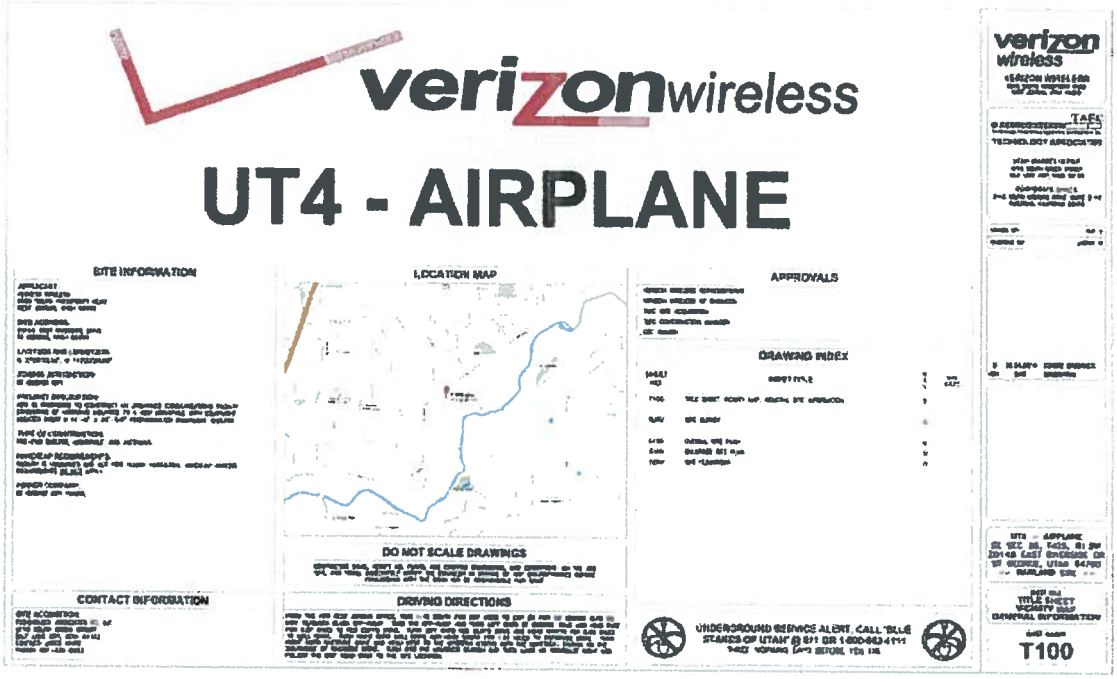


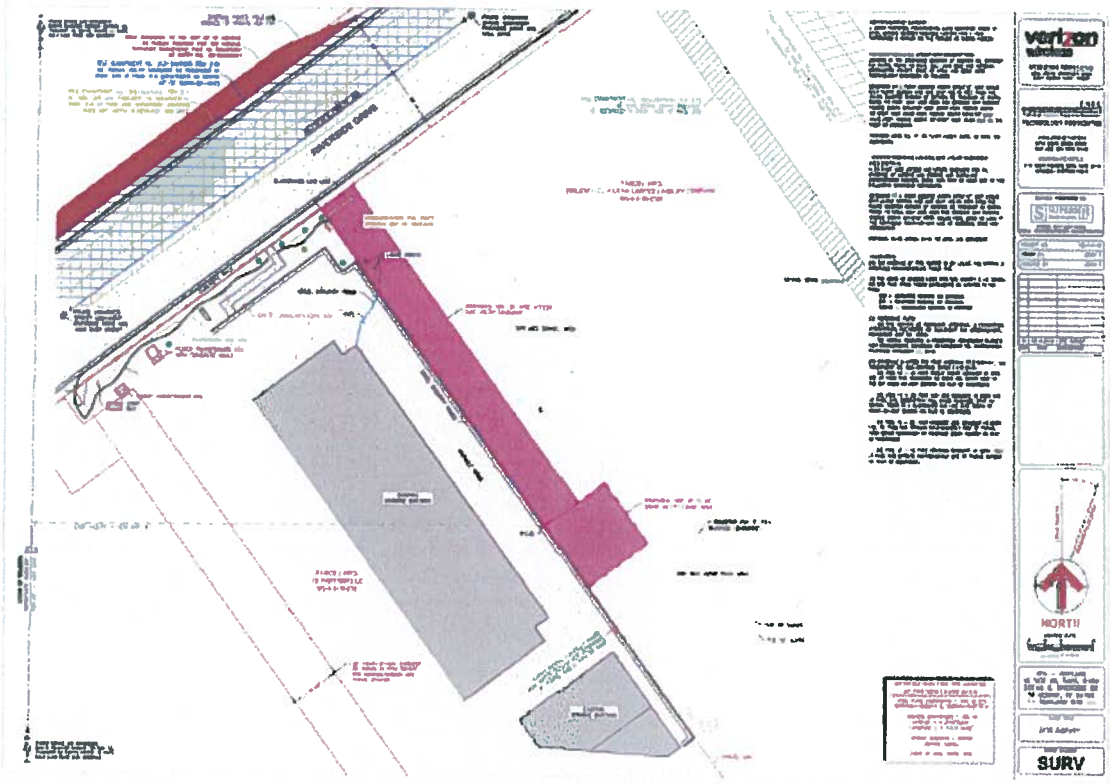
Vicinity Map

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

August 1, 2014

2019 E
RIVERSIDE DR
2012 E

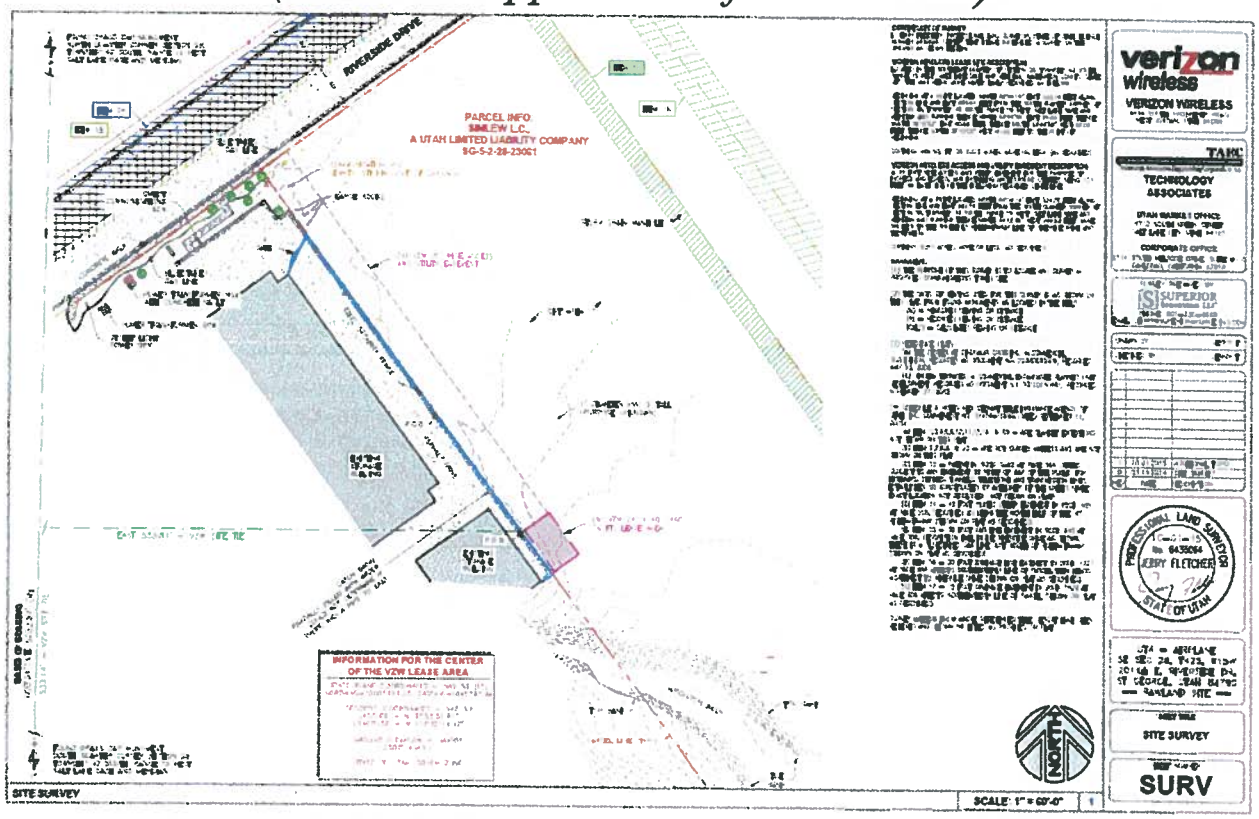


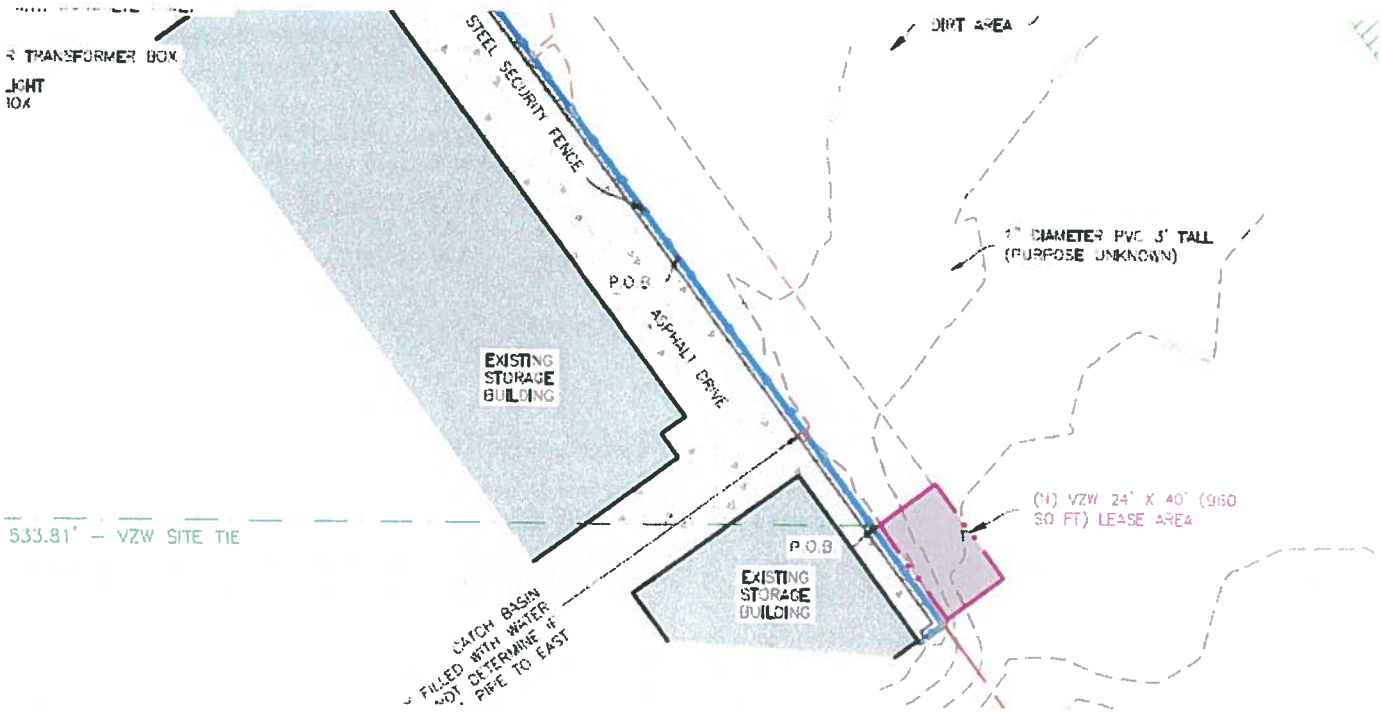


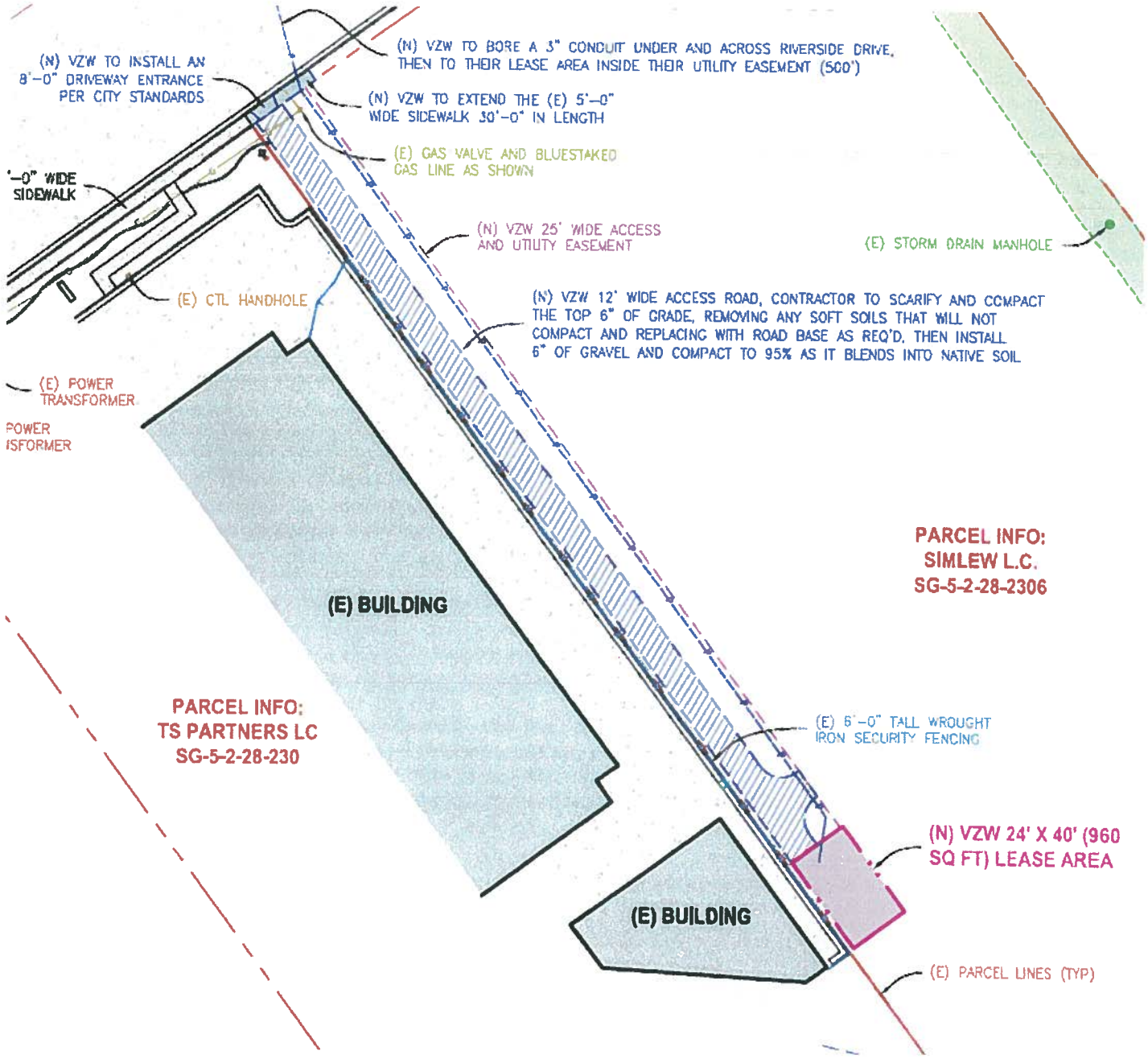
2014 Proposed Site Layout

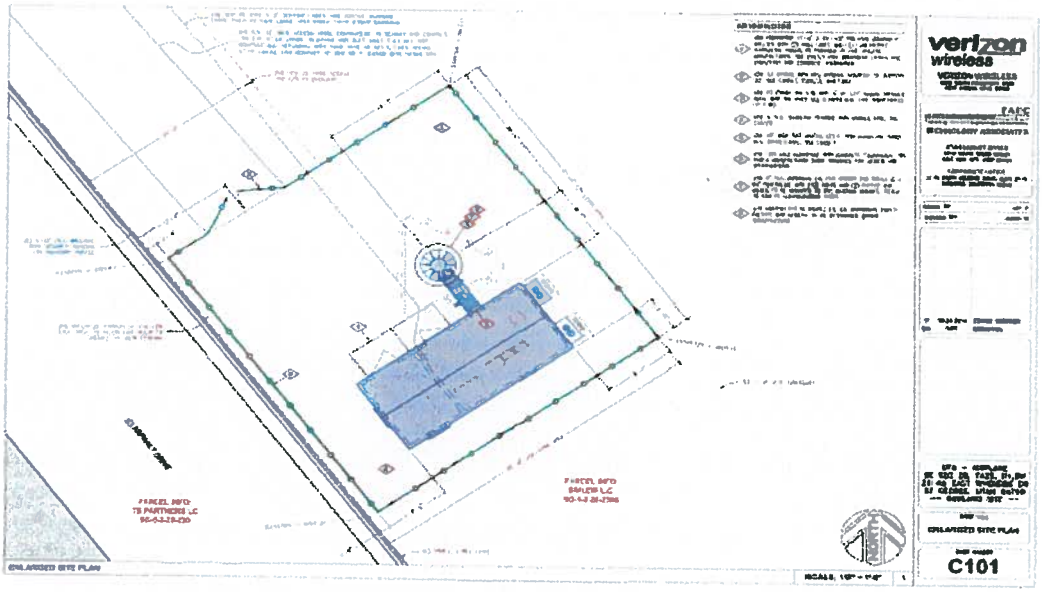
2015 Proposed Site Layout

(Move site approx. 100 ft. to the east)

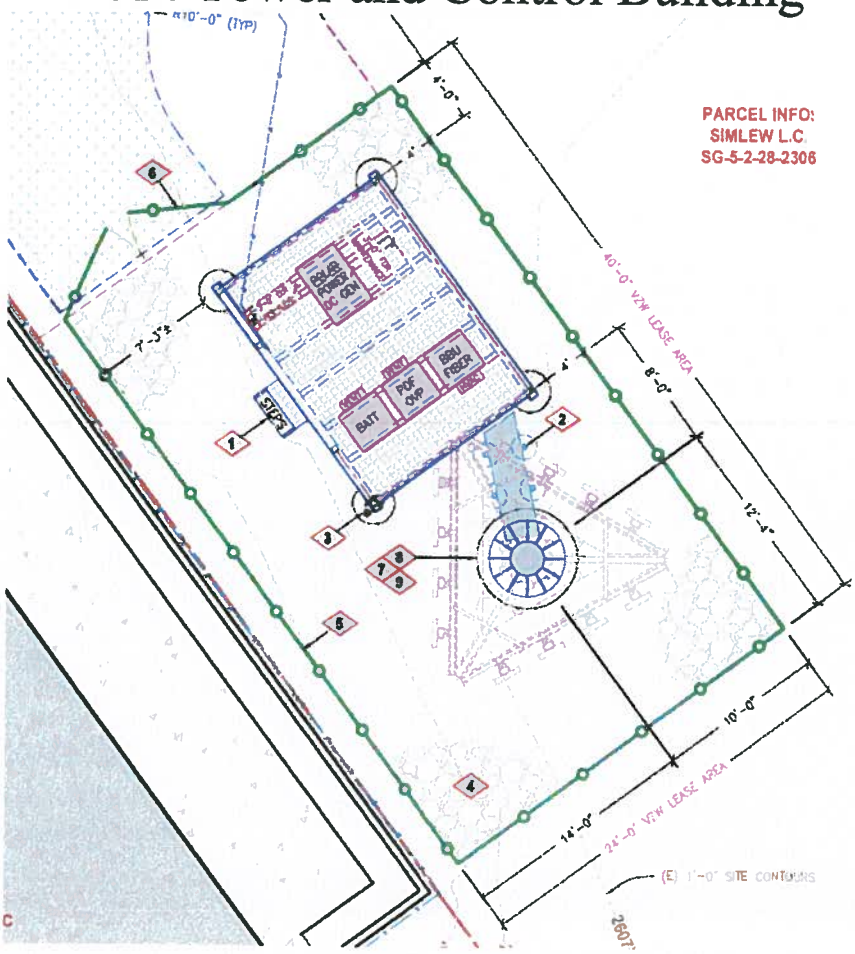




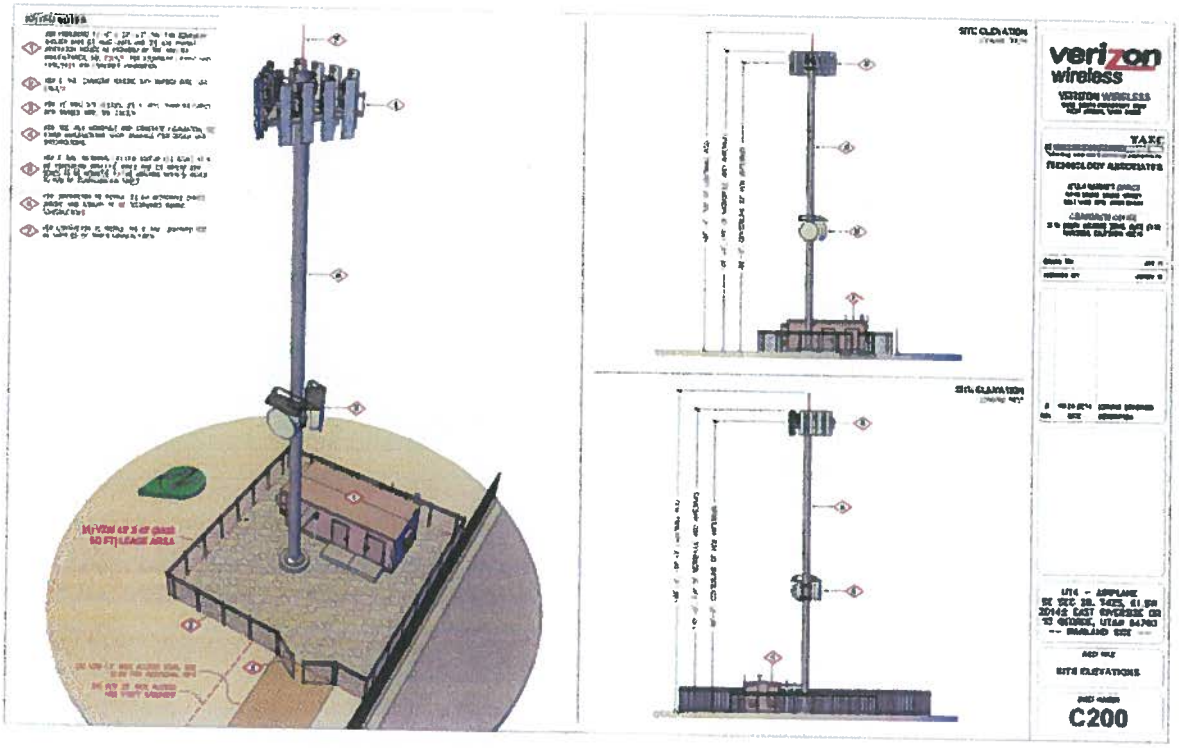

(N) VZW TO BORE A 3" CONDUIT UNDER AND ACROSS RIVERSIDE DRIVE, THEN TO THEIR LEASE AREA INSIDE THEIR UTILITY EASEMENT (500')
(N) VZW TO INSTALL AN 8'-0" DRIVEWAY ENTRANCE PER CITY STANDARDS
(N) VZW TO EXTEND THE (E) 5'-0" WIDE SIDEWALK 30'-0" IN LENGTH
(E) GAS VALVE AND BLUESTAKED GAS LINE AS SHOWN
'-0" WIDE SIDEWALK
(N) VZW 25' WIDE ACCESS AND UTILITY EASEMENT
(E) STORM DRAIN MANHOLE
(E) CTL HANDHOLE
(N) VZW 12' WIDE ACCESS ROAD, CONTRACTOR TO SCARIFY AND COMPACT THE TOP 6" OF GRADE, REMOVING ANY SOFT SOILS THAT WILL NOT COMPACT AND REPLACING WITH ROAD BASE AS REQ'D, THEN INSTALL 6" OF GRAVEL AND COMPACT TO 95% AS IT BLENDS INTO NATIVE SOIL
(E) POWER TRANSFORMER
POWER
ISFORMER
PARCEL INFO:
SIMLEW L.C.
SG-5-2-28-2306
(E) BUILDING
PARCEL INFO:
TS PARTNERS LC
SG-5-2-28-230
(E) 6'-0" TALL WROUGHT IRON SECURITY FENCING
(N) VZW 24' X 40' (960 SQ FT) LEASE AREA
(E) BUILDING
(E) PARCEL LINES (TYP)



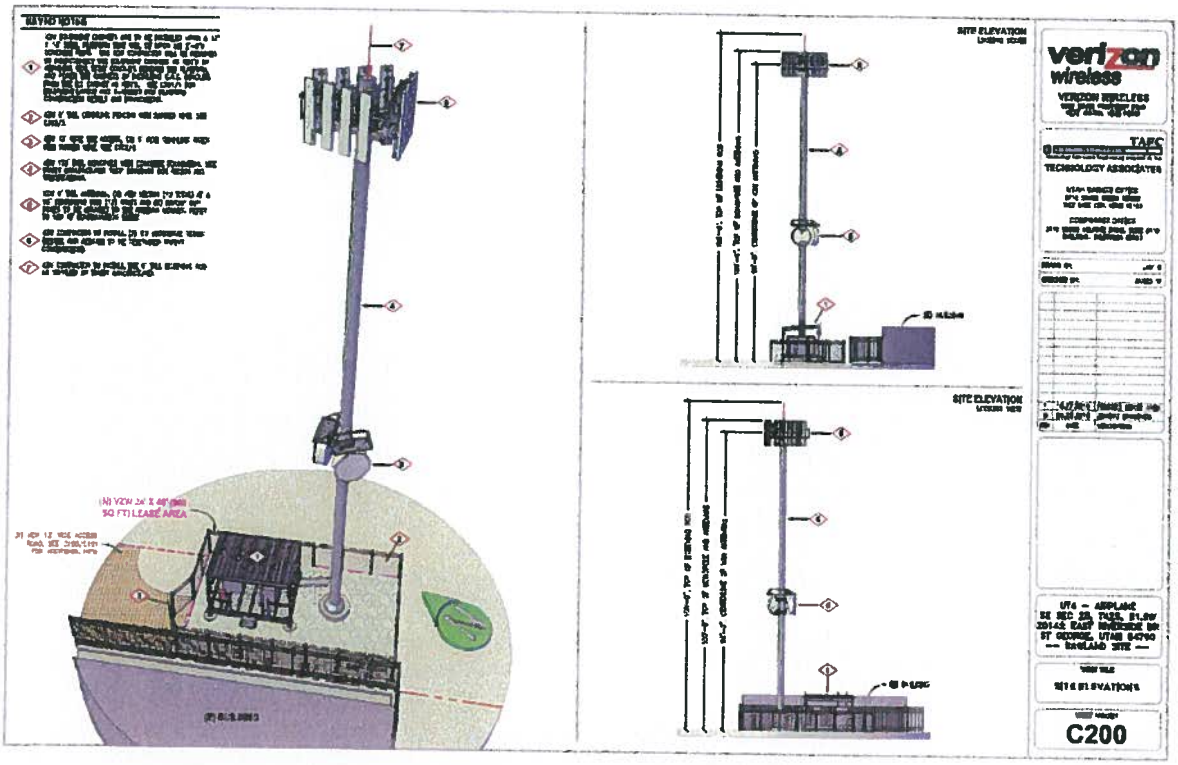
2014 Tower and Control Building



2015 Tower and Control Building



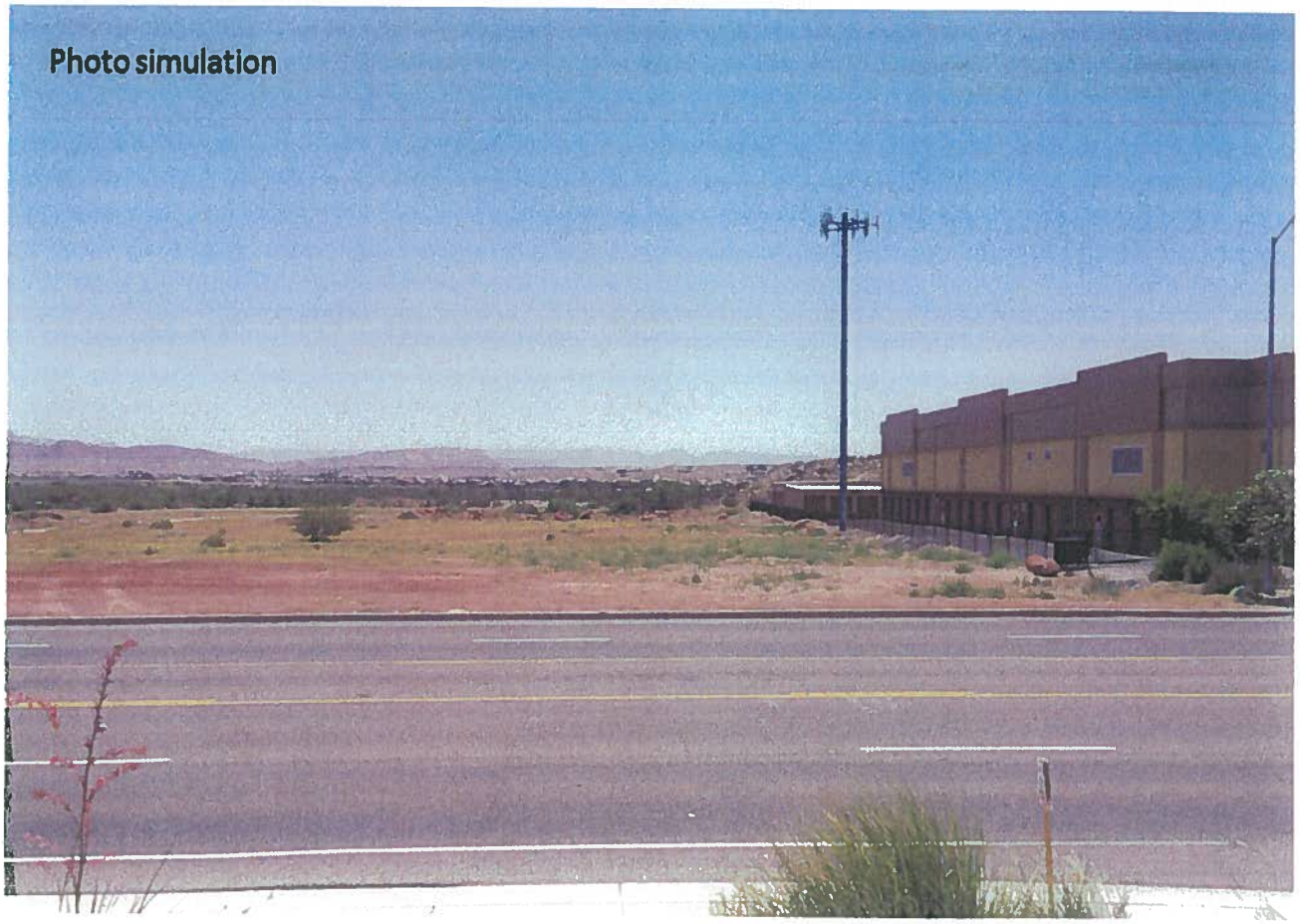
2014 Simulation

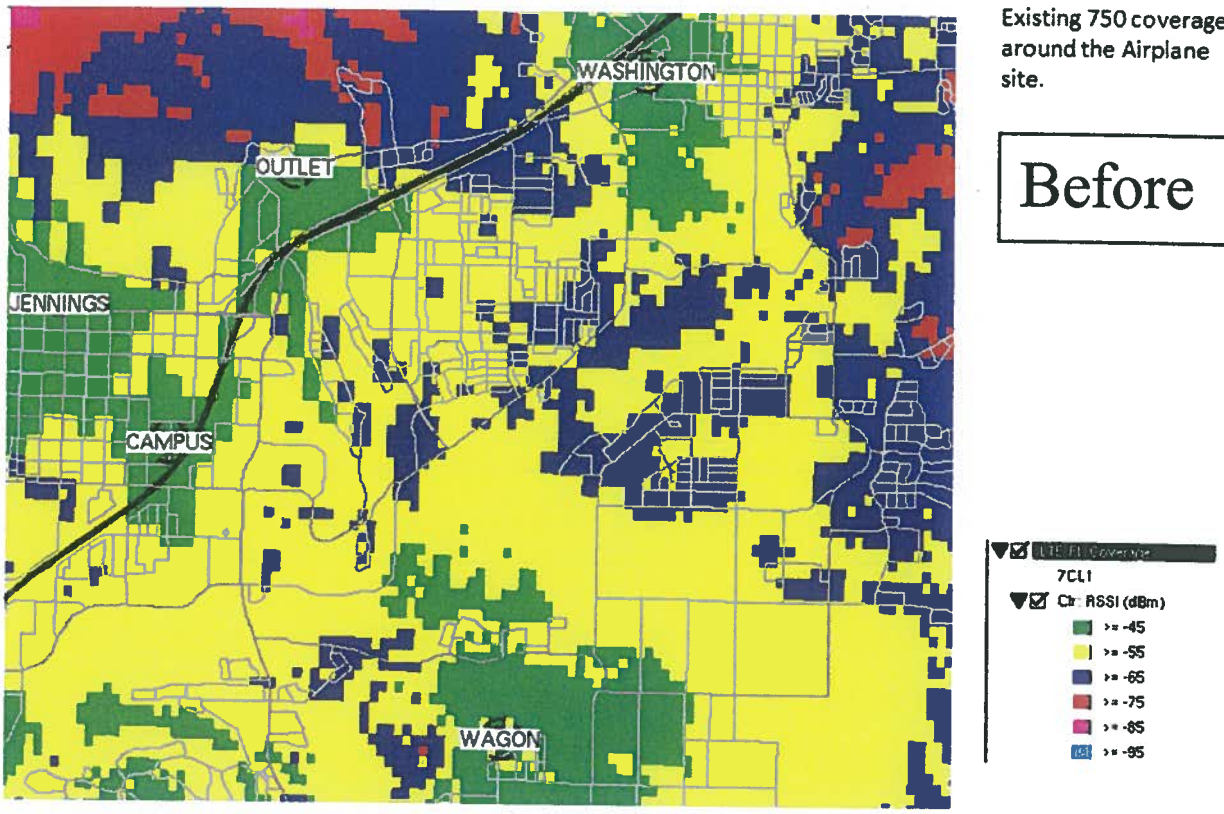


2015 Simulation

Storag

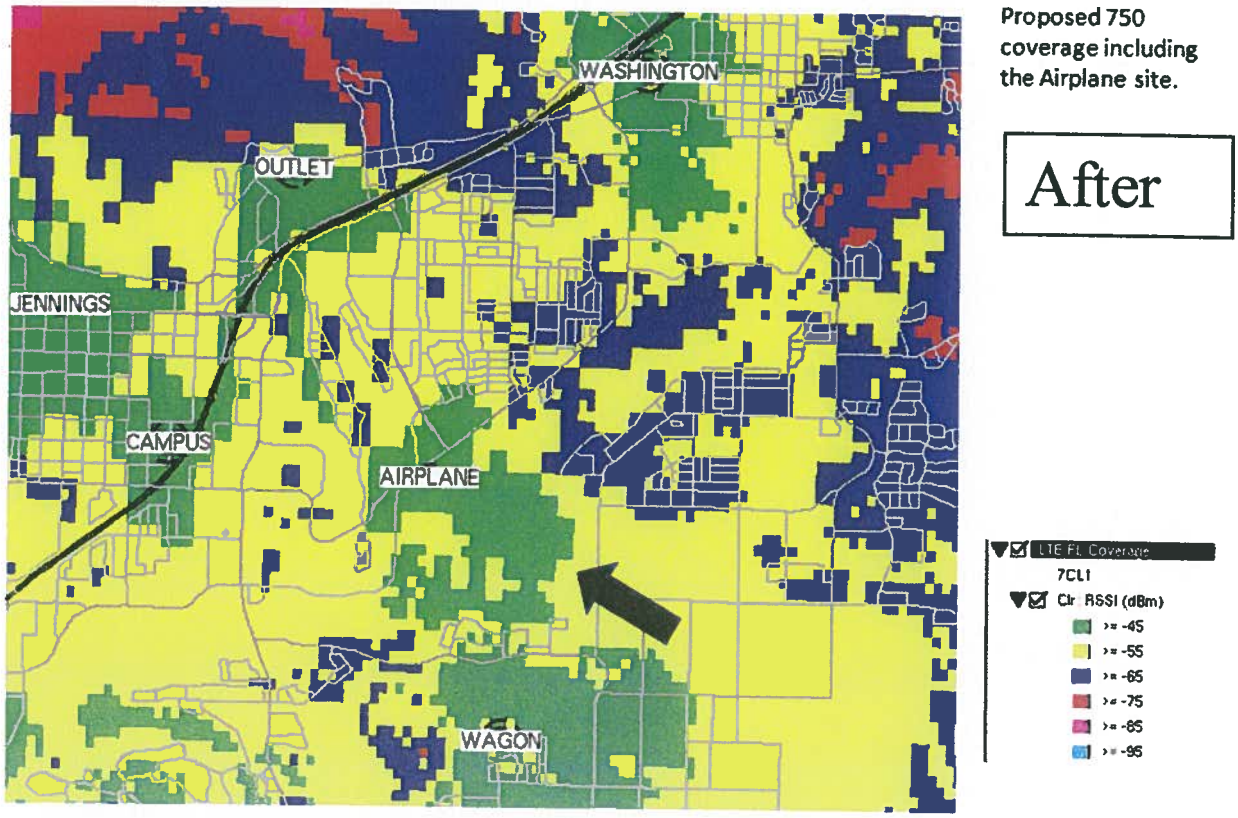
Photo Simulation





Existing 750 coverage around the Airplane site.

Before



Proposed 750 coverage including the Airplane site.

After

DRAFT

Agenda Item Number : 6G

Request For Council Action

Date Submitted	2015-12-11 12:49:33
Applicant	Fred Davies
Quick Title	DSU Services Agreement for Transit Services
Subject	Dixie State University Services Agreement for Transit Services - faculty members and students.
Discussion	The agreement is for one year with the ability to renew it each year (see attached agreement).
Cost	$0.00
City Manager Recommendation	Sounds like a great program and helps utilizes our bus system.
Action Taken	
Requested by	Cameron Cutler
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

DRAFT

Agenda Item Number : 6H

Request For Council Action

Date Submitted	2015-12-14 12:38:11
Applicant	Cameron Cutler
Quick Title	UDOT Co-op Agreement for the I-15 Underpass Project
Subject	Cooperative Agreement with UDOT for the I-15 Underpass near the Mall
Discussion	The overall project includes auxiliary lanes on I-15 and an underpass near the Mall. A portion of the project (the drainage structure extension) is not included in this agreement with UDOT, but the City is currently under contract with a consultant for that design. This agreement with UDOT includes the underpass structure and the roadway improvements (e.g. asphalt, curbing, sidewalk, retaining walls, traffic signals, etc.). The City's cost participation associated with this co-op agreement is $3.7M. UDOT's portion in this agreement is $20.8M.
Cost	$3,700,000.00
City Manager Recommendation	As we have discussed previously this is a major cooperative project with UDOT. We are responsible for connecting and improving City streets and drainage. Recommend approval.
Action Taken	
Requested by	
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

DRAFT

Agenda Item Number : 6I

Request For Council Action

Date Submitted	2015-12-14 08:07:01
Applicant	Water Services
Quick Title	Professional Services Agreement for WW Collections Bldg Expansio
Subject	Consider approval for Professional Services Agreement with Campbell & Associates Architects for the design of the Wastewater Collections Building Expansion.
Discussion	This year we have planned to expand the Wastewater Collections Building. The expansion will provide space for a training room, desk space for the collections operators, and expand the locker room / changing area.
Cost	$35,170
City Manager Recommendation	Recommend approval
Action Taken	
Requested by	
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

Campbell & Associates Architects

46 NORTH 200 EAST
ST. GEORGE, UTAH 84770
(435) 628-5969 FAX (435) 628-5975

ARCHITECTURAL FEE PROPOSAL

PROJECT: *WASTE WATER COLLECTION A&R*

DATE: *DECEMBER 1, 2015*

ATTENTION: *KADE BRINGHURST*

GENERAL SCOPE OF PROJECT:

ADDITION AND REMODEL PER EARLIER SCHEMATIC FLOOR PLAN.

- ☒ BID SET OF DOCUMENTS
- ☐ BUILDER SET OF DOCUMENTS WITH AN IN PLACE GENERAL CONTRACTOR
- ☐ FAST TRACK SEPARATE BID PACKAGES

A. ARCHITECTURAL SERVICES:

1. PROGRAMMING

- ☐ EXTENSIVE PROGRAM STUDY AND BOOKLET
- ☒ MINIMAL PROGRAM INFORMATION CONVEYED TO ARCHITECT FROM CLIENT/CONTRACTOR *(COMPLETED EARLIER)*

2. SCHEMATIC PRELIMINARY DESIGN

- ☐ SITE PLANS
- ☒ FLOOR PLANS *(COMPLETED EARILER)*
- ☐ EXTERIOR ELEVATIONS

3. WORKING DRAWINGS (ARCHITECTURAL)

- ☒ COVER SHEET
- ☐ SITE PLAN DESIGN LAYOUT FOR CIVIL USE
- ☐ SITE GRADING PLAN
- ☐ SITE UTILITY PLAN
- ☐ SITE DETAILS
- ☐ LANDSCAPE CONCEPTUAL DESIGN ONLY
- ☒ EGRESS PLAN
- ☒ FLOOR PLAN
- ☒ BUILDING SECTIONS

- ☒ WALL SECTIONS
- ☒ DETAILS
- ☒ REFLECTED CEILING PLAN
- ☒ FINISH SCHEDULE
- ☒ DOOR SCHEDULE
- ☒ INTERIOR ELEVATIONS
- ☒ EXTERIOR ELEVATIONS
- ☒ ROOF PLAN

B. WORKING DRAWINGS (CIVIL) – BY OWNER

- ☐ CIVIL HYDROLOGY
- ☐ SITE GRADING PLAN
- ☐ SITE UTILITY PLAN
- ☐ SITE DETAILS
- ☐ MUNICIPAL APPROVALS

C. WORKING DRAWINGS (MECHANICAL & PLUMBING)

- ☒ PLANS, SECTIONS, DETAILS AND SCHEDULES
- ☒ CALCULATIONS AND COMPLIANCE CHECK

SYSTEM DESCRIPTION:

NEW SPLIT SYSTEM HVAC UNIT

D. WORKING DRAWINGS (STRUCTURAL)

- ☒ FOOTING AND FOUNDATION PLAN
- ☒ STRUCTURAL GENERAL NOTES
- ☒ ROOF FRAMING
- ☒ CALCULATIONS
- ☐ RED LINE SERVICE WITH INFORMATION ON ARCHITECTURAL PLANS ONLY

SYSTEM DESCRIPTION:

WOOD FRAMED, SLAB ON GRADE WITH PRE-ENGINEERED WOOD TRUSSES

E. WORKING DRAWINGS (ELECTRICAL)

- ☒ PLANS, SECTIONS, DETAILS, SCHEDULES AND RISER DIAGRAMS
- ☒ FIRE ALARM SYSTEMS
- ☒ CALCULATIONS AND COMPLIANCE CHECK

SYSTEM DESCRIPTION:

AS REQUIRED.

F. Working drawings (Landscape) – By Owner

- ☐ Landscape plan
- ☐ Irrigation / sprinkler plan

System description:

G. Review process

- ☐ Attend city utility and engineering meetings
- ☐ Submit plans for initial staff review
- ☒ Submit two final sets of plans to building department
- ☒ fix documents per city review

H. Specifications

- ☒ CSI format
- ☐ Master Spec format
- ☒ Book form
- ☐ Performance
- ☐ Specifications on drawings

I. Bidding

- ☒ Solicit contractors
- ☒ Advertise project w/purchasing agent
- ☒ Hold bid opening w/purchasing agent
- ☒ Provide reimbursable printing services for blueprints, specifications and cd's
- ☒ Assist in Owner / Contractor agreement

J. Construction Administration

- ☒ Schedule and attend coordination meeting with owner and contractor
- ☒ Review shop drawings
- ☒ Produce field reports
- ☒ Review change orders and produce proposal requests
- ☒ Formulate final and pre-final punch lists
- ☒ Attend substantial completion, pre-final, a nd final
- ☒ Provide site visits on an average of:
  - ☐ Once a week
  - ☐ Twice a week
  - ☒ As required to answer questions

K. Miscellaneous Services

OUT	IN	
☒	☐	CIVIL HYDROLOGY STUDIES AND CALCULATIONS
☒	☐	SURVEYING
☒	☐	SOILS TESTS AND REPORTS
☒	☐	FURNISHINGS AND INTERIOR DESIGNS
☐	☒	ENERGY ANALYSIS
☒	☐	DETAILED ITEMIZED COST ESTIMATES
☒	☐	SURVEILLANCE AND SECURITY SYSTEMS
☒	☐	3D RENDERINGS
☒	☐	REDRAWING FOR DOWNSCALING OR UPSIZING
☒	☐	ASBESTOS AND LEAD ABATEMENT AND INVESTIGATION

L. SEPARATE SERVICES OWNER MUST PROCURE

- ☒ TOPOGRAPHICAL SURVEY
- ☒ SOILS REPORT
- ☒ CONSTRUCTION TESTING
- ☒ ASBESTOS AND LEAD ABATEMENT AND INVESTIGATION IF REQUIRED
- ☒ CIVIL ENGINEERING DRAWINGS
- ☒ LANDSCAPE DRAWINGS

M. APPROXIMATE DESIGN SCHEDULE

TWO MONTHS

N. FEE QUOTATION

☒ A FIXED FEE BASED ON ITEM IN THIS PROPOSAL OF $35,170.00

FEE SUMMARY

ARCHITECT	$27,110
MP&E	$ 3,560
STRUCTURAL	$ 4,500

O. ACCEPTANCE

OWNER / CLIENT:

_____ ____/____/____

CLIENT DATE

ARCHITECT:

_____ ____/____/____

KIM O. CAMPBELL DATE

PROFESSIONAL SERVICES AGREEMENT

This Agreement is made and entered into this ____ day of _____, 2015, by and between the City of St. George, a municipal corporation, with offices at 175 East 200 North, St. George, Utah 84770 (hereinafter called the "CITY"), and Campbell and Associates Architects, with offices at 46 North 200 East, ST. George, Utah 84770 (hereinafter called "CONSULTANT").

WITNESSETH THAT:

WHEREAS, CITY desires professional services to be performed and has solicited CONSULTANT to provide Architectural services including Architectural Drawings and Engineering for the Wastewater Collections Building Addition Project (hereinafter called the PROJECT); and

WHEREAS, CONSULTANT has submitted a proposal dated December 1, 2015, which outlines the scope of work for the PROJECT; and

WHEREAS, CITY selected CONSULTANT to perform the services for the PROJECT;

NOW, THEREFORE, for the consideration hereinafter set forth, the parties hereto do mutually agree as follows:

1. **EMPLOYMENT OF CONSULTANT.**
   a. CONSULTANT is a professional Architect licensed by the State of Utah and the City of St. George. CONSULTANT has all licenses, permits, and approvals that are legally required for CONSULTANT to practice its profession and shall keep them in effect at all times during the term of this Agreement.
   b. CONSULTANT states that it has the necessary knowledge, experience, abilities, skills and resources to perform its obligations under this Agreement, and agrees to perform its obligations under this Agreement in a professional manner, consistent with prevailing industry standards and practices as observed by competent practitioners of the profession in which CONSULTANT and its subcontractors or agents are engaged.
   c. CONSULTANT certifies that it does not and will not during the performance of this contract knowingly employ, or subcontract with any entity which employs workers in violation of 8 USC § 1324a. CONSULTANT agrees to require all subcontractors at the time they are hired for this project to sign a Certification of Legal Work Status and submit the Certification to CITY prior to any work being performed by the subcontractors. CONSULTANT agrees to produce, at CITY's request, documents to verify compliance with applicable State and Federal laws. If CONSULTANT knowingly employs workers or subcontractors in violation of 8 USC § 1324a, such violation shall be cause for unilateral cancellation of the contract between CONSULTANT and CITY. In addition, CONSULTANT may be suspended from participating in future projects with CITY for a period of one (1) year. In the event this contract is terminated due to a violation of 8 USC § 1324a by CONSULTANT or a subcontractor of CONSULTANT, CONSULTANT shall be liable for any and all costs associated with such termination, including, but not limited to, any damages incurred by CITY as well as attorney fees. For purposes of compliance, CITY requires CONSULTANT and subcontractors to use E-Verify or other federally accepted

forms of verification to verify the employment eligibility of all employees as allowed by law and the E-Verify procedures. CONSULTANT and subcontractors must maintain authorized documentation of the verification.

d. CONSULTANT shall not, either during or after the term of this Agreement, make public any reports or articles, or disclose to any third party any confidential information relative to the work of City or the operations or procedures of CITY without the prior written consent of CITY.

e. CONSULTANT further agrees that it shall not, during the term of this Agreement, take any action that would affect the appearance of impartiality or professionalism.

f. CONSULTANT, by execution of this Agreement, certifies that it does not discriminate against any person upon the basis of race, color, creed, national origin, age, sex, disability or marital status in its employment practices.

g. CONSULTANT expressly acknowledges and agrees that nothing in this Agreement shall be deemed to relieve CONSULTANT from any obligation to comply with all applicable requirements of CITY during the term of this Agreement including the payment of fees and compliance with all other applicable ordinances, resolutions, regulations, policies and procedures of CITY, except as modified or waived in this Agreement.

h. CONSULTANT shall comply with all applicable federal, state, and local laws, regulations, and ordinances that affect those employees or those engaged by CONSULTANT on the PROJECT, and will procure all necessary licenses, permits and insurance required.

i. CITY acknowledges that CONSULTANT may employ various specialized subcontractors for up to 15% of the services provide herein. CONSULTANT shall give written notice to CITY at least seven (7) days prior to CONSULTANT's employment of the subcontractors to perform portions of the work provided for in this Agreement. It shall be solely CONSULTANT's responsibility to ensure that any of CONSULTANT's subcontractors perform in compliance with the terms of this Agreement. Subcontractors may not be changed without ten (10) days prior written notice to CITY.

2. **PROJECT SERVICES DESCRIPTION.**

a. CONSULTANT will provide the services covered by this Agreement as described in the attached Scope of Work (Exhibit A) which is made a part of this Agreement by this reference. CITY may at any time, as the need arises, order changes within the scope of the services without invalidating the Agreement. If such changes increase or decrease the amount due under the Agreement, or in the time required for performance of the work, an equitable adjustment shall be authorized by change order.

b. CONSULTANT shall furnish all of the material, supplies, tools, transportation, equipment, labor, subcontractor services and other services necessary for the completion of the work described in Exhibit A.

c. CONSULTANT shall provide services in compliance with all applicable requirements of federal, state, and local laws, codes, rules, regulations, ordinances, and standards.

3. **TERM OF AGREEMENT.**

a. This Agreement shall be effective as of the date executed by all parties and shall continue until services provided for this Agreement have been performed unless otherwise terminated as set forth in this Agreement.

b. CONSULTANT agrees to perform services as expeditiously as is consistent with

professional skill and care and the orderly progress of the PROJECT. CONSULTANT shall perform the services in a timely manner according to the schedule approved by CITY.

c. CONSULTANT shall perform its services according to the schedule upon receipt of a written Notice to Proceed from CITY. CITY may authorize costs to be incurred prior to such written Notice to Proceed. In the event that performance of its services is delayed by causes beyond the reasonable control of CONSULTANT, and without the fault or negligence of CONSULTANT, the time for the performance of the services shall be equitably adjusted by written amendment to reflect the extent of such delay. CONSULTANT shall provide CITY with written notice of delay, including a description of the delay and the steps contemplated or actually taken by CONSULTANT to mitigate the effect of such delay.

4. **COMPENSATION**

For the performance of the services and completion of PROJECT set forth herein, CITY shall reimburse CONSULTANT as set out in the Contract Documents, not to exceed the amounts listed in Exhibit "A".

5. **INVOICING, PAYMENT, NOTICES.**

a. CONSULTANT shall submit invoices, no more frequently than monthly, for the services rendered during the preceding period; invoices shall describe the services performed, list all subcontractor's used and the amount owed or paid to them, list all suppliers used and the amount owed or paid to them, list the contract amount, list the current invoice amount based on percentage of task complete, list the previous invoice amount, list total invoices to date, and list the contract balance.

b. In executing the request for payment, CONSULTANT shall attest that subcontractors involved with prior requests for payment have been paid, unless CONSULTANT provides a detailed explanation why such payments have not occurred. CONSULTANT shall also sign a "Conditional Waiver and Release Upon Progress Payment" and a Certificate of Legal Work Status and submit them with each request for payment. CONSULTANT shall require each subcontractor to sign a "Conditional Waiver and Release Upon Progress Payment" and a Certificate of Legal Work Status at the time subcontractor is paid and shall provide a copy of the both documents to CITY. CONSULTANT shall also sign a "Conditional Waiver and Release Upon Progress Payment" and a Certificate of Legal Work Status and submit them with each request for payment.

c. A "Waiver and Release Upon Final Payment" signed by CONSULTANT attesting that all subcontractors, laborers and material suppliers involved with prior requests for payment have been paid, and that all subcontractors, laborers and material suppliers upon which the final payment is based will be paid immediately unless CONSULTANT provides a detailed explanation why such payments have not occurred or will not occur. CONSULTANT shall also require each subcontractor to sign a "Waiver and Release Upon Final Payment" and a Certificate of Legal Work Status at the time subcontractor is paid its final payment and shall provide a copy of both documents to CITY.

d. If such liens, claims, security interests or encumbrances remain unsatisfied after payments are made, CONSULTANT shall refund to CITY all money that CITY may be compelled to pay in discharging such liens, including all costs and reasonable attorneys' fees.

e. All invoices for reimbursable costs shall be taken from the books of account kept by CONSULTANT, and CONSULTANT shall maintain copies of payroll distribution, receipted bills and other documents. CITY shall have the right to review all books and records kept by CONSULTANT and any subcontractors concerning the operation and services performed under this Agreement.

f. CITY shall withhold payment for any expenditure not substantiated by CONSULTANT'S or subcontractor's books and records.

g. In the event CITY has made payment for expenditures that are not allowed, as determined by CITY'S audit, CONSULTANT shall reimburse CITY for the amount of the un-allowed expenditures. If additional money is owed to CONSULTANT, the reimbursement may be deducted from the additional money owed.

h. CITY shall make no payment for any services not specified in this Agreement unless such additional services and the price thereof are agreed to in writing, prior to the time that such additional services are rendered.

i. Invoices shall be paid to CONSULTANT within thirty (30) days of presentation to CITY.

j. CITY may withhold 5% of billed amount as retention. Retention held shall be included in the final invoice after the contract is complete.

6. **CHARGES AND EXTRA SERVICE.**

a. CITY may make changes within the general scope of this Agreement. If CONSULTANT is of the opinion that a proposed change causes an increase or decrease in the cost and/or the time required for performance of this Agreement, CONSULTANT shall notify CITY of that fact. An agreed-upon change will be reduced to writing signed by the parties hereto and will modify this Agreement accordingly. CONSULTANT may initiate such notification upon identifying conditions which may change the services agreed to on the effective date of this Agreement, as set forth in Exhibit "A". However, CONSULTANT represents that to the best of its knowledge that it is not aware of any such conditions on the date hereof. Any such notification must be provided within thirty (30) days from the date of receipt by that party of the other party's written notification of a proposed change.

b. CITY may request CONSULTANT to perform extra services not covered by Exhibit "A", and CONSULTANT shall perform such extra services and will be compensated for such extra services when they are reduced to a writing mutually agreed to and signed by the parties hereto amending this Agreement accordingly.

c. CITY shall not be liable for payment of any extra services nor shall CONSULTANT be obligated to perform any extra services except upon such written amendment.

7. **TO BE FURNISHED BY CITY.** Resources to be furnished by CITY to CONSULTANT, at no cost to CONSULTANT, consist of CITY staff assistance for oversight and meetings to help perform the services. CONSULTANT shall verify accuracy of the information provided, unless otherwise stated in the contract documents.

8. **INSPECTIONS.** All work shall be subject to inspection and approval of CITY or its authorized representative.

9. **ACCURACY AND COMPLETENESS.**

a. CONSULTANT has total responsibility for the accuracy and completeness of its

investigations, calculations, reports, plans and related designs, specifications and estimates prepared for the PROJECT and shall check all such material accordingly.

b. The plans will be reviewed by CITY for conformity with PROJECT objectives and compliance with CITY Standards.
c. Reviews by CITY do NOT include the detailed review or checking of major design components and related details or the accuracy with which such designs are depicted on the plans.
d. The responsibility for accuracy and completeness remains solely with CONSULTANT and shall be performed consistent with the standard of care.

10. **INDEPENDENT CONTRACTOR.**

a. CITY retains and employs CONSULTANT, as an independent contractor, to act for and represent it in all matters involved in the performance of services on the PROJECT, subject to the terms, conditions and stipulations as hereinafter stated.
b. It is understood and agreed that CONSULTANT will provide the services without supervision from CITY. CONSULTANT is an independent contractor and is not an employee, officer, or agent of CITY for any purposes related to the performance of this Agreement and is not an employee of CITY and is not entitled to any benefits from CITY.
c. Nothing in this agreement shall create nor be construed to constitute a partnership or joint venture between CONSULTANT and CITY.
d. CONSULTANT is advised to obtain and maintain in effect during the term of this Agreement medical insurance and disability insurance for all related work performed under this Agreement.
e. CONSULTANT acknowledges that CITY will not withhold any federal, state, or local taxes, including FICA, nor will CITY provide any unemployment compensation or worker's compensation coverage. As an independent contractor, CONSULTANT shall be responsible for all taxes, worker's compensation coverage and insurance coverage, and shall hold CITY harmless and indemnify CITY from and against any and all claims related to taxes, unemployment compensation, and worker's compensation.
f. CONSULTANT shall secure, at its own expense all personnel required in performing the services under this Agreement. The employees of CONSULTANT shall not be considered to be the employees of CITY nor have any contractual relationship with CITY. CONSULTANT and its employees shall not hold themselves out as, nor claim to be officers or employees of CITY by reason of this Agreement. The employees of CITY shall not be considered to be employees of CONSULTANT.
g. Neither party has the right to bind or obligate the other in any way. CONSULTANT shall not use the name, trademarks, copyrighted materials, or any information related to this Agreement in any advertising or publicity without CITY'S prior written authorization.

11. **INSURANCE.**

a. GENERAL: CONSULTANT shall secure and maintain insurance as required by laws and regulations and the terms of this agreement to protect against any liability, loss or expense which occurs or arises as a result of the performance of the services provided pursuant to this agreement or as changed as provided herein. CONSULTANT'S insurer must be authorized to do business in Utah and must have an A.M. Best rating of A VIII or better at the time this contract is executed.

b. COMMENCEMENT OF WORK: Neither CONSULTANT, his Suppliers nor any subcontractors shall enter the site of the work or commence work under this contract before CITY has received and accepted Certificate(s) of Insurance and Insurance Endorsements, and has issued the Notice to Proceed.

c. INSURANCE CERTIFICATES AND COVERAGE: Insurance certificates shall be issued on all policies required under this contract and shall be signed by an authorized representative of the insurance company. The insurance certificate or the coverage required shall include the following:
   i. The name and address of the insured.
   ii. CITY shall be named as a Certificate Holder.
   iii. CITY shall be named as an additional primary insured on the General Liability Certificate with CITY listed as non-contributory on the General Liability certificate.
   iv. The location of the operations to which the insurance applies.
   v. The number of the policy and the type or types of insurance in force thereunder on the date borne by the certificate.
   vi. The expiration date of the policy and the limit or limits of liability thereunder on the date borne by the certificate.
   vii. A statement that all coverage is on an occurrence basis rather than a claims basis except for the Professional Errors and Omissions Malpractice Insurance coverage.
   viii. A provision that the policy or policies will not be cancelled, denied renewal, or reduced in coverage until at least 30 days after written notice has been received by CITY.
   ix. Name, address, and telephone number of the insurance company's agent of process in Utah.
   x. Other information to demonstrate compliance with additional requirements stipulated for the various types of insurance coverage.

d. COMPENSATION INSURANCE: CONSULTANT shall take out and maintain Worker's Compensation Insurance as required by the Labor Code for all its employees at the site of the work during the life of this contract. Coverage must be provided by a company authorized by the State of Utah to provide Worker's Compensation Insurance. The insurance shall include:
   i. Insurance certificates shall provide a waiver of subrogation by the carrier to Certificate Holder.
   ii. CONSULTANT shall require each subcontractor to provide Workers Compensation Insurance for its employees unless such employees are covered by CONSULTANT.
   iii. In the event any class of employees engaged in hazardous work under this contract is not protected by the Worker's Compensation Statute, CONSULTANT shall provide, and shall cause its subcontractors to provide, special insurance for the protection of such employees not otherwise protected.

e. COMMERCIAL GENERAL LIABILITY INSURANCE:
   i. CONSULTANT shall procure, and maintain commercial general liability insurance for the duration of the contract against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder and the results of that work by the CONSULTANT, his agents, representatives, employees or subcontractors. The insurance shall remain in effect during the term of this agreement and such that claims reported beyond the date of substantial completion of this agreement are covered and during the warranty period, to the extent that it relates to the activities

covered by this Agreement, in such manner and amounts as set forth herein.

ii. The Insurance Endorsement shall evidence such provisions.

iii. The minimum commercial general liability insurance shall be as follows:

1. Comprehensive general liability insurance for injuries, including accidental death, to any one person in any one occurrence in an amount not less than $703,000 Dollars.
2. Comprehensive general liability insurance for injuries, including accidental death, to two or more persons in any one occurrence in an amount not less than $2,407,700 Dollars.
3. Broad form property damage insurance in an amount not less than $281,300 Dollars.

iv. Such policy shall include each of the following coverages:

1. Comprehensive form.
2. Premises - operations.
3. Explosion and collapse hazard.
4. Underground hazard.
5. Product/completed operations hazard.
6. Contractual insurance.
7. Broad form property damage, including completed operations.
8. Independent contractors for vicarious liability.
9. Personal injury.
10. Cross liability or severability of interest's clause shall be included unless a separate policy covering CITY is provided.

f. PROFESSIONAL LIABILITY ERRORS AND OMISSIONS INSURANCE:

i. CONSULTANT shall carry and maintain Professional Liability Errors and Omissions Insurance in an amount not less than $2,000,000 Dollars for all work performed under this Agreement.

ii. CONSULTANT shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder and the results of that work by the CONSULTANT, his agents, representatives, employees or subcontractors. With respect to General Liability, Professional liability coverage should be maintained for a minimum of five (5) years after contract completion.

iii. If Professional Liability coverages are written on a claims-made form:

1. The retroactive date must be shown, and must be before the date of the contract or the beginning of contract work.
2. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract of work.
3. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a retroactive date prior to the contract effective date, the CONSULTANT must purchase an extended period coverage for a minimum of five (5) years after completion of contract work.
4. A copy of the policy must be submitted to CITY for review.

g. BUSINESS AUTOMOBILE COVERAGE:

i. CONSULTANT shall carry and maintain business automobile insurance coverage on each vehicle used in the performance of the work in an amount not less than $1,000,000 Dollars for one person and $2,407,700 Dollars for more than one person and for property damage resulting from any one occurrence which may arise from the operations of

CONSULTANT in performing the work.

ii. Such business automobile insurance shall include each of the following types:
   1. Comprehensive form, including loading and unloading.
   2. Owned.
   3. Hired.
   4. Non-owned.

12. **INDEMNITY AND LIMITATION.**

a. CONSULTANT shall indemnify, defend, and hold harmless CITY, its elected officials, officers, employees, and representatives against any and all claims, suits, causes of action, demands, losses, costs, and damages and liability of every kind including but not limited to all fees and charges of attorneys and other professionals and all court or other dispute resolution costs for:
   i. death or injuries to persons or for loss of or damage to property caused by, resulting from, or arising out of the intentional, reckless, negligent, or wrongful acts, errors or omissions, or other liability imposed by law of CONSULTANT, its officers, employees, agents, or representatives in the performance of services under this Agreement or any subcontractor, any supplier, any person or organization directly or indirectly employed by any of them to perform or furnish any of the work;
   ii. CONSULTANT's failure or refusal, whatever the reason, to pay subcontractors or suppliers for Work performed under the Agreement;
   iii. claims by any employee of the CONSULTANT, any subcontractor, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, CONSULTANT'S indemnification obligation shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the CONSULTANT or any subcontractor under workmen's compensation acts, disability benefit acts or other employee benefits acts.

b. CITY shall give CONSULTANT prompt written notice of any such claims or suits filed against CITY arising out of the services provided under this Agreement. CONSULTANT agrees to defend against any claims brought or actions filed against CITY arising out of the services provided under this Agreement. If CITY'S tender of defense, based upon the indemnity provision, is rejected by CONSULTANT or CONSULTANT'S insurer, and CONSULTANT is later found by a court of competent jurisdiction to have been required to indemnify the CITY, then, in addition to any other remedies the CITY may have, CONSULTANT shall pay the CITY'S reasonable costs, expenses and attorney's fees incurred in obtaining such indemnification, defending themselves or enforcing the indemnification provision.

c. The insurance requirements in this agreement shall not be construed as limiting CONSULTANT'S liability. Irrespective of the requirements for CONSULTANT to carry insurance as provided herein, insolvency, bankruptcy or failure of any insurance company to pay all claims accruing shall not be held to relieve CONSULTANT of any obligations under this agreement.

13. **DOCUMENTS.**

a. All data used in compiling CONSULTANT's work, and the results of any tests or surveys, as well as all photographs, drawings, electronically stored records of work performed,

renderings, specifications, schedules, CONSULTANT's work, data processing output, computations, studies, audits, research, reports, models and other items of like kind prepared by CONSULTANT, and its employees, shall be the sole and exclusive property of CITY, and CITY shall own all intellectual property rights thereto whether the specific work project for which they are made is undertaken or not. CONSULTANT may retain reproducible copies of all of the foregoing documents for information and reference and customary marketing and public relations. The originals of all of the foregoing documents shall be delivered to CITY promptly upon completion thereof. This provision may be enforced by an order of specific performance and is independent of any other provision of this Agreement. Compliance by CONSULTANT with this paragraph shall be a condition precedent to CITY's obligation to make final payment to CONSULTANT. If CITY has specific requirements on the information and manner the documentation is collected, CITY shall provide those specifics to CONSULTANT in writing.

b. Plans, specifications, maps and record drawings prepared or obtained under this Agreement shall be provided to CITY in a format approved by CITY which shall generally be a hard copy and an electronic copy, and shall become the property of CITY whether the work for which they are prepared is executed or not.
c. The basic survey notes and sketches, charts, computations, and other data prepared under this Agreement shall be made available upon request to CITY without restriction or limitation on their use.
d. CITY shall have the right to use reports, designs, details or products developed as part of this Agreement for purposes of maintenance, remodeling or reconstruction of existing facilities or construction of new facilities without additional compensation to CONSULTANT or without restriction or limitation on its use even if documents are considered copyrighted material.
e. CITY will hold harmless CONSULTANT for any use or reuse of these reports, designs, or details for purposes other than the project associated with this Agreement unless CITY obtains validation of that use or reuse from CONSULTANT.

14. **RECORDS.**

a. CONSULTANT shall maintain records, books, documents and other evidence directly pertinent to the performance of services under this Agreement in accordance with generally accepted accounting principles and practices.
b. CONSULTANT agrees to keep proper books of records and accounts in which complete and correct entries will be made of payroll costs, travel, subsistence, and field expenses.
c. Said books shall, at all times, be available for at least three (3) years after final payment for reasonable examination by CITY.

15. **TERMINATION.**

a. CITY may terminate this Agreement by providing fourteen (14) days written notice prior to the effective termination date to CONSULTANT.
b. In the event of such termination, CITY shall pay CONSULTANT for all services actually rendered up to and including the date of termination.
c. CONSULTANT shall deliver to CITY copies of all drawings, reports, analyses, documents and investigations, whether completed or not, that were prepared or were being prepared under the provisions of this Agreement.

16. **CONFLICT BETWEEN DOCUMENTS.** In the event of a conflict between this Agreement and any other documents with Contractor, this Agreement shall govern.

17. **CONFLICT OF INTEREST.**

a. CONSULTANT certifies that it has disclosed to CITY any actual, apparent or potential conflicts of interest that may exist relative to the services to be provided pursuant to this Agreement.
b. CONSULTANT agrees to advise CITY of any actual, apparent or potential conflicts of interest that may develop after the date of execution of this Agreement.
c. CONSULTANT further agrees to complete any statements of economic interest required by either CITY ordinance or State law.

18. **NON WAIVER.** No failure or waiver or successive failures or waivers on the part of either party hereto, their successors or permittee assigns, in the enforcement of any condition, covenant, or Article of this Agreement shall operate as a discharge of any such condition, covenant, or Article nor render the same invalid, nor impair the right of either party hereto, their successors or permitted assigns, to enforce the same in the event of any subsequent breaches by the other party hereto, its successors or permitted assigns.

19. **NOTIFICATION.** All notices required or permitted to be made by either party in connection with this Agreement shall be in writing, and shall be deemed to have been duly given: (a) five (5) business days after the date of mailing if sent by U.S. mail, postage prepaid, (b) when transmitted if sent by facsimile, provided a confirmation of transmission is produced by the sending machine and a copy of such facsimile is promptly sent by another means specified in this Section; or (c) when delivered if delivered personally or sent by express courier service. All notices shall be sent to the other party at its address as set forth below unless written notice is given by either party of a change of address:

CITY:	City of St. George	CONSULTANT	Campbell and Associates Architects
	175 East 200 North		46 North 200 East
	St. George, Utah 84770		St. George, Utah 84770
Attention:	Kade Bringhurst	Attention:	Kim Campbell

20. **GOVERNING LAW AND VENUE.** This Agreement shall be construed according to the laws of the State of Utah. The parties agree that venue for all legal actions, unless they involve a cause of action with mandatory federal jurisdiction, shall be the Fifth District Court for the State of Utah. The parties further agree that the Federal District Court for the District of Utah shall be the venue for any cause of action with mandatory federal jurisdiction. The parties shall have all rights and remedies provided under applicable Federal or State law for a breach or threatened breach of this Agreement. These rights and remedies shall not be mutually exclusive, and the exercise of one or more of these rights and remedies shall not preclude the exercise of any other rights and remedies. Each party agree that damages at law may be an inadequate remedy for a breach or threatened breach of any provision hereof and the respective rights and obligations of the parties hereunder shall be enforceable by specific performance, injunction, or other equitable

remedy. Nothing in this Agreement shall be construed to waive the sovereign immunity of the government parties.

21. **LEGAL FEES.** Should any party default on any of the covenants or agreements contained herein, the defaulting party shall pay all costs and expenses, including reasonable attorney's fee, which may arise or accrue from enforcing this Agreement or in pursuing any remedy provided hereunder or by applicable law, whether such remedy is pursued by filing a lawsuit or otherwise. This obligation of the defaulting party to pay costs and expenses includes, without limitation, all costs and expenses, including reasonable attorney's fee including appeals and bankruptcy proceedings. If either party commences legal action to interpret any term of this agreement, the prevailing party shall be entitled to recover all reasonable attorneys' fees, court costs, and any other costs incurred in connection with such action.

22. **MODIFICATION OF AGREEMENT.** CITY specifically reserves the right to modify or amend this Agreement and the total sum due hereunder either by enlarging or restricting the scope of the Work. All modifications shall be in writing and executed by both parties. Each Work Order adopted under this Agreement shall incorporate the terms and conditions of this Agreement and shall constitute a modification to this contract. A Work Order may amend the terms and conditions of this Agreement only as they apply to that particular Work Order and shall not have any general effect on this Agreement.

23. **RESERVED LEGISLATIVE POWERS.** Nothing in this Agreement shall limit the future exercise of the police power by CITY in enacting zoning, subdivision, development, transportation, environment, open space, and related land use plans, policies, ordinances, and regulations after the date of this Agreement, but which shall not be retroactively applied to or modify this Agreement.

24. **SUCCESSORS AND ASSIGNS.** CONSULTANT shall not assign, sublet, sell, transfer, or otherwise dispose of any interest in this Agreement without assigning the rights and the responsibilities under this Agreement and without the prior written approval of CITY. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their successors and permitted assigns, but shall not inure to the benefit of any third party or other person.

25. **NO JOINT VENTURE, PARTNERSHIP OR THIRD PARTY RIGHTS.** It is not intended by this Agreement to, and nothing contained in this Agreement shall, create any partnership, joint venture or other arrangement between the parties. No term or provision of this Agreement is intended to or shall, be for the benefit of any person, firm, organization or corporation not a party hereto, and no such other person, firm, organization or corporation shall have any right or cause of action hereunder.

26. **INTEGRATION.** This Agreement contains the entire Agreement with respect to the subject matter hereof and integrates all prior conversations, discussions or understanding of whatever kind or nature between CITY and CONSULTANT and supersedes and replaces all terms and conditions of any prior agreements, arrangements, negotiations, or representations, written or oral, with respect to this PROJECT.

27. **SEVERABILITY.** If any part or provision of this Agreement shall be determined to be unconstitutional, invalid or unenforceable by a court of competent jurisdiction, then such a decision shall not affect any other part or provision of this Agreement except that specific provision determined to be unconstitutional, invalid or unenforceable. If any condition, covenant or other provision of this Agreement shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

28. **CONSTRUCTION.** Each of the parties hereto has had the opportunity to review this agreement with counsel of their choosing and the rule of contracts requiring interpretation of a contract against the party drafting the same is hereby waived and shall not apply in interpreting this agreement.

29. **SURVIVAL.** It is expressly agreed that the terms, covenants and conditions of this Agreement shall survive any legal act or conveyance required under this Agreement.

30. **HEADINGS.** The section and other headings in this Agreement are for reference purposes only and shall not in any way affect the meaning or interpretation of this Agreement.

31. **COUNTERPARTS.** This Agreement may be executed in counterparts each of which shall be an original and shall constitute one and the same agreement.

32. **AUTHORITY OF PARTIES.** The parties executing this Agreement hereby warrant and represent that they are duly authorized to do so in the capacity stated and that this Agreement constitutes a valid and binding Agreement.

IN WITNESS WHEREOF, this Agreement has been executed by the CITY and CONSULTANT effective from the day and year first written above.

CITY: City of St. George

_____

Jonathan T. Pike, Mayor

ATTEST:

_____

Christina Fernandez, City Recorder

CONSULTANT: Campbell and Associates Architects

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Kim O. Campbell
Architect

APPROVED AS TO FORM

_____

Paula Houston, Deputy City Attorney

ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
DECEMBER 11, 2014, 4:00 P.M.
CITY COUNCIL CHAMBERS

PRESENT:

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

EXCUSED:

Councilmember Bette Arial

DEDICATION:

An on-site dedication of the Royal Oaks Park improvements was held on site. Upon completion of the dedication, the meeting resumed at the City Office.

OPENING:

Mayor Pike welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Councilmember Hughes. He mentioned the Gingerbread Tour taking place tomorrow evening. Additionally, he thanked the Police Officers involved in the standoff incident that recently took place.

DISCUSSION REGARDING THE SPECIAL EVENT PERMIT PROCESS:

City Manager Gary Esplin stated that staff has reviewed the special event permit process for other cities of similar size, comparing them to what the City's process is. He explained that there is a committee comprised of City staff as well the County Health Department to review the special event permit applications. The cities that were reviewed are Logan, Orem, Park City, Provo, Ogden, Sandy, Moab, Salt Lake City, West Valley, West Jordan, Flagstaff, Prescott and Mesquite. St. George is one of the easiest places to obtain a permit. Most cities require the request be received 60-90 days prior to the event. Currently, the City's requirement is 30 days. In 2014, the City has issued 214 permits, 104 public parties, 46 private parties, 44 with more than 500 people in attendance, 61 recreational events (including City events), 5 dances, as well as concerts. City Council approval is not required for a permit in many of the other cities. Most have a designated person to approve the request. If a special event is denied, the requestor can appeal to the City Council. Park City allows for either a Master Festival License or a Special Event Permit. It is not the activity that determines the type of permit, rather, factors such as location, number of attendees and noise issues do. He believes with a few changes, the City can make the process more user-friendly.

Councilmember Hughes stated that he likes the fact the other cities do not require approval from the City Council. He commented that staff needs to be aware of the proper guidelines.

City Manager Gary Esplin explained that in Park City, if an approved event takes place regularly or annually, they do not have to reapply for subsequent events as long as there are no problems or changes. If there is a problem, the event would return for approval so that staff can see how the requestor is going to remedy the situation that occurred. All Master Festival Requests are approved by the City Council the first time the event takes place. Additionally, a special event permit is required if an event is to take place on private property if a business is not zoned for that type of activity.

Economic & Housing Development Director Matt Loo commented that a 30-day requirement would be nice.

City Attorney Shawn Guzman stated that one issue is with road closures if they come in two weeks prior to an event. There may not always be time to coordinate the closure.

City Manager Gary Esplin stated that he believes 30 days should be a minimum. There may be some events that can be processed quicker.

Councilmember Almquist explained that the prior City Council made some requests as far as planning and safety. It makes sense to have a time requirement and 30 days is not too much to ask. There is always the freedom of assembly, but the assembly has to be safe and be respectful for the neighborhood. Not all events have to be approved by the City Council. For anyone with an event in which they are raising funds, it is good to have them come to the City Council to raise awareness and for advertisement.

City Manager Esplin mentioned that a Councilmember can be on the committee.

Project Manager Bill Swensen stated that time is the biggest issue that he faces. He commented that he likes the idea of having a Councilmember on the committee and explained that 90% of the applications go through the review process without issues.

Economic & Housing Development Director Matt Loo explained that some of the challenges he has seen are with the insurance and security. The City's goal is to make the event as successful as possible as the event is a direct reflect of the City.

Mr. Swensen explained that applications have been received just days prior to the event, but have been approved.

Councilmember Randall asked if an event is on private property, are there insurance requirements.

City Manager Gary Esplin replied yes, if the location is not permitted for that type of use.

Councilmember Bowcutt commented that he believes the process should be smooth for all involved. Staff should be given more leeway to make decisions and approval. Every event does not have to come to the City Council. He would also like to see a good appeal process and possibly approving permits until revoked for those that take place annually.

Councilmember Hughes stated that would he like to have Mr. Loo and Mr. Swensen to draft something that can work including key items that have been discussed tonight.

The other Councilmembers agreed with Councilmember Hughes.

Mayor Pike stated that he does not believe all permit requests need to come to City Council unless it is a bigger event or staff feels it is necessary.

City Manager Gary Esplin commented that staff has done a good job in processing special event permits. The number one goal is safety, which is what the approval process is for. The City Council needs to know what is going on in the City. Years ago, several special events were taking place without the City knowing, which can create a problem if another event has already been permitted.

Councilmember Almquist stated that for promoters and organizers, putting on a special event can be scary as a lot of things can happen. He would hate to see promoters getting a reputation for putting on events that are unsafe. When he attends an event, he has certain expectations as to what is provided.

City Manager Gary Esplin stated that written comments from the public can be submitted to staff. Staff can be ready to present the proposed ordinance at the first meeting in January.

Mayor Pike asked if the item needed a public hearing.

City Attorney Shawn Guzman advised that a public hearing is not needed but public comments can be heard.

Mayor Pike commented that staff is happy to take input from the public.

Tiffany Barnes, resident, clarified that the special event permit process is not what the promoters have brought to them prior. The City does not allow dance. She re-read portions of her letter that she read at last month's meeting.

Councilmember Hughes commented that the intention was never to limit dancing.

City Manager Gary Esplin explained that the event in October was not shut down because they were dancing. The applicant did not conform with the special event permit that was submitted. The intent is to not be specific on the type of event, rather to have some triggers that would require a review process.

Jared Keddington, promoter of the October event, stated that the special event permit process is easy. This is not about the process, but the City not allowing dance parties. He was issued a special event permit. Officers staked out the event to make sure that nobody was dancing because the Council did not convene and approve whether dancing could be permitted. He believes it is a problem that the City Council has to approve a dance. He mentioned that he approached the Dixie Center who was okay with an event until he told them they would not need chairs. The Dixie Center staff told him that the City Council was against having an event that would be standing room only. Additionally, he approached Bill Swensen to put on an event at the Ridge Top Complex and was told that any event would have to end by 11:00 p.m. He is looking to put on good, clean fun entertainment in the Community and is met with road blocks. The dance hall ordinance is ridiculous. They have been holding their events in Mesquite.

Mayor Pike mentioned that he is also happy to look at the dance hall ordinance. There is other information that he has been made aware of which is one of the reasons why what happened in October happened. He hopes things are better in the future.

Mr. Keddington stated that he does not know what past indicators Mayor Pike is referring to. He has held 30+ events in Washington County and all have been safe.

Mayor Pike explained that he has received information from Washington City, Sand Hollow State Park and Mesquite. He wants to have a permitting process that works for everyone.

Robert E Coombs, resident, asked if there is a sound level ordinance.

Mayor Pike replied yes.

Mr. Coombs commented that if you have 110 decibels for two hours can cause temporary hearing damage. In dancing or music area, some of the concerts have not been enforceable because the City does not have a sound level ordinance. In order to enforce a sound level ordinance, the City needs to have an audio meter.

Councilmember Hughes asked if the City has a policy that states what time large outdoor events with amplified music needed to end by.

Mr. Swensen stated that 10:00 p.m. is the norm unless the City Council approves for it to go on later. He mentioned that Logan as well as other cities have a 95 decibel rating in their ordinance.

Mayor Pike called for a short recess. The meeting then reconvened.

DISCUSSION REGARDING THE NET METERING POLICY:

City Manager Gary Esplin stated that the City has been debating for the last few months regarding the net meting policy for solar energy. This is an issue, not just for St. George, but for other power companies as well. The primary concern is that there are fixed costs associated with providing energy and how is it equitable and fair to all users to cover the costs. The City is supportive of solar power and was first to build solar panels at the Wastewater Treatment Plant. Additionally, the City believes in the concept of using solar energy.

Water & Energy Conservation Coordinator Rene Fleming presented a PowerPoint presentation covering the following topics: Net Metering Policy Revision; Presentation Overview; The Process; Current Policy; Concerns; Possible Solution; How the Dollars Work; How the Metering Works; Implementation Option #1; Implementation Option #2; Other Possible Solutions; and Staff Recommendation. If the customer disconnects from the grid, they will not have service. Having the utility be the battery back-up is a real asset for the customer.

Councilmember Almquist commented that he would like to make the policy fair and simple.

Ms. Fleming explained that manual readings are labor intensive and the bills are not always easy to read. Suggesting they would not manually read the meters every month. In her research, she has not found capacity charges; however, she has attended workshops regarding net metering and this is something most utility companies are looking at. She does not believe that contractors will have issues, but there may be with homeowners as a capacity charge would affect their payback period. After talking with staff, it may take 3-6 months to determine a capacity charge. She will contact the eight customers who are in limbo as well as the contractors to inform them that there may be capacity charges.

Mayor Pike would like to notify the customers informing them of the capacity charge. He does not feel it should take that long to come up with a charge.

The consensus of the Councilmembers is to let the customers in limbo move forward and to look into a capacity charge based upon the size of the solar PV system.

Councilmember Hughes commented that there is a significant investment both in installing solar and with the public utility has made seeing that there is capacity.

Mayor Pike invited audience members to comment.

Thomas Takach, resident, stated that he would be very upset to hear that solar customers were using the system and not paying for the energy they receive. It sounds as if a solar customer zeroes out their meter, they have not contributed anything; however, what they have done is distributed the energy to the grid which is used by their neighbor. The power company receives money from the neighbor

who receives the power. As the City grows, the power company will need to expand its facilities. Solar is the least expensive way that power can be produced.

Mayor Pike explained that the costs received from the neighbors would not cover the transmission costs.

Ms. Fleming stated that would not defray a capital cost. You still need to make sure resources are available if all customers were to go off line.

Angela Digiovanni, resident, asked what the connection fee to stay with the grid covers. Additionally, she would like to know how it went from getting cash incentives for going solar to charging fees.

Ms. Fleming replied that the utilities department charges a connection fee to set the meter, which is paid by every customer. Currently, there is a $60 permit fee for solar which covers the cost to inspect for wiring. With regard to the cash incentives, they were offered to get more renewable resources. It was more expensive at that time than it is now. The rebate funds are depleted and the requests for solar have gone up.

Gary Engelmann, resident, stated that he wished to address sell back. When someone zeroes their meter, they are selling power back at a wholesale rate and the power company is selling it to their customers at a retail rate. He asked if that profit covers transmission fees. Solar providers are an insurance policy for the power company as they can supply power to the City with the power going back into the grid.

Ms. Fleming explained that the City typically buys the power back at a retail rate. With respect to solar powering the City, she can see it as a good resource; however, a home could not send their power back to the grid and power the City.

TRAFFIC STUDY UPDATE:

Public Works Director Cameron Cutler presented a map outlining the study areas for traffic signals. The intersections that were studied are: Dixie Drive and Stonebridge, Sunbrook Drive and Dixie Drive, 450 North and 3050 East, Mall Drive and 3000 East, 1450 South and 3000 East, Brigham Road and River Road, Horseman's Park and River Road, St. James Lane and River Road and 1600 South and Dixie Drive. It is recommended that traffic signals be installed at 3000 East and Mall Drive, St. James Lane and River Road and Brigham road and River Road.

Councilmember Almquist inquired if Washington City will share in the cost for the signal at Mall Drive and 3000 East.

Mr. Cutler stated that he has not approached Washington City to share in the cost nor has he determined if the vehicles counted were residents of St. George or Washington City.

City Manager Gary Esplin explained that the recommendation is to get the signals designed. If the general plan amendment is approved in the near future, the developer will have to do a traffic impact study to determine if their development may add to the need of the signal.

Councilmembers agree to proceed with installing the traffic signals.

Mayor Pike called for a short recess. The meeting then reconvened.

HEARING FOR AN EMPLOYEE APPEAL OF THE CITY MANAGER'S DECISION TO UPHOLD A DEPARTMENT HEAD'S RECOMMENDATION FOR DEMOTION:

City Manager Gary Esplin explained that the Fire Department has a classification system, with Firefighter levels 1, 2 and 3. In order to maintain the level, the employee has requirements that they have to fulfill. The demotion went through the personnel process in which the Department Head made the recommendation for the demotion. The employee appealed to the City Manager and he supported the Department Head's decision. Under the City policy, the employee has the right to appeal to the Mayor and City Council.

City Attorney Shawn Guzman explained the process for the employee appeal hearing.

Mayor Pike outlined the facts of the demotion.

City Attorney Shawn Guzman read portions of personnel policy 4.50 pertaining to hearing procedures and the Mayor and City Council decision.

Mayor Pike asked employee Tyler Whitehead to state who his witnesses are.

Mr. Whitehead asked if the person has to agree to be a witness for him.

City Attorney Guzman advised that he cannot make anyone testify. He can invite them to testify, but cannot compel them to. Both sides, as well as the Mayor and City Council, can question anyone who testifies as a witness.

Mr. Whitehead stated that his witnesses are Captain Richard Nelson and Greg Anderson. He would also like to call Fire Chief Robert Stoker as well as Captain Darren Imlay as witnesses.

City Attorney Shawn Guzman stated that the witnesses for the City are Human Resources Director Judith Mayfield, Fire Chief Robert Stoker, Battalion Chief Ken Guard, Captain Darren Imlay, Captain Coty Chadburn and City Manager Gary Esplin. He assumes if either side does not call a witness they would not be available to question by the other side.

Mr. Whitehead stated that he would like to add Battalion Chief Ken Guard and City Manager Gary Esplin as witnesses.

City Manager Gary Esplin stated that he does not want to testify.

Mr. Whitehead handed out a packet.

Mayor Pike clarified that statements made should relate to the appeal.

Mr. Whitehead stated he has lived in St. George all of his life. His Grandpa Whitehead was a Washington County Sheriff and was also on the St. George Fire Department as a volunteer. He has served on Fire Department for 10 years, 4 years full time and 6 years as a part time firefighter and is part of the TRT speciality program which benefits the department as well as the public. He has completed over 40 hours of specialty training on his own time in the last 6 months. He supports a TRT speciality policy and supports 100% in keeping its members accountable for what the policy entails. There were questions at the beginning of the year regarding the policy. He is here to appeal his demotion which he feels is invalid as the standards have changed without their knowledge. The discipline policy for the City was never followed by the City. The TRT specialty standard states that they are required to attend 75% of the training per year, meaning that the employee can miss three training sessions without being demoted a level. The standards also state that the employee is close to the 75% mark, they should receive a written warning. Regarding the February training, he feels that he could not be held accountable for not attending because he understood that he would not be compensated for attending. He explained that this is the purpose of his appeal and he intends to show proof that backs up his understanding. Each training could last 1-4 hours. All of his information is based solely on the communication he had with Mayor Pike, City Manager Gary Esplin, the Chiefs of the Department and his Captain.

Councilmember Hughes asked Mr. Whitehead if he was already certified as a Firefighter II. He also asked him if he completed the training sessions before.

Mr. Whitehead Tyler replied yes, he was certified as a Firefighter II, but he has not attended these training sessions before. This is specialty training, above and beyond the training for a Firefighter II. He stated that he has completed these training sessions previously. Additionally, he is extrication and trench certified, he was not compensated for the training until April 15th.

Mayor Pike stated that he read ahead and is concerned that several statements are not confined to his demotion. He asked Mr. Whitehead to be careful.

Mr. Whitehead read and explained the packet he provided stating his case.

Councilmember Hughes asked Mr. Whitehead what part of the standards he had issues with. He is not sure where that relates to his demotion.

Mr. Whitehead stated that he does not have issues with the standards its with how they relate to his demotion since the standards have changed. The 75% attendance requirement has not changed. He stated that although he did not agree, he was aware the department was concerned that he was not meeting the 75% standard.

Councilmember Almquist asked how soon he notified the department that he would not be here for the training. He then inquired about the employee warning report dated September 24, 2014 which states: "If Firefighter Whitehead attends and participates in these remaining trainings and completes the assigned make-up trainings we will recommend that he retains his Rescue Technician Certification"; however, Mr. Whitehead missed the November 6th training.

Firefighter Whitehead stated that he notified the department that he was going to miss the November 6th training approximately one week prior to the training. Although he did not feel it was important, he explained that he was gone for his anniversary. He stated that during the meeting in which he appealed to the City Manager, City Manager Gary Esplin and City Attorney Shawn Guzman told him that they did not think an anniversary was such a big thing.

City Attorney Shawn Guzman stated that he does not believe anyone in the meeting said it was not a big thing.

Mr. Whitehead asked City Attorney Shawn Guzman if he would like him to play the tape because he has it recorded. He believes his exact words were "well, I've had to stay late here and I've missed my anniversary many times for my job".

City Attorney Shawn Guzman clarified that while he did say something similar to that; however, he did not say it was not a big thing.

Councilmember Hughes asked Mr. Whitehead with regard to the employee warning report, how many training sessions there were remaining.

Mr. Whitehead replied that there were three. He was aware of this and agreed that he needed to attend the trainings, but did not agree with the fact of being written up. He explained that he did not ask to make up the November 6th training since they have always been told that they could not make them up. Captain Nelson told him that it was his decision to miss the training. Additionally, Captain Nelson told him what the ramifications would be for missing the training and he knew that they told him that he could not miss the remaining trainings. Although, he knew he had to be at these trainings to meet the 75%, it illegal to make them attend training and not compensate them. He continued reading and explaining his packet. Councilmember Almquist asked if he was placed on paid administrative leave. With regard to personnel policy 4.50, in section A. Department Head Procedural Requirement, number 2 pertains to paid administrative leave. He asked if this would apply.

Mr. Whitehead replied that he was not and does not know if it applies, that is his question.

City Attorney Shawn Guzman explained that paid administrative leave is used when a termination is being considered or for an issue that needs to be investigated, not when considering a demotion or suspension.

Mayor Pike asked if Chief Stoker would go around chain of command to meet with a Firefighter.

City Attorney Shawn Guzman advised the policy does not say that the department head has to meet with the employee.

Mr. Whitehead stated that if Chief Stoker is going to demote him, he should meet with him to get his side of the story. He asked how he can conduct a thorough investigation without talking to him or his supervisor.

Councilmember Hughes asked Mr. Whitehead if he is saying that he should not be demoted for missing the training because some procedure was not followed although he knew he needed to attend.

Mr. Whitehead stated that he is not saying that. He is showing that there is a history of certain things not being followed correctly. He knows that he needs to attend 75% of his training or he would be demoted, he is not refuting that. He did not agree to being held to a standard and not being compensated. He has not been compensated from the February training. With regard to the January training, Human Resources Manager Judith Mayfield researched and found that he did not claim the training on his time card. He was paid in November when it was brought to her attention.

City Attorney Shawn Guzman asked Mr. Whitehead to clarify that he did not attend the February training, therefore no compensation was due. The only training in question was the one in January in which he has since been compensated for.

Mr. Whitehead replied yes.

Councilmember Almquist reiterated that the section of personnel policy 4.50 in which Mr. Whitehead is referring to is when an employee is put on paid administrative leave, not demotion.

Mr. Whitehead stated that section V refers to Procedural Requirements for Disciplinary Action of Demotion to a Lower Classified Position, Suspension Without Pay, or Termination.

City Attorney Shawn Guzman advised that is title for that section, but not all items in the subsections pertain to all of those listed in the heading.

Mr. Whitehead stated that this has been the problem from the beginning, what is required has never been clear.

Mayor Pike commented that contradicts some of the questions that Councilmember Hughes asked. Mr. Whitehead stated earlier that he understood what the requirements were; maybe what was not understood was whether he would be compensated for January. Within in a certain amount of time, he knew where he was officially and that he was not to miss any more training, but missed the one in November. He knew he was going to be held accountable.

Mr. Whitehead stated that he does not dispute that he knew where he was officially.

Councilmember Hughes asked why miss the training if he new there was a chance of him getting demoted.

Mr. Whitehead replied that he did because since the beginning of the year, he should not be held accountable if he was not being compensated.

Councilmember Bowcutt commented that all of us have worked somewhere and have disagreed with something. Mr. Whitehead knew he should have been at the training. All of this other stuff is a cloud to stir something up since he already admitted that he did not follow the proper procedures.

Councilmember Randall asked if anyone else has received a written warning at the same time he had.

Mr. Whitehead stated that he knew that he should have attended the training, but did not agree. He does not know of anyone who has received a written warning. He stated that he missed four of the trainings. He continued reading and explaining his packet.

City Attorney Shawn Guzman clarified that written warnings are not required. He is not aware of anyone in the department, other than Mr. Whitehead, who is not in compliance with the training standard for Firefighter II.

Mr. Whitehead said "nor am I". He called on his witness, Captain Nelson.

City Attorney Shawn Guzman advised that he has not had a chance to talk to Firefighter Whitehead. He asked if Mr. Whitehead received a letter from the City Manager with a determination on his appeal and if so did it state that he would need to attend three consecutive months, beginning in December 2014, of TRT training in order to regain Firefighter II status. He wanted to make it clear that the determination of the City Manager was not withstanding anything that was said earlier about six months, but there would be a three month requirement in order to regain the Firefighter II status.

Mr. Whitehead replied yes, he did receive the letter and it did state that he had to attend three consecutive months of training, which he understands. What he was bringing to attention that he was first given a notice that said six months.

City Attorney Shawn Guzman asked if it matters that there was a mistake in saying that he had six months, when it was clarified in the letter, that it was three consecutive months of training.

Mr. Whitehead stated that it matters to him because his discipline was not correct.

City Attorney Shawn Guzman stated that Mr. Whitehead admitted to missing four training sessions this year. He again asked if it would make a difference if the letter he received said six months when the determination from the City Manager said three.

Mr. Whitehead stated that he missed four sessions. It makes a difference because his Department Head, who is demoting him, does not understand the statements and requirements for the demotion. He did not meet the training requirements in attending 75% of the training and did not complete all of the packets.

City Attorney Shawn Guzman asked Mr. Whitehead is the standard was that he had to attend 75% of the training. Additionally, he asked if his captain told him that he did not meet the requirements.

Mr. Whitehead replied yes, that is the standard. His captain did tell him that he did not meet the requirements, but agreed that he should not be held accountable for February. He does not believe that he did not meet the training standard because he was not going to be compensated for the February training. He did not attend that training because he was working at his other job. He did not choose, he has another job.

City Attorney Shawn Guzman showed Mr. Whitehead a copy of a time card and asked him if it was his. On the week of the training in January, he asked if Mr. Whitehead claimed the one hour for training. Additionally, he inquired if Mr. Whitehead questioned anyone if he should add the time for the training.

Mr. Whitehead replied yes, that was a copy of his time card and he did not claim the hour for training. He did ask about adding the hour to his timecard, but he did not ask Human Resources Manager Judith Mayfield or Fire Chief Robert Stoker. He stated that he followed proper procedure in letting his captain know. There were many of them who were under the understanding that they do not get compensated for attending the training. He does not know if anyone else did not put the time on their time card, he could be the only one. Even captains have not been paid to go to their staff meetings, but they still go.

City Attorney Shawn Guzman mentioned that he did not attend the training in May because there was no room and the training was rescheduled in July. Because Mr.

Whitehead had already planned a vacation in July, he was unable to attend, which is understandable. He asked Mr. Whitehead why he did not attend the training in September.

Mr. Whitehead stated that he did not attend the training in September due to a family emergency. The reason he did not attend is none of Mr. Guzman's business. He did not attend even though he knew of the 75% requirement.

City Attorney Shawn Guzman mentioned that the September 24, 2014 warning that Mr. Whitehead was given a warning stating that he needed to attend the next three training sessions. Also, he was required to do packets to show that they have reviewed the information. He asked Mr. Whitehead if he has turned in all of the packets which are for those times a training session is missed.

Mr. Whitehead stated that he is missing the November packet and is unsure of the September packet. He was told that the November packet would be given to him, but it was not, and he has not asked for it. He made up the packet from February.

City Attorney Shawn Guzman advised that the February packet has not been turned in per City records. He asked him if there was a reason why he would not have done that packet.

Mr. Whitehead stated that he does not have a reason why the February packet was not turned in.

Captain Nelson stated that he has not turned in the September packet.

Mr. Whitehead explained that they are required to attend 75% of training and complete 100% of the packets, but they do not make up for attendance.

City Attorney Shawn Guzman stated that the intent of the packets is that if they miss the training, they still have some training in the area. City records show that he is missing February, September and November. He asked why the February packet was not turned in.

Mr. Whitehead stated no, other than the fact that he did not agree with what he stated before, he has no excuse for September and has not yet received November's. They do have time to complete the packets while on duty. Part of his issue with the packets is that they require him to do things that he is not trained for. For example, if he missed a rope rescue training and the packet requires him to set up the lines, he is not trained to do that on his own.

City Attorney Shawn Guzman stated that he does not agree with Mr. Whitehead's statement with regard to the ropes course, it may not be pertinent to why he did not attend the training or complete the packet. He asked about the TRT level requirements that Mr. Whitehead was saying had changed. With the 75% percent,

he asked what changed that causes confusion on whether or not he has to complete 75% of the training.

Mr. Whitehead stated that nothing has changed with regards to the 75% goals. His issue is that it changed without his knowing. The packet requirement on the handout at the January meeting was missing. He does not remember if they were told of a packet requirement at the January meeting. Captains Imlay and Chadburn, told him that everything he needed to do was on the TRT standard.

City Attorney Shawn Guzman stated that he has no more questions at this time but would like to reserve the opportunity to question Mr. Whitehead after any other witnesses.

Mayor Pike told Mr. Whitehead that he could now call his witnesses.

Mr. Whitehead called witness Captain Nelson. With regard to their first conversation, he asked Captain Nelson what he told him. If he ever felt that he had to write him up what did he tell him.

Captain Nelson stated that Mr. Whitehead said to let him know what the reason was and to make it clear.

Mr. Whitehead asked if he ever said he would fight that.

City Attorney Shawn Guzman advised that he is confused as to who is testifying because the question is making a statement. He can asked if this was discussed, but if he is stating what he discussed, he would be testifying.

Mr. Whitehead rephrased his question. He asked Captain Nelson when they first talked, what did he say to him?

Captain Nelson stated that their conversation was heated at first as they did not really like each other. After talking, they realized they both had issues that were cleared up.

Mr. Whitehead asked if there have been questions regarding who has been and has not been compensated for attending trainings.

Captain Nelson stated that there has been that question since he has been in the department. There have been times that employees have not been compensated. He cannot expect the employees to attend the training and not be compensated, it is their option. He is a business owner and he knows that he cannot expect his employees to attend and not compensate them. He also knows that he cannot evaluate them if he is not compensating them.

Councilmember Hughes asked Captain Nelson if he told the firefighters that they do not need to attend the training.

Captain Nelson stated that he never told them not to attend, but if that is the law, then they do not need to attend.

City Attorney Shawn Guzman advised that this is getting beyond the item for tonight. They are not here to determine if others were compensated for attending. He can answer the question as to whether Mr. Whitehead told him or understood from him that he would not be paid, but not other captains in other situations.

Mr. Whitehead asked Captain Whitehead what answers he received regarding the concerns he brought to his attention.

Captain Nelson stated that he was told that being paid for trainings is being worked on. That answer was given to them in April.

Mr. Whitehead asked if he was ever asked or told he was going to be demoted.

Captain Nelson answered that he was told that he has to follow steps of the standard. If you take away the one month, he is at 75%

Mr. Whitehead asked if Chief Stoker has spoken to him about the demotion.

Captain Nelson replied no.

City Attorney Shawn Guzman asked Captain Nelson if he understands the 75% requirement for the trainings. Additionally, he asked if he is aware of anyone under his direct supervision that attended the January training and was not compensated

Captain Nelson replied yes, he understands the 75% requirement. Mr. Whitehead is the only employee under his direct supervision that attended that training. He did not pay attention to anyone else.

Councilmember Randall asked if anyone else that has been demoted for not attending the training.

Captain Nelson stated that does not know of anyone else within the Fire Department who has been demoted for not attending the trainings.

Councilmember Almquist asked if Captain Nelson felt that there were opportunities to make up the training that were reasonable under the circumstances.

Captain Nelson stated that if you take away the February training that Mr. Whitehead missed for not being compensated, he would not be under the 75%.

Councilmember Almquist asked if the solution was reasonable. The warning notice stated that Mr. Whitehead needed to attend the three remaining training sessions.

Captain Nelson stated that he agrees with Councilmember Almquist but the fact that they are not being compensated and are expected to be at something, those numbers change.

Councilmember Hughes asked Captain Nelson if his opinion is that Mr. Whitehead should not have been demoted because there was a question on whether he was going to be compensated.

Captain Nelson replied absolutely.

Councilmember Hughes asked if he was aware that if Mr. Whitehead missed that another that he could possibly be demoted.

Captain Nelson stated that was aware of that. On the bottom of the corrective action that was not a corrective action, it states "I do not agree with this action" and it was discussed at that time, meaning he did not agree with it because of the compensation issue. Mr. Whitehead let him know which meetings he was going to miss, he advised him to let the TRT people know. He stated that Mr. Whitehead knew that there was a possibility of him being demoted since he knew what the 75% meant although he did not discuss that with him. The requirement is very cut and dry today, but has not been for the past two and a half years.

City Attorney Shawn Guzman asked Captain Nelson when he said the 75% requirement was not cut and dry over the past two years he asked what was not cut and dry.

Captain Nelson stated that he did not say that. This is a brand new program that has been in the works for a number of years. When a program is under the development stage, questions are not always answered. The packets were developed for people to make up training. He thought it was a safety issue for himself, Mr. Whitehead and the public if they train on things and do them incorrectly and then go out on an engine and happen to be put in a position where they have to do those things. He felt it was a conflict to perform tasks they have not been trained on. If Mr. Whitehead had received credit for February, he would not have been demoted.

Councilmember Hughes asked Mr. Whitehead if he knows there is a chance that he can get in trouble, whether he agrees or not, would he attend.

Captain Nelson replied that he probably would.

Councilmember Randall clarified that Mr. Whitehead missed February, May, July, September and November.

Mr. Whitehead stated that he received credit for May without going.

City Attorney Shawn Guzman explained that there was not enough room in the training facility to accommodate everyone so he did not attend, but did receive credit. May does not count against Mr. Whitehead.

Mr. Whitehead called witness Greg Anderson.

Mr. Anderson's response could not be heard as he did not step up to the microphone. He was not questioned.

Mr. Whitehead called witness Battalion Chief Ken Guard.

Mr. Whitehead asked Chief Guard if there have always been questions regarding TRT speciality policy and how it is involved in the department.

Chief Guard explained that there have been questions with the fact that it is an ongoing process.

Councilmember Hughes asked Chief Guard if there have been questions regarding the 75% training requirement.

Chief Guard replied no.

Mayor Pike explained that Chief Guard is the training officer for the department.

Mr. Whitehead asked if Chief Guard thought it was legal to hold someone to a standard if they are not compensated for the standard.

City Attorney Shawn Guzman stated that Chief Guard is not qualified to determine if something is legal or not.

Mr. Whitehead rephrased his question asking if Chief Guard thinks it is fair to be held to a standard if they are not compensated for that standard.

Chief Guard stated that he would refer that question to Human Resources.

Mr. Whitehead asked what was discussed when he went to Chief Guard with his issues.

Chief Guard explained that he was made aware of this issue on September 26th. He met with Captain Nelson who was concerned about the process. He then met with Captain Nelson and Mr. Whitehead and asked him to write down his concerns which were forwarded to Chief Stoker.

Councilmember Hughes asked how many Firefighter II's are there in the department and if there were any others who have not met the 75% attendance requirements.

Chief Guard replied that there are a handful of firefighters at that level. He is not aware of any that have not met the requirements; however, there was another employee who had issues with attendance, that has been corrected.

City Attorney Shawn Guzman advised there are eight employees that are Firefighter II and three that are Firefighter III. He asked Chief Guard if he knows of anyone who has not been compensated for attending training.

Chief Guard stated that he does not know of anyone who has not been compensated for training. He explained the process if an employee were to notify him that they are missing compensation for training.

Mr. Whitehead inquired if he does not call up additional witnesses, if another witness is called can he cross examine them.

City Attorney Shawn Guzman replied yes.

Mr. Whitehead advised he has no other witnesses.

Mayor Pike called for a 10-minute recess.

City Attorney Shawn Guzman advised that there should be no discussions on the issue during the recess.

The meeting then reconvened.

City Attorney Shawn Guzman called witness Chief Robert Stoker

City Attorney Shawn Guzman asked Chief Stoker if he was involved with the development of Firefighter I, II and III classifications. He also asked if there are certain requirements for each classification and if the movement is voluntary or if the firefighters are required to move up in classification.

Chief Stoker stated that he was involved in the classifications and there are requirements for each classification. He explained some of the classifications. Additionally, he explained that employees are not required to move levels. They were developed because there was not a lot of movement in the firefighter position.

City Attorney Shawn Guzman asked Chief Stoker if he was involved in developing the training standards.

Chief Stoker replied that he was not. He reviewed them once they were developed by Captains Imlay and Chadburn as they oversee the technical rescue program.

City Attorney Shawn Guzman stated that there was an allegation that to make up the ropes course would create a hazard to the firefighters.

Chief Stoker stated that he would have to refer that to either Captain Imlay or Captain Chadburn.

City Attorney Shawn Guzman asked Chief Stoker if he had any comments regarding the testimony.

Chief Stoker explained that they went though the attendance requirements and written warning following City policy. He met with Captains Nelson and Chadburn. Mr. Whitehead did not meet the training requirement and after missing the September training, was given the opportunity to attend the next three training sessions, but chose not to. He did not receive notice that Mr. Whitehead would not make the November training, nor did Captains Imlay or Chadburn. After the November training, he received a memo from Captains Imlay and Chadburn stating that Mr. Whitehead has not met the 75% attendance requirement due to not attending. At that point action was taken to start the demotion process. The idea is encourage the employee to comply. In their Captains meetings, they talk about not wanting to have this happen.

City Attorney Shawn Guzman stated that he would like to reserve the right to redirect.

Councilmember Hughes asked Chief Stoker if a firefighter could be a level one and not proceed to a level two or three as there is not a requirement to do so. He also asked if they stop attending the training can they can be demoted and receive a cut in pay. He asked if this is a voluntary program.

Chief Stoker replied yes to all questions.

Mr. Whitehead stated that Chief Stoker made the statement that warned him based upon City policy yet there are three haz-mat employees that have not been warned.

Chief Stoker explained that he talked with Captain Jerry Tischner who is over the haz-mat training and there currently is not nor has there been anyone who is not meeting the standard. He is not aware of anyone that is not meeting the standard.

City Attorney Shawn Guzman called witness Captain Darren Imlay.

Captain Imlay commented that he has been in department for 30 years. He knows the City policies pretty well especially when it comes to compensation for training.

City Attorney Shawn Guzman asked Captain Imlay if he developed the training policy.

Captain Imlay stated that he and Captain Chadburn set up the policy originally and was reviewed at a couple of different Captains meetings in the past year.

City Attorney Shawn Guzman provided a packet to Mr. Whitehead and clarified that he gave the Mayor and City Council their packet at the same time Mr. Whitehead gave them his.

City Attorney Shawn Guzman asked Captain Imlay if he was involved in the meeting on January 2, 2014. He inquired about the different versions of the policy that Mr. Whitehead mentioned, asking Captain Imlay to clarify what the different versions were and what was handed out at that meeting.

Captain Imlay replied yes, he was at the meeting on January 2nd. He stated that in the January meeting the policy on pages 8, 9, and 10 of the City packet is the one that was handed out. The policy was also reviewed in a Captains meeting in December and has never changed. A bit of the confusion was during the meeting with Human Resources and Firefighter Whitehead. He explained that he sent Human Resources Director Judith Mayfield the incorrect draft which he mentioned at the meeting. It has never been sent out to anyone else.

City Attorney Shawn Guzman asked if the copy that was different was inadvertently sent.

Captain Imlay replied yes.

City Attorney Shawn Guzman reemphasized that it was testified earlier that it really did not matter because the training requirement did not change. He referred page 8, item A. Monthly training, where there is an asterisk. He asked Capt Imlay to read that. After Captain Imlay read the paragraph, he asked if this was the packet that was referred to earlier.

Captain Imlay stated yes, that is the packet that was referred to.

City Attorney Shawn Guzman asked Captain Imlay, with regards to the ropes course training, it was said that it would be unsafe.

Captain Imlay explained that the February included hands on training, the make up training covered the same type of skills. He explained that it was all ground level. At no time was there a safety hazard. The skills being used are skills that they should have been able to do, in fact they were trained on the same skill packet earlier and Mr. Whitehead did the same training at the parking structure the previous year. He would not assign a skill that would be unsafe. Also, it was mentioned earlier that if at a call and are expected to set up the ropes, it could hurt a citizen, there is no way the department would put them in that situation.

City Attorney Shawn Guzman commented that safety is important in an operation for a fire department.

Captain Imlay stated that they do the training for the safety of the residents as well as the firefighters. He explained that they have been doing this training for eight years and no one has been injured.

City Attorney Shawn Guzman referred to emails from Captain Imlay. He asked what the date was of the first email that was sent regarding the training and concerns.

Captain Imlay stated that the first email was sent of December 24, 2013. He read the email, sent to all full time Captains, and explained what "washed" time means. He mentioned that a second email was sent out by Chief Guard to the entire department on January 22, 2014 regarding February and March training dates and times. Another email was sent out on February 18, 2014 to all TRT technicians and full time captains as a reminder of the February 27th training, he read that email. Compensation would be required; therefore they were told to manage their hours. These hours should have been used before they went into comp time or overtime. He mentioned another email sent out regarding trench training. The emails were reminders of the training dates and times and the need to manage comp hours. He explained that they did not want any confusion as to when the trainings were being held. They distribute a yearly training calendar and also send email reminders.

City Attorney Shawn Guzman asked if there were any additional emails or communications that Captain Imlay would like to bring to attention.

Captain Imlay explained that most of the documents in the packet are training reports. He mentioned an additional email thread regarding the fact that Mr. Whitehead was close to be lacking in the training and read the response from Mr. Whitehead. He then emailed Captain Nelson explaining to him that if Mr. Whitehead missed the training, he would be given a warning letter. The email also went to Mr. Whitehead. Section 4 of the packet contains emails sent to other firefighters regarding the training. One other firefighter received the same warning letter as Mr. Whitehead; that letter is also in the packet. Everyone has been treated the same

Mr. Whitehead asked Captain Imlay about the email that was a draft to Human Resources Manager Judith Mayfield. He asked why was it sent them three different times if it was a draft?

Captain Imlay responded that page 89 of the packet is a copy of an email sent to Captain Nelson giving him a heads up about the trainings that he Mr. Whitehead was lacking.

Mr. Whitehead stated that was not the question. He clarified on the first page of the packet he provided that is the email that he was referring to.

Councilmember Randall commented that the email says that he has to attend 75% of the training, whatever version, whether it is a draft or not.

Mr. Whitehead stated that him receiving the email is a lie as he never received it.

Captain Imlay explained that he sent it to Captain Nelson to follow chain of command. He stated that the email says that if he does not hear back from him within the next hour or so, he would send the email to Mr. Whitehead which he did approximately an hour or so after.

Councilmember Randall asked if Mr. Whitehead is being terminated and if he has the opportunity to become a Firefighter II in approximately three months.

Captain Imlay answered that he is not being terminated and does have the opportunity to become a Firefighter II in approximately three months. He explained that he wanted Mr. Whitehead to be informed throughout the entire process. There is no gray area, it is cut and dry and the questions regarding compensation are clear in the emails. Most firefighters want to be held accountable for what is expected. He commented that hazardous calls go smoothly because of the training.

City Attorney Shawn Guzman advised the City no further witnesses.

Mayor Pike stated that Mr. Whitehead can make a closing statement if he chooses to do so.

Mr. Whitehead stated that no matter what is brought up against him, he is not trying to skirt anything. If it would have been clear to him from the beginning, he would not have come here. Saying that he should have known, does not mean he did. He like the fact the people are being held accountable. Had he known he was being paid for those he missed, then he should be held accountable, but he did not know. The St. George Fire Department is very important and the program is great. He looks forward to serving and being a part of the TRT program.

City Attorney Shawn Guzman stated that he explains that is a difficult process. The goal is to encourage employees to follow the policy. This involves lives, not only the safety of the firefighters but the citizens as well. He does not feel there is any confusion on the policy and Mr. Whitehead stated that he understood the 75% attendance policy. It was clear at the January meeting as well as in the emails. The fire department and the captains go above and beyond to inform their employees of training. The error in payment was not made on the City's side as Mr. whitehead fills out his own time card. When Human Resources was made aware of the hour he was not paid for, the time was addressed. He believes the City Manager made a correct decision on this issue. Mr. Whitehead has the opportunity to advance back to Firefighter II if he complies with the requirements in the determination letter from the City Manager. Also, the packets also need to be complied with.

MOTION: A motion was made by Councilmember Randall to amend the general plan from OS to LDR, MDR and HDR on approximately 22.33 acres located at the Bloomington Golf Course, Country Club and off Bloomington Drive and generally west of the Virgin River.

SECOND: The motion was seconded by Councilmember Almquist.

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

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

The vote was unanimous and the motion carried.

PUBLIC HEARING/STREET VACATION/ORDINANCE:

Public hearing to consider vacating a portion of 200 South between 200 East Street and 300 East Street and all of 200 South between 300 East Street and 400 East Street. Washington County School District, City of St. George, applicants.

Assistant Public Works Director Wes Jenkins presented the request to vacate a portion of 200 South between 200 East Street and 300 East Street. He outlined the portion to be vacated as well as an aerial map of the area.

City Manager Gary Esplin explained that it is important to note that there is no intention of closing the road. This request abandons the right-of-way so Worthen Park can be master planned, tying it into the SunBowl and the school.

City Attorney Shawn Guzman advised that the road will be abandoned to the City; the School District will purchase the small portion as part of the property purchase.

Mayor Pike opened the public hearing.

John Miles, resident, presented a written letter. He sees advantages of vacating the road as there have been issues; however, he is opposed because the street in front of his property will be narrowed. He wants the money that the City receives from the sale of the road as his property value will decrease. If the City takes his property without just compensation and the road is not reverted back to the original size, he will sue the City.

Gayla Brann, resident, asked why 200 South is being closed.

City Manager Gary Esplin explained that it is not being closed; but it is being narrowed to slow down the traffic because children will be present. 400 East will still be accessible. The school has asked to limit access.

Ms. Brann commented that there will be a negative impact if it were closed.

Richard Cox, resident, asked if there is an intention to relocate the power lines along 200 South. He mentioned that they have a power line in the middle of their yard.

City Manager Gary Esplin stated that staff can look into that.

Mona West, resident, stated that she is concerned with emergency services.

Mayor Pike reiterated that the road is not being closed therefore; this will not be a significant impact.

City Manager Gary Esplin stated that some of the roads were abandoned at Dixie State University. He explained that a 25-foot road is required for emergency services. Nothing in front of Mr. Miles' property is being abandoned. The abandonment is the extra right of way outside of the curb. There is more than adequate right of way there. The money from the sale of the road will go to City to relocate the horseshoe pits and improvements.

City Attorney Shawn Guzman explained that most of the property being abandoned is already being used for the park.

City Manager Gary Esplin commented that he believes this will be a good thing as it will slow drivers down.

A discussion took place regarding the noticing of this request after Ms. West believed there was not enough public notice.

Mayor Pike closed the public hearing.

MOTION: A motion was made by Councilmember Hughes to approve the street vacation of 200 South between 200 East Street and 300 East Street.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a roll call vote, as follows:

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

The vote was unanimous and the motion carried.

Mayor Pike called for a short recess.

CLASS C ALCOHOL LICENSE AND LOCAL CONSENT:
Consider approval of Class C Alcohol License and Local Consent for the Holiday Inn restaurant (Burger Theory) located at 1808 South Crosby Way. James Burgess, applicant.

City Manager Gary Esplin explained this request is for the Burger Theory restaurant in the new Holiday Inn near the Dixie Center.

MOTION: A motion was made by Councilmember Hughes to approve the Class C beer license and local consent and local consent for the Holiday Inn restaurant Burger Theory.

SECOND: The motion was seconded by Councilmember Bowcutt.

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

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

The vote was unanimous and the motion carried.

PUBLIC HEARING/BUDGET AMENDMENTS/RESOLUTION:

Public hearing to consider amendments to the Fiscal Year 2015-16 Budget.

City Manager Gary Esplin outlined the proposed amendments to the 2015-16 Fiscal Year budget as follows: 1) to increase the funding for a new fire truck from $800,000 approved in the budget for a pumper, to $1,100,000 to upgrade to a pumper/ladder combination truck (quint); 2) to re-budget for three federal Justice Assistance Grants awarded but not yet expended for 2013, 2014, and 2015 for $13,869; $14,048; and $18,626 respectively to be applied towards body-worn cameras, computers, and an ATV; 3) to budget for the Heads Up Thumbs Up grant (for a third year) from the State of Utah which includes overtime distracted driving enforcement; 4) to budget for funds to cover the car wash area at the airport to come into compliance with State and City storm water control requirements; 5) to budget for the purchase of a farm tractor and implements for the Historic Seegmiller Farm Park to be funded by proceeds from the sale of substation property to Dixie Power that were receipted into the Park Impact Fund; 6) to budget for sponsorship of the George Streetfest for July through October 2015 at $2,000 per month and November 2015 through June 2016 at $2,300 per month; 7) to carryover the unused portion of the Fiscal Year 2014-15 budget for the Heads Up Thumbs Up grant from the state of Utah which includes overtime for distracted driving enforcement; 8) to budget for purchase of a replacement canine and related costs (shipping, kennel, etc.) for the Drug Task Force for $10,000 and to transfer $15,000 to Washington City Police for equipment purchases from available money seized from drug dealers; 9) to carryforward unexpended funds from the prior year to complete the multi-year project and include paving the parking lot at the Hela Seegmiller Farm Park; 10) to increase the budget from $230,550 to $249,200 for the Middleton Wash Trail Repairs to fully fund the construction bid award, construction management costs, and other permit fees; 11) to budget for the bond issuance, improvement projects to be funded by the bond proceeds, debt service, annual contribution to Tuacahn, and other related costs for the RAP Tax fund; 12) to carryforward approved yet unexpended funds from the prior year to complete the multi-year project; 13) to budget for the sale of the Elks Baseball field property to the School District and create a budget for engineering and construction costs for the replacement field at Bloomington park; and 14) to budget for the Energy Efficiency study/contract with McKinstry and the Energy Efficiency improvement projects for City-owned facilities; and approve the

related interfund loan agreement. He explained that regarding the McKinstry, it will include an inter-fund loan from E.S. to the General Fund to pay for the cost of the improvements.

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

MOTION: A motion was made by Councilmember Almquist to approve the amendments to fiscal year 2015-16 budget as submitted including the inter-fund loan for the McKinstry energy efficient improvement project.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a roll call vote, as follows:

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

The vote was unanimous and the motion carried.

AMEND TITLE 9, CHAPTER 14 OF CITY CODE/ORDINANCE:
Consider approval of an ordinance amending Title 9, Chapter 14 of City Code pertaining to Stormwater Management.

City Manager Gary Esplin explained that the City receives a permit from the State for stormwater to be discharged. The proposed ordinance amendment beefs up the requirement that the City has to take on as well as the developers to see that the stormwater runoff is managed correctly. Staff has been meeting with State officials and has been making the recommended changes.

City Engineer Jay Sandberg explained that the EPA gives the State a permit who in turn gives the City a permit. Maintenance agreements will have to be signed. The developer is required to take care of the storm runoff until the development is complete. If approved, the appendix will not be approved as the Legal Department asked for it to be removed.

City Attorney Shawn Guzman advised that if the ordinance refers to an appendix, it should be approved at the same time. He asked if he knows what changes he wanted to make.

Mr. Sandberg explained that the ordinance references an agreement between the City and the developers. Deputy City Attorney Paula Houston suggested they change the agreement; it is not referenced as an appendix. If a detention basin is public, the City takes it over. If private or as part of the entity, it is inspected once a year, sending a notice to the City that it has been done.

City Manager Gary Esplin suggested looking to see if the City should take over the detention basin as he does not want staff to regulate the developer. If they want to maintain the basin, they should be required to have an HOA.

MOTION: A motion was made by Councilmember Hughes to amend Title 9, Chapter 14 of City Code pertaining to Stormwater Management, excluding the appendix.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a roll call vote, as follows:

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

The vote was unanimous and the motion carried.

FUNDING FROM THE FEDERAL TRANSIT ADMINISTRATION/RESOLUTION:
Consider approval of a resolution authorizing the filing applications for funding requests and acceptance of funding from the Federal Transit Administration.

Public Works Director Cameron Cutler advised these next two are housekeeping items. He explained that Title Six is a report that comes out and needs to be approved.

City Manager Gary Esplin explained that the Council has to authorize staff to apply for the federal funds.

MOTION: A motion was made by Councilmember Hughes to approve the resolution authorizing the filing of applications with the FTA.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a roll call vote, as follows:

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

The vote was unanimous and the motion carried.

SUNTRAN TITLE SIX REPORT/RESOLUTION:
Consider approval of a resolution approving the SunTran Title Six Report.

MOTION: A motion was made by Councilmember Hughes to approve the resolution approving the SunTran Title Six Report.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a roll call vote, as follows:

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

The vote was unanimous and the motion carried.

SET PUBLIC HEARINGS:

Planner Ray Snyder advised at its meetings held on October 27, 2015 and November 10, 2015, the Planning Commission recommended setting public hearings on December 3, 2015 to consider: 1) a zone change amendment request to construct a short term rental project, Magnolia Hills at Green Valley with fourteen (14) building and forty-six (46) units on 7.49 acres in the PD-R zoning district located off Plantations Drive between World Mark by Wyndam, Green Valley Spa and Las Palmas; 2) a zone change request to change 0.80 acres from R-1-10 to C-2 to accommodate the future development of an auto service shop and car sales lot, Auto Gallery, located west of the existing Auto Gallery at the corner of 700 South and 1100 East Street; 3) a zone change from R-4 to PD-SH on 1.6 acres to accommodate a fifty-six (56) unit, two hundred sixty-five (265) bed student housing project, Vintage at Tabernacle, located at approximately 850 East Tabernacle; 4) a zone change amendment to expand the IHC Medical Campus by the construction of three (3) new buildings, remodeling portions of the existing building, adding a new two-story concourse, adding additional parking, landscaping, providing a temporary one-story building and by the creation of a "Livewell Park" located on River Road; 5) the "use" addition of an Art Studio/Gallery to the Baron Commercial Center, approved in a PD-MNF zone use list; property is located at 620 North 1100 East Street; 6) amendments to the following chapters and sections in Title 10 zoning regulations regarding accessory buildings; and 7) a General Plan amendment to change the land use designation from RESORT, TC, MDR, HDR, and LDR to COM on approximately 187 acres located at the former St. George Municipal Airport at approximately 500 West and from 300 South to 1600 South. The request pertaining to Kachina Springs was withdrawn by the applicant.

MOTION: A motion was made by Councilmember Bowcutt to set the public hearings on December 3, 2015.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

A discussion took place regarding setting some of the public hearings be postponed to December 17, 2015 at staff's discretion.

FINAL PLAT:

Assistant Public Works Director Wes Jenkins presented the final plat for Escapes at the Ledges Phase 3, a 29-lot residential unit located at approximately 1720 West and 5000 North; zoning is PD-R. He showed the final plat.

MOTION: A motion was made by Councilmember Almquist to approve the final plat for Escapes at the Ledges Phase 3.

SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

FINAL PLAT:
Assistant Public Works Director Wes Jenkins presented the final plat for The Ledges of St. George White Rocks Phase 3, a 7-lot residential subdivision located at approximately 1550 West and 4840 North; zoning is PD-R. He showed the final plat.

MOTION: A motion was made by Councilmember Bowcutt to approve the final flat for The Ledges of St. George White Rocks Phase 3.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

FINAL PLAT:
Assistant Public Works Director Wes Jenkins presented the final plat for Hawthorne Estates Phase 3, a 14-lot residential subdivision located at approximately 3060 East and 3450 South; zoning is R-1-10. He showed the final plat.

MOTION: A motion was made by Councilmember Randall to approve the final plat for Hawthorne Estates Phase 3.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

FINAL PLAT:
Assistant Public Works Director Wes Jenkins presented the final plat for SunRiver at St. George Phase 47, a 20-lot residential subdivision located at approximately 1290 East 5080 South; zoning is PD-R. He showed the final plat.

City Manager Gary Esplin commented that he is concerned with water. The developer was informed they could not have any additional subdivisions - this is an existing subdivision.

MOTION: A motion was made by Councilmember Hughes to approve the final plat for SunRiver at St. George Phase 47.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

FINAL PLAT AMENDMENT:

Assistant Public Works Director Wes Jenkins presented the final plat amendment for two (2) residential subdivision final plats – Paragon Cove Townhomes at Stonecliff Phase 2 and Paragon Cove Townhomes at Stonecliff Phase 4. The properties are located on View Point Drive (lot 204) and Lepido Way (lot 411); zoning is PD-R. The purpose of the amendment is to merge lot 204 with lot 411. He showed the amendments on the final plat.

MOTION: A motion was made by Councilmember Almquist to approve the final plat amendment for Paragon Cove Townhomes at Stonecliff Phase 2 and Paragon Cove Townhomes at Stonecliff Phase 4, lots 204 and 411.
SECOND: The motion was seconded by Councilmember Hughes.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

FINAL PLAT AMENDMENT:

Assistant Public Works Director Wes Jenkins presented the final plat amendment and lot line adjustment to adjust the lot line between Kachina Springs East Phase 3 and the parcel to the north, moving it approximately ten feet (10') towards the back of the curb. The parcels are located at 2139 West Cougar Rock Circle; zoning is PD-R. He showed the amendments on the final plat. The purpose of the amendment is to deed the property owners back to the owners. The City will maintain the easement. It will not impact the private road.

MOTION: A motion was made by Councilmember Almquist to approve the final plat amendment and lot line adjustment between Kachina Springs East Phase 3 and the parcel to the north.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye

Councilmember Randall – aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

LICENSE AGREEMENT:
Consider approval of a license agreement with ForeUP for a new point of sale system for the City golf courses.

City Manager Gary Esplin explained this agreement is for a new point of sale system at the golf courses. This system will help set tee times after hours or if staff is unavailable, making the process more user friendly.

MOTION: A motion was made by Councilmember Hughes to approve the license agreement with ForeUP for a new point of sale system.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

2015 HOMELAND SECURITY GRANT PROGRAM AGREEMENT:
Consider approval of the FY 2015 Homeland Security Grant Program Agreement.

City Manager Gary Esplin advised this agreement is with Homeland Security for the 2015 grant. This is done annually.

Fire Chief Stoker explained that this started in early 2000's. End users are cities or other agencies in the region. It is required to be renewed annually.

City Manager Gary Esplin stated that the Five County area has one hazmat response team. The City is the major entity and houses most of the equipment.

MOTION: A motion was made by Councilmember Hughes to approve the FY 2015 Homeland Security Grant Program Agreement.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

NAME GALLERY IN THE ELECTRIC THEATER:
Consider approval name for the gallery portion of the Electric Theater.

City Manager Gary Esplin advised that staff and the arts groups recommend Arrowhead Gallery.

MOTION: A motion was made by Councilmember Almquist to name the gallery portion of the Electric Theater the Arrowhead Gallery.
SECOND: The motion was seconded by Councilmember Hughes.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

City Manager Gary Esplin mentioned the Redevelopment Agency Meeting. He explained that under state law, the City is required to submit reports by November 1st. Those reports are ready to be submitted; there is nothing surprising in the report. The public hearing will be postponed to a later date to amend the RDA budget.

MINUTES:
Consider approval of the minutes from the meeting held on September 24, 2015.

MOTION: A motion was made by Councilmember Hughes to approve the minutes from September 24, 2015.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

MINUTES:
Consider approval of the minutes from the meeting held on October 8, 2015.

MOTION: A motion was made by Councilmember Almquist to approve the minutes from October 8, 2015.
SECOND: The motion was seconded by Councilmember Hughes.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye

Councilmember Randall – aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the meeting held on October 15, 2015.

MOTION: A motion was made by Councilmember Randall to approve the minutes from October 15, 2015.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

REPORTS FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER:

Mayor Pike mentioned the recent MPO meeting and the BLM response letter. Additionally, he provided an update on curbside recycling which has an 85% participation rate.

Councilmember Almquist reported that the Hillside Review Board met regarding the property at Ft. Pierce and River Road. The applicant would like to take down the hill. The board recommended it go to the Planning Commission and City Council with caveats relative to the size of the hill and whether it met the description of a small, noncontiguous hill.

ADJOURN TO CLOSED SESSION:

MOTION: A motion was made by Councilmember Bowcutt to adjourn to a closed session to discuss land sale and purchase.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a roll call vote, as follows:

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

The vote was unanimous and the motion carried.

ADJOURN:

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

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

The vote was unanimous and the motion carried.

_____
Christina Fernandez, City Recorder

DRAFT

ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
DECEMBER 3, 2015, 5:00 P.M.
CITY COUNCIL CHAMBERS

PRESENT:

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

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Scout Troup 672 and the invocation was offered by Nadine Barish with the congregation Beit Chaverim.

Mayor Pike mentioned events that are taking place currently and in the near future.

Councilmember Bowcutt mentioned the Christmas lights at the Town Square. He thanked the Parks Department for doing such a great job installing them.

COMMENTS FROM THE PUBLIC:

There were no comments from the public.

FINANCIAL REPORT:

Consider approval of the financial report for October, 2015.

City Manager Gary Esplin advised the report shows the City is in good financial condition. He stated that the financial statements are available online at www.sgcity.org.

MOTION: A motion was made by Councilmember Hughes to approve the financial report for October, 2015.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT:

Consider approval of an Intergovernmental Cooperative Purchasing Agreement between the City of St. George and Natural Purchasing Partners for fire apparatus.

City Manager Gary Esplin advised this is an agreement with an intergovernmental cooperative purchasing agency to assist in the purchase fire apparatus. He explained how the process works. In order to participate in the program, an agreement needs to be in place.

MOTION: A motion was made by Councilmember Almquist to approve the intergovernmental cooperative purchasing agreement with Natural Purchasing Partners for the Fire Department.
SECOND: The motion was seconded by Councilmember Arial.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

AWARD OF BID:
Consider award of bid for a 107' aerial ladder truck for the Fire Department.

City Manager Gary Esplin stated that this is for the purchase for a new fire truck in the amount of $972,583. The current budget includes $675,000; however, based upon this new truck, the Council authorized adding the additional $300,000 to cover the cost.

MOTION: A motion was made by Councilmember Arial to award the bid for a 107' aerial ladder truck for the Fire Department.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

Mayor Pike mentioned after several months of discussion and public input, the Council has decided that the current short term rental ordinance will continue. He stated that enforcement will resume and the Legal Dept will begin sending notifications of the decision.

Councilmember Almquist mentioned last May; they took 330 youth to southern California. When he was there, he met San Bernardino's Mayor Davis during his trip. On behalf of the Council, he reached out to Mayor Davis to let him know that the City stands beside them.

CLASS C BEER LICENSE AND LOCAL CONSENT:

Consider approval of a Class C Beer License and Local Consent for Viva Chicken restaurant located at 1183 East 100 South. Mathew Graff Glendenning, applicant.

City Manager Gary Esplin explained this is not a new license, rather a new owner. The applicant meets all requirements.

MOTION: A motion was made by Councilmember Almquist to approve the Class C Beer License and Local Consent for Viva Chicken restaurant.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

CLASS A ALCOHOL LICENSE:

Consider approval of a Class A Alcohol License for off premises sales for Maverik, Inc #521 located at 995 East St. George Boulevard. John Dinsdale Hillam, applicant.

City Manager Gary Esplin stated this request is an alcohol license for the new Maverik on the Boulevard. The previous business had a license at this location; however, this is a new business and a new building.

MOTION: A motion was made by Councilmember Randall to approve the Class A Alcohol License for off premises sales for Maverik, Inc.
SECOND: The motion was seconded by Councilmember Arial.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

SINGLE EVENT ALCOHOL PERMIT AND LOCAL CONSENT:

Consider approval of Single Event Alcohol permits and Local Consent for the 2016 year for the George Jazz Garden beer garden located at 2 West St. George Boulevard. Emceesquare Media, Inc, applicant.

City Manager Gary Esplin explained that the George Jazz Garden has been operating throughout 2015 at George Streetfest event. The license previously approved expires at the end of this month.

MOTION: A motion was made by Councilmember Arial to approve the single event alcohol permit and local consent for the 2016 year for the George Jazz Garden.
SECOND: The motion was seconded by Councilmember Hughes.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

MEMORANDUM OF UNDERSTANDING:
Consider approval of the annual memorandum of understanding between the City of St. George Police Department and the U.S. Marshals Service.

City Manager Gary Esplin advised this agreement is a continuation of a previous agreement where the City is reimbursed for services provided to the U.S. Marshal office. The Police Department will receive $13,000 to be used toward overtime.

MOTION: A motion was made by Councilmember Arial to approve the annual memorandum of understanding between the City of St. George Police Department and the U.S. Marshals Service.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

MINUTES:
Consider approval of the minutes from the meeting held on October 22, 2015.

MOTION: A motion was made by Councilmember Almquist to approve the minutes from October 22, 2015.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye

Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the meeting held on October 29, 2015.

MOTION: A motion was made by Councilmember Randall to approve the minutes from October 29, 2015.
SECOND: The motion was seconded by Councilmember Hughes.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

PUBLIC HEARING/BARON COMMERCIAL CENTER/ORDINANCE:

Public hearing to consider adding "art studio/gallery" to the permitted uses to the Baron Commercial Center approved PD-Manufacturing zone use list; property is located at 620 North 1100 East Street. Miken Larsen, applicant.

Planner Ray Snyder presented the request to add "art gallery/art studio" to the approved PD-Manufacturing zone use list for the Baron Commercial Center. He presented a PowerPoint presentation covering the following topics: aerial map, zoning map, the letter from the applicant, and history – Zone Change. Staff has not received any letters of opposition and the Planning Commission recommends approval.

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

MOTION: A motion was made by Councilmember Almquist to approve the permitted use for "art studio/gallery".
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a roll call vote, as follows:

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

The vote was unanimous and the motion carried.

PUBLIC HEARING/AMEND PD-C ZONE/ORDINANCE:

Public hearing to consider amending the PD-Commercial zone for Intermountain Health Care Medical Campus to expand the campus; property is located on River Road, between Medical Center Drive and Foremaster Drive. Steve Kelly, IHC, applicant.

Planner Ray Snyder presented the request to amend the PD-Commercial zone for Intermountain Health Care Medical Campus to expand the existing campus. He presented a PowerPoint presentation covering the following topics: conceptual rendering, photo simulation – rendering, east elevation – materials & colors, north & south elevations – materials & colors, west elevations – materials & colors, zoning map, aerial map, site/landscape plan, buildings & heights, and building changes. The proposed expansion will double the current building size. He then read the summary as listed in the agenda packet. Planning Commission recommended approval.

Mayor Pike added that this is a $220 million project. It will bring all of the inpatient services, acute rehabilitation and the mental health inpatient unit that were left at the 400 East campus. Additionally, it will expand the existing services at the River Road facility. All that will remain at the 400 East campus are outpatient cancer services; however, they will move to a different location in the future. Some outpatient services will remain at that campus as well.

Scott Wyckoff, Planner for the Southwest Region, stated that the parking on the corner of 700 South and River Road will remain. The groundbreaking is planned for May; construction will take approximately two years.

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

MOTION: A motion was made by Councilmember Arial to approve the ordinance amending the PD-Commercial zone for Intermountain Health Care Medical Campus to expand the campus.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a roll call vote, as follows:

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

The vote was unanimous and the motion carried.

Mayor Pike added that in today's Mayor's meeting, Terri Kane informed them that they will be using as many local companies as possible during construction.

PUBLIC HEARING/ZONE CHANGE/ORDINANCE:

Public hearing to consider changing the zone from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to C-2 (Highway Commercial) to accommodate the future development of an auto service shop and car sales lot for Auto Gallery; property is located on the corner of 700 South and 1100 East Street. Bluff Street Properties, applicant.

Planner Ray Snyder presented the request for a zone change from R-1-10 to C-2 to accommodate the future development of an auto service shop and car sales lot for Auto Gallery. He presented a PowerPoint presentation covering the following topics: aerial map, zoning map, general plan map, rezone to C2, proposal and photos of the property. He mentioned the comments for this item as noted in the agenda packet. Staff has not received any inquiries regarding this request. The parcel to the north will remain R-1-10. Pertaining to the driveway on the conceptual plan, staff will look to see if it meets the distance requirements.

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

MOTION: A motion was made by Councilmember Hughes to approve the zone change from R-1-10 to C-2 on approximately .80 acres.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a roll call vote, as follows:

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

The vote was unanimous and the motion carried.

PUBLIC HEARING/VACATE TRAIL AND RECREATION EASEMENT/ORDINANCE: Public hearing to consider vacating a portion of a trail and recreation easement located at Mall Drive and the north side of the Virgin River. Dinosaur Crossing, applicant.

Assistant Public Works Director Wes Jenkins presented the request to vacate a portion of a trail and recreation easement along Mall Drive and the north side of the Virgin River. He presented and reviewed the final plat.

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

MOTION: A motion was made by Councilmember Almquist to accept the easement vacation for a portion of a trail and recreation easement located on the north of the Mall Drive Bridge and the north side of the Virgin River.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye

Councilmember Bowcutt – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/ZONE CHANGE/ORDINANCE:

Public hearing to consider changing the zone from R-1-7 (Single Family Residential 7,000 sq. ft. minimum lot size) to PD-Residential on 4.78 acres located at 450 North Street between 2450 East and 3050 East Streets for the Residences at Four Fifty. Dixie Endeavor, LLC, applicant.

John Willis presented the request for a PD zone change from R-1-7 to PD-Residential for the Residence at Four Fifty. He presented a PowerPoint covering the following topics: aerial map, zoning map, land use plan map, proposed site plan. The proposed development meets the parking, landscaping and recreation requirements. He read staff's comments as listed in the agenda packet. Since there are single family residences to the west, they will be required to install a privacy wall along that property line. He continued with his PowerPoint presentation covering the following topics: landscaping plan, elevation, materials board, and photos of the area. The Planning Commission spent quite a bit of time listening to comments from the public; they recommended denial.

Mayor Pike stated that the neighbors were notified.

Dave Nasal, applicant, presented a PowerPoint presentation covering the following topics: Residences at Four-Fifty; zoning map, proposal, maps of the area, and narrative. The goal is provide open space minus pools which can cause HOA's to be expensive. Each of the lots will be plotted individually. He then showed renderings and explained that 450 North will be an 80 foot road. Most of the units will have a wide space between the proposed project and the single family homes. They are working on drainage issues along Spring Tree Gardens and will keep as many trees as they can in that area. There is a 30-foot setback on the west side.

Mayor Pike opened the public hearing.

Melody Wittwer, resident, submitted a handout and stated that the neighbors came together because they love the City and their community. She read portions of the handout which is included in the agenda packet. They are looking at the regulations to protect their neighborhood.

Baltazar Zamora, Jr., resident, explained that he recently purchased his home. The proposal does not include a privacy wall along 450 North. He stated that this proposal will increase traffic on his cul-de-sac. These units will most likely be purchased by investors for rental properties. He does not feel it is fair for one man's ambition of making money to put aside his family's future. If this is approved, he would recommend adding a road or greater distance be put along the west side of the property to create a buffer. He will feel unsecure having the neighbors looking over into his yard. His home is directly west of this proposal.

Kendrick Rogers, with High Point Homes, explained they are purchasing the home to the south. When they looked at the property, they assumed there would be more townhomes to the north, which they were comfortable with as there are some there already. Their property is zoned R-1-7 and will remain so.

Peter Mackitis, resident, thanked the Council for hearing their comments. He stated that he has spent a lot of time with staff on this project and noted that neighbors have become closer during this process. They like the way their community is, they want to keep it the same. It was denied by the Planning Commission twice. He is concerned that those who live in high density housing do not necessarily care about their neighborhood. He has invested quite a bit of money on his home. There is plenty of multi-family housing in that area. With the current zoning, they are at the range of the maximum. He hopes the right decision is made.

Barbara Turnbow, resident, explained that they moved here because this is a beautiful, safe community. When they purchased their home, they were told the area would be single family homes. There are a lot of children in the area. Their concern is that if 40 more apartments, with additional children, the children will be unattended and roam. She asked the Council to consider what was there in the beginning – what they moved into and invested in. These apartments would look right over the fence into their backyards which makes her nervous.

Rita Richardson, resident, commented that the apartments will be right in her backyard. She does not feel comfortable to have them that close. Additionally she commented that there will be additional traffic. She asked the Council to keep the zone as it is.

Mr. Nasal stated that he is not trying to recruit criminals to the area. They started with the concept of fourplexes on the north side and duplex town homes on the south side; however, once he heard the comments, they decided to keep it zoned R-1-7 on the south side. Although there is a decent amount of frontage on the south side, they plan to landscape the property as much as they can. They are spending a lot of money on this project. As he has children, he can appreciate the concerns and those wanting open space. He stated that he feels 450 is the buffer and that explained that he has met with Public Works regarding traffic concerns. A traffic light will be installed on 3050 in the future.

Mandy Gubler, resident, stated that all those involved have lived in high density housing. They know that it will not be full of criminals; however, when people live in homes they do not own, the investment is not as great. The neighborhood wants the area developed. She explained this property was purchased as a foreclosure. It is not fair, just because the developer got a good deal, that it fundamentally changes the integrity of the neighborhood they purchased their homes in.

Bryan Wilson, resident, stated that he is against the zone change. He asked that all those in the audience against the zone change stand.

Roland Turnbow, resident, commented that the neighbors know each other and protect each other's children. These residents have attended three meetings regarding this proposal. He hopes that they put credibility in the department that has responsibilities to protect, establish and maintain the good community and locations of St. George. It is disappointing that each time they have heard representatives of this development; there has been a change in plans. When that happens, he questions the reliability and truthfulness of what is being proposed. He told a story about President Abraham Lincoln and mentioned that the Council has an opportunity to make a profound impact to the residents of South Pointe.

Jim Park, resident, feels there have been some misrepresentations. Personally, he is excited about the project. There are a lot of presumptions that those that live in high density are criminals. The proposed units are not apartments, they are townhomes. People save up their whole lives to purchase townhomes just as they do single family homes. With fear comes a lot of speculation which may or may not be founded. There may be a number of people who feel as he does, they just may not be here tonight.

Mr. Mackitis commented that Mr. Park does not live very close to this area. This is the first time he has heard from someone in favor of the project. At the last Planning Commission meeting, Mr. Nasal stated that each of the duplexes would be sold individually. He believes if this is not approved, Mr. Nasal will flip the property.

Councilmember Hughes pointed out that these units have garages which make them look like homes.

Mr. Mackitis explained if you look at the area, there are mostly single-story homes. The proposal is for a two-story development. They are aware that a home can be two stories; however, as a resident in the area, he is trying to protect what he bought into.

Councilmember Hughes commented that this is a unique piece of property that may develop into something worse than what is being proposed.

Jeff Mathis, project architect, mentioned the importance of the design. The units were designed to have the owners take pride. He stated that this is not your basic duplex or fourplex, they have put thought into them.

Mayor Pike closed the public hearing. He asked City Attorney Shawn Guzman talk on the General Plan and zoning. There is never a "once and for all zoning" as the current Council cannot bind what the future Council would do.

City Attorney Shawn Guzman explained that a General Plan is what the legislative body generally visions as the future development of property. This is a unique piece of property because of how the area was developed. He stated that a General Plan is kind of a bubble; property lines are not necessarily followed. Although the Planning Commission recommended denial, the Council has the discretion to either approve or deny the request.

Councilmember Bowcutt clarified that the Planning Commission did not unanimously deny the request as one of the citizens stated. He explained that the developer has changed the plans to make fit better for the citizens. The proposed development is not in the middle of a single family subdivision, it is on the edge. He lives in a townhome and has great pride of ownership. He asked staff if the road on the west could run right on the property line, creating a larger buffer for those on the cul-de-sac. Additionally, he suggested the possibility of flipping the units.

Mr. Willis stated that is a possibility.

Councilmember Randall explained that she and her husband purchased a lot in 1991 on a cul-de-sac. Her neighbor built a 3-story home, another built a 2-story home and there are 45 children on her cul-de-sac. Even if the Council keeps it single family, they cannot predict who will be there.

Councilmember Hughes stated that he tends to agree with the residents for the most part. These are nice buildings; however, he sees the concerns of the residents.

Councilmember Arial commented that this is a tough decision; however, she believes staying with the existing zone is best.

Councilmember Almquist noted that he has seen this type of request a number of times as he was previously on the Planning Commission. In 90% of the requests, the developer had made adjustments because of opposition. He mentioned that design can trump a number of things such as density or other negative effects. The proposal is broken into 3 phases. He asked if Mr. Nasal looking into having phases 2 & 3 zoned R-1-7 and phase 1 remaining as is.

Mr. Nasal explained they looked at that, but because of the property, it did not seem to work out. With single family homes, they can theoretically fit 22 lots. They can look at flipping the units as Councilmember Bowcutt suggested. He stated that they tried hard to find something that will fit on this property.

Councilmember Almquist recognized that developers do not just "wing it". Based upon what he has seen in the past and zoning maps, he is inclined to keep it zoned R-1-7 and have Mr. Nasal make it work. He feels that although profit can be a motivator, it cannot be the only one.

Mayor Pike mentioned that this is difficult. The road will be an 80' road no matter what the zoning is. If not approved, he doesn't know what it will look like. It has not been developed because it is a difficult parcel. He appreciates that the developers are trying to make things work and the residents are trying to understand.

MOTION: A motion was made by Councilmember Bowcutt to authorize the zone from change R-1-7 to PD-Residential on 4.78 acres located at 450 North Street.

SECOND: The motion was seconded by Councilmember Randall.

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

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

The motion failed.

Councilmember Almquist agreed with Councilmember Bowcutt, just because some makes changes, they are not being wishy-washy, rather, they are trying to work things out.

PUBLIC HEARING/AMEND PD-R ZONE/ORDINANCE:

Public hearing to consider amending the PD-Residential zone for Magnolia Hills to construct a short term rental project on 7.49 acres located off Plantations Drive between World Mark by Wyndham, Green Valley Spa and Las Palmas. David Nasal, applicant.

Planning & Zoning Manager John Willis presented the request to amend the PD-Residential zone from Magnolia Hills. He presented a PowerPoint presentation covering the following topics: vicinity map, aerial maps, zoning map, general plan map, elevation, materials board, proposed site layout, close ups of the site. He explained that 1790 West is a public street; however, it is proposed that it dead end into a private drive. The developer will be required to provide a public turn around. He continued with his PowerPoint presentation covering the following topics: Trailer & boat parking, landscape plan, plat and photos of the area. They are requesting that 1.64 acres remain natural landscape. The Planning Commission recommended approval with the condition that the applicant landscape disturbed areas to blend into the natural vegetation. This area was part of the Green Valley PD approved in the early 80's; most of which is short term rentals. He read comments as listed in the agenda packet. The applicant has agreed to providing the public turn around. Additionally, he read the conditions from the Planning Commission, also outlined in the agenda packet.

Jeff Mathis, architect for the project, stated that the idea was to tap into the recreation that the area provides. The design of the site is to accommodate those who want to stay for a couple of days, with a resort mentality.

Councilmember Bowcutt asked Mr. Willis if the turn around is shown anywhere on the plans.

Mr. Willis explained that it is not in the plans, but staff will work with the developer to make sure it is part of the construction plans. There may be a slight modification to accommodate the turn around.

City Manager Gary Esplin noted that the modification can be made after staff has reviewed it.

Mayor Pike opened the public hearing.

City Manager Gary Esplin explained when he built his home in that area, he knew this has been planned. He stated there is a need for another access on Plantations Drive.

Mayor Pike closed the public hearing.

Councilmember Arial commented that she believes this is an appropriate project for that area.

MOTION: A motion was made by Councilmember Arial to amend the PD-R zone for Magnolia Hills to construct a short term rental project on 7.49 acres located off Plantations Drive.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a roll call vote, as follows:

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

The vote was unanimous and the motion carried.

PUBLIC HEARING/ZONE CHANGE/ORDINANCE:
Public hearing to consider changing the zone from R-4 (Multiple Family Residential) to PD-Student Housing on 1.6 acres for the Vintage at Tabernacle project; property is located at approximately 850 East Tabernacle. Chris McKay, applicant.

John Willis presented the request for a zone change for the Vintage at Tabernacle project. He presented a PowerPoint presentation covering the following topics: aerial maps, general plan map, zoning map, student housing pedestrian area and site plan. Although the code requires a minimum of two acres, the Council can reduce the acreage if the project is compatible to the surrounding area. The proposal is have 56 units with 265 beds. It is proposed that the project will be built as one project, not in phases. Parking requirements in PD-Student Housing is one parking stall per student; however, the ordinance allows a reduction. The developer is requesting a reduction to 0.75 parking stall per student. He outlined the conditions in which a developer can request a reduction in parking as stated in City code. He then reviewed the landscape plan and explained that they are required to have 100 sq. ft. of recreation space per unit. Access will be off Tabernacle and will have a pedestrian access in the rear of the property. They are requesting a height increase to 64' 8", the rear of the building would be the north instructional building. He mentioned other student housing projects in the area that are three stories high. Additionally, he showed the materials board and read staff comments as listed in the agenda packet. There will be a change in the driveway to line up with the one across the street.

Councilmember Arial commented that the proposed project is similar to gateway. It is important to install the landscape as planned.

Mr. Willis stated that the Planning Commission recommended approval with the height reduction, reduction in area, elevation and site with the comments/conditions as outlined in the agenda packet. Staff has been speaking with the applicant on the type of trees; landscape experts have found that 36" box is the best to accommodate. He read staff comments as outlined in the agenda packet.

Councilmember Almquist asked if the density and location takes pressure off expanding to the west.

Mr. Willis commented that this project does what the ordinance is intended to do – to take pressure off the neighborhood to the west. There have been some residents who voiced their concerns regarding traffic.

Chris McKay and Grant Collard, applicants, explained that they assisted in a similar project in Provo. They manage over 11,000 beds in several states; they know what students want. They presented a PowerPoint presentation covering the following topics: A growing university; what we've learned; Vintage at Tabernacle; and close vs. big and far.

Mayor Pike opened the public hearing.

Dana Patterson, site manager at Mesa Manor Apartments, explained that they are low income government subsidized housing for the elderly and disabled. She did not realize this would be five stories high. They are concerned about noise and drainage. When it rains, her parking lot gets flooded. Currently, there is a chain link fence separating them; she asked if they propose installing a block wall up to separate their building from her complex. She is excited to finally see development on the property.

Sherri Ruesch, Executive Director of Campus Facilities at Dixie State University, stated that when they build new buildings, they now build tall buildings. The current building being constructed is just as high as the proposed project. They are supportive of the project.

Mayor Pike mentioned that the State trumps the City - the University can build as high as they want. Because they do not have a lot of ground, they have to build up.

Spencer Beckstead, resident, stated that he recently moved to the area. He explained that he furnishes student housing and this is a group that takes pride in what they do. It is a compliment to have them in the City. He is in support of a project like this.

City Manager Gary Esplin commented that staff's biggest concern is that this is the first time a project under the new zoning that allows a reduction in parking has been developed. The monitoring of the parking and agreements with those renting the facilities is very important. He asked if the developer is prepared not to rent the units if they cannot meet the parking requirements. Without the monitoring and the developer's commitment, the project will not work.

Mayor Pike commented that neighbors will be monitoring as well. This fits in well with the direction that the University is going. He hopes and believes this project will work.

Councilmember Almquist noted that there are eleven balcony–type doorways on the east elevation. He asked if they open or if they are more artistic. Generally, noise moves outside of the room to the balconies.

Mr. McKay replied the balconies are for artistic purposes only.

Mr. Collard explained that the balconies will be monitored regularly. Tenants cannot leave visually distracting items on them. As far as noise goes, it is typically contained in the middle of the courtyard. They plan on installing mature trees to buffer noise and for aesthetics. He does not believe they would like a block wall as Ms. Patterson suggested, but they can possibly install landscaping to provide a barrier. He can work though that with staff. The majority of the traffic will be on the University side.

Mayor Pike mentioned that because this is a Planned Development, the Council can require a block wall.

Councilmember Almquist commented that it is critical to note that their water cannot drain to the east; it needs to drain to the south.

The applicants stated that they will work with staff on drainage and other recommendations.

MOTION: A motion was made by Councilmember Bowcutt to approve the zone change from R-4 to PD-Student Housing on 1.6 acres for the Vintage at Tabernacle project and to give staff the ability to work with the developer on a barrier on the east side.
SECOND: The motion was seconded by Councilmember Arial.
VOTE: Mayor Pike called for a roll call vote, as follows:

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

The vote was unanimous and the motion carried.

FINAL PLAT AMENDMENT/ORDINANCE:
Consider approval of an ordinance amending the final plat for Virgin Rio R.V. Park Phase 4.

Planning & Zoning Manager John Willis presented the request for a final plat amendment for the Virgin Rio R.V. Park, Phase 4. The applicant is proposing to amend the note that requires a 20' building setback as there have been several sheds built in the area. He read the current and proposed notes as follows:

Current: A 20.00' building setback exists along the rear portion of Lots 261-274 as shown on the Plat.

Proposed: A 20.00' non habitable building setback exists along the rear portion of Lots 261-274 as shown on the Plat.

MOTION: A motion was made by Councilmember Arial to amend the final plat for Virgin Rio R.V. Park Phase 4.

SECOND: The motion was seconded by Councilmember Randall.

Councilmember Almquist added that provided the City assumes no liability for property damage as the Council has allowed it.

City Attorney Shawn Guzman advised that he does not know what liability the City would assume. Anyone who has a structure is responsible for that structure.

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

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

The vote was unanimous and the motion carried.

SET PUBLIC HEARINGS:

Planner Ray Snyder advised at its meetings held on November 24, 2015, the Planning Commission recommended setting public hearings on December 17, 2015 to consider: 1) a zone change request from M&G (Mining & Grazing) and A-1 (Agriculture) to R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size) on approximately 48 acres to accommodate the future development of a residential subdivision; property is located at approximately 3500 South and 3400 East; 2) a zone change from RE-37.5 (Residential Estate 37,500 sq. ft. minimum lot size) to R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) on approximately 3.13 acres to accommodate single family residential lots; property is located north of 750 North Street between 1300 West Street and Picturesque Drive; 3) a zone change amendment to the Hidden Valley PD (Planned Development) area by relocating the proposed church site 3.2 to the intersection of Hidden Valley Drive and Athens Drive and to move the school site 3.1 to the church's previous location; the property is generally located south of Hidden Valley Road and west of Brigham Road; and 4) a zone change amendment to change the Ledges PD (Planned Development) Master Plan from Golf Course/Park Open Space to residential and increase designated short term rental areas on 11.8 acres; the proposed areas are located on the east side of Highway 18.

City Manager Gary Esplin asked if the School District signed off on the request to amend the Hidden Valley PD. He believes it is important that they are involved.

Mr. Snyder replied that he is not sure. Staff will request a letter from the School District. The church would like to come in now as a logical extension and not have a vacant property.

MOTION: A motion was made by Councilmember Hughes to set the public hearings for December 17, 2015.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for vote, as follows:

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

The vote was unanimous and the motion carried.

CONDITIONAL USE PERMIT:

Consider approval of a conditional use permit to construct a detached accessory garage at 1842 South 3430 East Circle. Mr. and Mrs. Judd Palmer, applicants.

Planner Ray Snyder presented the request for a conditional use permit to construct a detached garage at 1875 South 3430 East Circle. He showed zoning (A-1) map, aerial maps, elevations, and photos of the property. The garage would match the materials of the home, which sits on approximately 8.00 acres. The roof peak would be 26′, the height to the midpoint of the roof would be 21′. Planning Commission recommends approval. The footprint does not show habitable area. He outlined the findings as listed in the agenda packet.

MOTION: A motion was made by Councilmember Randall to approve the conditional use permit for the Palmer home at 1842 South 3430 East Circle.
SECOND: The motion was seconded by Councilmember Hughes.
VOTE: Mayor Pike called for vote, as follows:

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

The vote was unanimous and the motion carried.

FINAL PLAT:

Assistant Public Works Director Wes Jenkins presented the final plat for Dinosaur Crossing Subdivision Phase 2, a 10-lot commercial subdivision located along the south side of Riverside Drive and the east side of Mall Drive; zoning is PD-Commercial. He showed and reviewed the final plat.

Keith Buzwell, with Wadman Corporation, has been involved with this property for about eight years. They are proud to have taken part in installing the Mall Drive Bridge.

MOTION: A motion was made by Councilmember Hughes to approve the final plat for Dinosaur Crossing Subdivision Phase 2 and authorize the Mayor to sign.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for vote, as follows:

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

The vote was unanimous and the motion carried.

REPORTS FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER:

Councilmember Bowcutt reported that missed the last Planning Commission meeting and will miss the next one.

Mayor Pike mentioned that next week there is a required training at 3:00 for open meeting. Additionally, he mentioned that on the 17th of December at 4:00, there will be a reception for Councilmember Almquist. The swearing in for Ed Baca, as well as Jimmie Hughes and Bette Arial will be at noon on Monday, January 4th.

The meetings on December 24th and 31st will be cancelled.

ADJOURN:

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

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

The vote was unanimous and the motion carried.

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Christina Fernandez, City Recorder

Mayor Pike thanked everyone that has been involved in the process. He explained that the Mayor and City Council are to cast their votes by secret ballot.

City Attorney Shawn Guzman advised that the City Recorder will collect and read the votes from the City Council. If there is a tie, she will then read the Mayor's vote.

City Recorder Christina Fernandez read the votes as follows:

Councilmember Randall - affirm
Councilmember Hughes - affirm
Councilmember Almquist - affirm
Councilmember Bowcutt - affirm.

The vote was unanimous and the motion carried

ADJOURN:

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

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

The vote was unanimous and the motion carried.

_____
Christina Fernandez, City Recorder

ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
NOVEMBER 12, 2015, 4:00 P.M.
ADMINISTRATIVE CONFERENCE ROOM

PRESENT:

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

OPENING:

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

Mayor Pike mentioned the Veteran's Day events that took place as well as events that are taking place this weekend.

CANVASS OF THE 2015 MUNICIPAL GENERAL ELECTION VOTES:

Melanie Abplanalp, Washington County Election Clerk, explained the reports included in the packet that she provided. She then presented the final election results, as follows:

Total Votes Percentage:

Jimmie B. Hughes	4,022	21.16%
Bette. O. Arial	3,867	20.35%
Ed Baca	3,124	16.44%
Gregg McArthur	2,972	15.64%
Brian Thiriot	2,566	13.50%
N. Craig Hammer	2,453	12.91%

MOTION: A motion was made by Councilmember Almquist to accept the 2015 General Election results as presented by Melanie Abplanalp.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

Mayor Pike asked Councilmember Almquist to conduct the remainder of the meeting since he had to leave.

ADDENDUM TO THE CONTRACT FOR THE ALL ABILITIES PARK:

Consider approval of an addendum to the contract with Bud Mahas for the All Abilities Park.

City Manager Gary Esplin stated that Bud Mahas is the contract manager for the All Abilities Park. Under the contract, there are various projects. The amount of the contract needs to increase in order to cover those contracts.

Leisure Services Director Kent Perkins explained when the contract was originally presented to the Council it was for 7% of the $2.1 million; however, it did not include language for Bud Mahas to pay their sub-contractors. This addendum adds language authorizing Bud Mahas to do so.

MOTION: A motion was made by Councilmember Hughes.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye

The motion carried.

LAND & WATER CONSERVATION GRANT:

Consider approval of the Land & Water Conservation Grant for Millcreek Park.

City Manager Gary Esplin explained staff has requested a Land & Water Conservation Grant to assist with the costs of Millcreek Park. He advised there are stipulations and requirements anytime federal grants are involved.

Leisure Services Director Kent Perkins stated that the park is designed and ready to bid; however, staff is waiting for federal reviews. He explained that the City will receive $100,000 through the grant; the total cost of the park is $889,000.

City Manager Gary Esplin stated that the Davis Bacon Act will have to be adhered to. Construction will be paid for out of park impact funds.

Deputy City Attorney Paula Houston added that because this is a federal program, it can only be used for a park.

City Attorney Shawn Guzman advised the property description is incorrect, it will be corrected.

MOTION: A motion was made by Councilmember Arial to approve the Land & Water Grant for Millcreek Park.

SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye

The motion carried.

Mayor Pro Tem Almquist

REPORTS FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER:

Councilmember Hughes stated that he missed most of his meetings as he was in Japan. Just before tonight's meeting, Police Chief Stratton handed him a copy of some pamphlets the Animal Shelter staff made to help citizens with barking dog resolutions and animal adoptions. The Animal Shelter staff is working well with the rescue groups and are promoting owner responsibility.

Police Chief Stratton added that staff will hand out the pamphlets at the shelter and when they respond to calls.

Councilmember Bowcutt reported that the recent Planning Commission meeting was lengthy.

Councilmember Arial reported that Art Around the Corner hired a part time employee to contact the artists.

Mayor Pro Tem Almquist mentioned a special meeting of the Flood Control Board coming up soon to discuss preparing for El Nino.

City Manager Gary Esplin stated that the deadline for making comments regarding the BLM's Resource Management Plan is Monday. He will have the letter ready for signatures tomorrow.

ADJOURN TO CLOSED SESSION:

MOTION: A motion was made by Councilmember Hughes to adjourn to a closed session to discuss a possible property sale and purchase.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pro Tem Almquist called for a roll call vote, as follows:

Councilmember Almquist – did not vote
Councilmember Hughes – aye
Councilmember Randall - aye

Councilmember Bowcutt – aye
Councilmember Arial – aye

The motion carried.

Mayor Pike returned during the closed session.

ADJOURN:

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

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

The vote was unanimous and the motion carried.

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Christina Fernandez, City Recorder

ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
NOVEMBER 19, 2015, 5:00 P.M.
CITY COUNCIL CHAMBERS

PRESENT:

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

EXCUSED:

Councilmember Bette Arial

OPENING:

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

Mayor Pike introduced the Youth City Council and welcomed the student teachers from Dixie State University.

City Manager Gary Esplin advised that item 3E will not be heard tonight; it will be heard on December 3, 2015.

FINANCIAL REPORT:

Consider approval of the September, 2015 financial report.

City Manager Gary Esplin advised that this is the 3rd month in the fiscal year; everything appears to be going in the right direction. Sales tax is up approximately 7 1/2% and revenues in the General Fund are plus 4%, expenditures are less than average.

MOTION: A motion was made by Councilmember Randall to approve the September, 2015 financial report.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

LEASEHOLD ENCUMBRANCE:

Consider approval of a leasehold encumbrance on the private hangar leases for lots 56F and 55E.

City Manager Gary Esplin explained when these properties are leased, they are required to be debt free; however, the City has allowed an encumbrance to be placed on the land for the cost of the improvements.

MOTION: A motion was made by Councilmember Almquist to approve the leaseholding encumbrance on hangars 56F and 55E at the St. George Regional Airport.

SECOND: The motion was seconded by Councilmember Hughes.

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

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

The vote was unanimous and the motion carried.

PRIVATE HANGAR AGREEMENTS:

Consider approval of a private hangar agreement between the City of St. George and Chandelle Aviation Hangars, LLC for Lot 58G.

Consider approval of a private hangar agreement between the City of St. George and Chandelle Aviation Hangars, LLC for Lot 58F.

Consider approval of a private hangar agreement between the City of St. George and Chandelle Aviation Hangars, LLC for Lot 58D.

City Manager Gary Esplin explained when the agreement for these hangars was first approved; they were lumped together into one agreement. These agreements will separate the hangars, all of which are owned by Chandelle Aviation Hangars, LLC.

MOTION: A motion was made by Councilmember Hughes to approve the hangar lease for 58G, 58F and 58D.

SECOND: The motion was seconded by Councilmember Bowcutt.

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

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

The vote was unanimous and the motion carried.

PRIVATE HANGAR AGREEMENT:

Consider approval of a private hangar agreement between the City of St. George and Michael Busher for Lot 58B.

City Manager Gary Esplin advised this is an agreement for one of the hangars in the original agreement; it assigns hangar Lot 58B to Michael Busher.

MOTION: A motion was made by Councilmember Randall to approve the private hangar agreement for Lot 58B, between the City of St. George and Michael Busher.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid to Development Solutions Group, Inc. for 2.13 acres of City property located at the southeast corner of Horseman Park Drive and 2350 East and execution of a Purchase Agreement and Special Warranty Deed.

City Manager Gary Esplin explained this request is to sell 2.13 acres of City-owned property near Horseman Park Drive and 2350 East. Two bids were received; the highest bidder at $234,321 was Development Solutions Group, Inc.

MOTION: A motion was made by Councilmember Almquist to award the bid to Development Solutions Group, Inc. for the sale of 2.13 acres of City property located at the southeast corner of Horseman Park Drive and 2350 East and to execute the Purchase Agreement.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

PROFESSIONAL SERVICES AGREEMENT:

Consider approval of a professional services agreement with Bowen Collins & Associates for the Bluff Street Storm Water Master Plan.

City Manager Gary Esplin explained this is an award of contract with Bowen Collins & Associates for the Bluff Street Storm Water Master Plan. This project will evaluate alternatives to resolve storm water issues along Bluff Street.

Purchasing Manager Connie Hood advised the cost is $30,500 with the City's portion being $15,250.

City Attorney Shawn Guzman explained what a performance bond is.

City Manager Gary Esplin advised that the performance bond will be for the entire amount.

MOTION: A motion was made by Councilmember Hughes to approve the professional services contract with Bowen Collins & Associates for the Bluff Street Storm Water Master Plan in the amount of $30,500.

SECOND: The motion was seconded by Councilmember Almquist.

Mayor Pike noted that the City will only pay half of the amount.

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

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

The vote was unanimous and the motion carried.

AWARD OF CONTRACT:

Consider award of contract to Alpha Engineering for design and construction management services for the Red Hills Parkway Realignment and Drainage project.

City Manager Gary Esplin stated this project is required to be done prior to the Red Hills Parkway Project. The work will be done adjacent to the old golf course on the east side of the east black ridge. Additionally, this project will realign the roadway since the state is putting in an underpass under the freeway. Alpha Engineering will be doing the design and construction management services for the project.

MOTION: A motion was made by Councilmember Randall to award the contract to Alpha Engineering for design and construction management services for the Red Hills Parkway Realignment and Drainage project.

SECOND: The motion was seconded by Councilmember Hughes.

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

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

The vote was unanimous and the motion carried.

CHANGE ORDER:

Consider approval of a change order to the professional services agreement with Alliance Consulting for the Middleton Wash Trail repairs.

City Manager Gary Esplin explained this is a change order for the agreement with Alliance Consulting for the Middleton Wash Trail repairs. In the middle of the project, staff decided to beef up repairs so that the area does not flood again.

Purchasing Manager Connie Hood added that originally, there was a $25,000 limit which was exceeded. The additional amount is $6,210.

MOTION: A motion was made by Councilmember Hughes to approve the Middleton Wash Trail change order for the professional services agreement in the additional amount of $6,210.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

SERVICES AGREEMENT:
Consider approval of a services agreement with Alta Planning and Design, Inc. for the St. George Active Transportation Plan.

Support Services Director Marc Mortensen explained last January, the Mayor and Council assembled the Active Transportation Committee. That Committee's primary purpose was to put an active transportation plan into place. The plan will take place over the next couple of months; it ties together current bike routes, identifies gaps in the trail system and establishes designated bike routes along City roads. Half of the funding comes from the Dixie MPO and the other half from the Public Works budget. The total is $50,000.

Mayor Pike read an email from Craig Shanklin, one of the Committee members.

MOTION: A motion was made by Councilmember Almquist to award the services agreement with Alta Planning and Design, Inc. for the St. George Active Transportation Plan in the amount of $50,000.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

AWARD OF BID:
Consider award of bid for a new vac-con combination jet/vacuum sewer cleaner for Wastewater Collections.

City Manager Gary Esplin explained that items 2F and 2G are tied together. They are for the jet vacuum truck for Wastewater Collections. The bid will be awarded to NJPA in the amount of $167,507, which is included in the budget. Both items combined are less than what was budgeted.

MOTION: A motion was made by Councilmember Hughes to approve the bid to NJPA for the vac-con vacuum sewer cleaner for $167,507.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

AWARD OF BID:
Consider award of bid for a new 2015 Freightliner 114SD chassis/cab for Wastewater Collections.

City Manager Gary Esplin advised this is under state contract at a cost of $105,562.

MOTION: A motion was made by Councilmember Almquist to award the state contract bid for the 2015 Freightliner 114SD chassis/cab at $105,562.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a vote, as follows:

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

The vote was unanimous and the motion carried.

City Manager Gary Esplin noted that this seems like a bit of money; however, the City has a policy to clean the sewer lines regularly. Staff has seen a significant decline in sewer related issues.

INTERLOCAL AGREEMENT/RESOLUTION:
Consider approval of a resolution authorizing the execution of an Interlocal Agreement to pledge certain funds to the Tuacahn Center for the Arts.

City Manager Gary Esplin advised this item is an interlocal agreement with Ivins City for $25,000 per year for 20 years based upon available resources during the budgeting process. It is anticipated and budgeted out of RAP tax funds for the next 10 years at which time, the Council will determine where to get the funds to fund the remaining years. He explained that the RAP tax is generated by sales tax, most of which comes from visitors. The City of St. George and Tuacahn generate more sales tax related revenues than any other entity in the County. If they cannot expand and put on their productions, RAP tax funds will be reduced.

Mayor Pike added that Tuacahn is a significant economic impact to the City, County and State in the amount of approximately $80 million per year.

MOTION: A motion was made by Councilmember Almquist to approve the resolution between the City of St. George and Ivins City for the Interlocal Agreement to pledge certain funds to the Tuacahn Center for the Arts.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a roll call vote, as follows:

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

The vote was unanimous and the motion carried.

Mayor Pike again mentioned that item 3E will not be heard tonight.

PUBLIC HEARING/ANNEXATION/ORDINANCE:
Public hearing to consider a request to annex 3.614 acres located at approximately 1060 West Shady Springs Drive into the City municipal boundaries. HETTSA Group, LLC, applicant.

City Manager Gary Esplin stated this request is to annex 3.614 acres located along the west end of Indian Hills Drive. Staff has not received any opposition to the annexation.

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

MOTION: A motion was made by Councilmember Hughes to approve the annexation of 3.614 acres into the City boundaries; property is located at approximately 1060 West Shady Springs Drive.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a roll call vote, as follows:

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

The vote was unanimous and the motion carried.

PUBLIC HEARING/ZONE CHANGE/ORDINANCE:
Public hearing to consider a zone change from R-1-10 to C-3 on 2.54 acres generally located between Black Ridge Drive and Bluff Street. Jennings Investment, applicant.

Planning and Zoning Manager John Willis presented the request for a zone change for property generally located between Black Ridge Drive and Bluff Street. He showed maps of the property, a zoning map, a general plan map and photos of the area. Planning Commission recommended approval.

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

MOTION: A motion was made by Councilmember Bowcutt to approve the zone change from R-1-10 to C-3 on 2.54 acres generally located between Black Ridge Drive and Bluff Street.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a roll call vote, as follows:

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

The vote was unanimous and the motion carried.

PUBLIC HEARING/AMEND PD ZONE/ORDINANCE:
Public hearing to consider amending the PD zone for a proposed site plan and to add the use of a skilled nursing facility to the previously approved list of uses for property located at approximately 2000 East Riverside Drive. MWE St. George Medical Properties, applicant.

Planner Ray Snyder presented the request for a PD zone amendment for property located at approximately 2000 East Riverside Drive. They plan to develop a skilled nursing facility on the property. He showed an aerial map of the area, a zoning map, a general plan map and a close-up map of the property. The property is comprised of five separate parcels. He then showed a record of survey, an aerial view of the proposed project, height plans, elevations and the design and materials board. The purpose of this amendment is to add the use of a skilled nursing facility to the previously approved list of uses. The facility be approximately 47,000 sq. ft. and will have the capacity to house 100 patients.

Bruce Haywood, applicant, stated the purpose of the facility is to provide short term rehab for patients after surgery or injury. Their facility is a sub acute facility with little traffic. The average length of stay for patients is 20-30 days. They rarely have emergency vehicles at the facility.

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

MOTION: A motion was made by Councilmember Almquist to approve the zone change and recommend the ordinance to amend the PD-C zone for the project at approximately 2000 East Riverside Drive, adding the skilled nursing facility for MWE St. George Medical Properties including the site plan.

SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a roll call vote, as follows:

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

The vote was unanimous and the motion carried.

PUBLIC HEARING/GENERAL PLAN AMENDMENT/ORDINANCE:
Public hearing to consider amending the General Plan from OS to LDR, MDR and HDR on approximately 22.33 acres located at the Bloomington Golf Course, Country Club and off Bloomington Drive and generally west of the Virgin River. Darcy Stewart, applicant.

Planning and Zoning Manager John Willis presented the request for a general plan amendment for property located at the Bloomington Golf Course, Country Club and off Bloomington Drive and generally west of the Virgin River. The proposal is to modify the land use. He showed a zoning map, a general plan map, the proposed plan, a legend, maps of the parcels and a radius for letters sent. If the request is approved, the applicant will have to return with a zone change application.

City Attorney Shawn Guzman stated that he spoke to several residents at the Planning Commission meeting. There were some questions regarding the master plan that was originally approved by the County. The documents in the City's possession state the only obligation the City had during the annexation process was to maintain the roadway and infrastructures (utilities). Further, the documents note that there were already some developments in the area that may not have been in harmony with City ordinances. Undeveloped land came in as open space; it would be developed in accordance with City ordinances at the time the development is approved. There are no master plan requirements. If there were with the County, they did not extend to the City when the area was annexed.

City Manager Gary Esplin explained this area was annexed due to the bankruptcy of the developer. Approximately 50% of the residents asked to be annexed into the City. There were discussions regarding the condition of the roads and who will run the facilities. The zoning was only for the developed properties that were already subdivided. Some of the property in Bloomington Hills was not developed yet; they were required develop according to current City codes.

Mr. Willis mentioned that the Planning Commission recommended approval.

Mayor Pike noted this is a general plan amendment. Zoning specifics will not be discussed at this time. If approved, the applicant will design and return for a zone change.

Darcy Stewart, applicant, explained about 2-3 years ago, a member of the board of trustees for the Bloomington Country Club asked him to consider buying the golf course. He was not interested at that time due to the cost. About a year ago, the

board asked him to help; at which time they asked the City to take over the golf course. The benefit to the City is hard to measure; however, the golf courses are important to the development of the City. He had no interest until he was told that as of July, they were out of money – they were going to close the doors. They started having meetings with the residents who were very supportive. In good faith, they began taking over the golf course. He explained that when developing a golf course, they do so because they can get premiums for those who purchase lots on the course. In this case, there is very little development that can take place. They looked at how they can generate income from the asset that would help offset the cost of the renovation, which is approximately $6 - $8 million. They found several delinquent maintenance issues that should have taken care of a while ago. First, they need to come up with assets to renovate the facility. Then they need to find a way to put the course and the facility on solid financial ground moving forward. The proposal is one that gives them an envelope to work within. They do not plan on developing 22 units to the acre. It is important to know that this will be done as a PUD. The homes and condos will be expected to help pay for the maintenance of the facility. The first phase, they will renovate the current facility; the second will have a state of the art fitness facility with a possible ballroom on the second floor. They do not intend to make firm plans until they get approval from the City. The idea of losing this course compelled them to figure this out. When completed, it will be a first class facility.

Mayor Pike opened the public hearing. If opinions are the same, he asked that comments be kept to a minimum.

Richard Kohler, resident, distributed written remarks and mentioned that he is president of the Washington County Historical Society. The covenants that came with his condo consisted of 154 pages. Those covenants give him the right to open space where the golf course is. Regarding the annexation, he received copies of the annexation documents. According to those documents, the CCR's say that in the Bloomington subdivisions, there are certain restrictive covenants that were recorded and do effect the use of the property. These will be unchanged by virtue of annexation. He believes that all of the owners in Bloomington have a right to the view corridors. If approved, this proposal will change the open space to building mass. The applicant is asking the City to allow for a non-profit to become a for-profit golf course entity without reviewing the contract between the parties and the governing documents of the golf course. Additionally, the applicant is asking the open space be vacated without reviewing the private covenants. He told City Attorney Shawn Guzman that the Utah State University archives have a copy of the master plan documents - they should be found and examined. The applicant wants to replace open space without reviewing prototypes. In this case, the information has not been provided. Further, the applicant has not provided information regarding probable fiscal impacts on City services or taxation for the residents or the City as a whole. Nor have they provided negative impacts on the environment. Loss of private views will reduce property values. There will also be a loss of views of the Virgin River corridor, loss of privacy and the loss of existing mature vegetation. If approved, the applicant will save the golf course with the profits of developing the residential units; however, there is no document outlining any obligation of the applicant to do anything. He stated that he does not object to Mr. Stewart's plan for the club house and mentioned that Mr. Stewart's partner is good at saving golf courses.

When other golf courses were saved, the developers did not request additional development. The Council has not seen documents including the Bloomington Master Plan, Bloomington CCR's, Bloomington Country Club CCR's, minutes from City meetings when Bloomington Country Club asked for similar things or when the Bloomington Annexation was discussed. The applicant threatened to sell the course if the amendment is not approved. In fact, they have received an offer from a developer in Colorado. He believes the Council should be stopping this as it is the wrong thing to do.

Gail Maxwell, resident and member of Bloomington Community Council stated that they have dedicated their time and energy keeping the Bloomington area looking nice. He is concerned with Mr. Kohler's comments regarding promises made through covenants, if this does not get approved, the beautiful course will become weeds and dead grass until development occurs. He moved to the area because there was a beautiful course and club house. What attracted most residents to the area will be gone. He hopes the Council supports Mr. Stewart. If the course closes, it will affect property values and lives.

Farrell Peterson, resident, stated that he spoke with a lot of the club members who are excited with what is happening. The course looks good and has new life. He is in favor of the proposal and urged the Council to approve the request. Change has to take place; this is a change to look forward to.

Alan McKee, resident, explained that he was on the Board of Trustees when Bill Daley resigned at which time he assumed role of president. The board did everything possible to keep the course running, making some tough decisions. One of which was for the staff to take a 10% reduction in pay. At the end of fiscal year 2016, they would have seen a loss of $255,000 before depreciation, $487,000 after. At that time, they met with Mayor Pike and City Manager Gary Esplin – they were not interested in the course. A membership meeting was called for, 70% voted to remain open and continue the social experience. They then approached SunRiver, who presented a business plan that the trustees voted on. Every decision made, the vote was unanimous. If the Bloomington Country Club continued to operate as they were, the ponds would be dried up, grass would be brown and buildings would be vacant. Currently, they do not have any delinquent taxes and all of their bills are up to date. They have $28,000 remaining. He encouraged the Council to approve the request. Not one member has made a negative comment on the direction the course is taking.

Steve Whitlock, resident, stated that he will be impacted greatly; however, they are not trying to remove the entire 200 acres of open space. The loss of sight lines will occur only behind his home. He is aware that there are legal issues that will have to be addressed as well as traffic issues. The alternative is too hard to contemplate; this plan is the best he has seen.

Wendy Johnston, resident, mentioned that she was present at the Planning Commission and City Council meetings last spring when the request was to change the zoning along Bloomington Drive. At that time, one of the Councilmembers was concerned with having only sixteen homes there. She is concerned with high density and asked that they lower it.

Clark Liam, resident, explained that they bought their home at the north end of section M, a high density area. When they found out there may be development, he was concerned. If there is high density and 3-story buildings, it will look like a big city. Mr. Blair met with him and showed him plans and discussed landscaping. He believes that if the residents can see additional plans, it would be appreciated.

Cecil Wall, resident, stated that nothing will be done if it is not economically feasible. He commented that what is happening currently is amazing and recommended the plan be approved.

Dana Tisher, resident, commented that they were members of the Country Club for six years. She suggests the current members welcome new members as they are not very friendly.

Mayor Pike closed the public hearing.

City Attorney Shawn Guzman emphasized that the annexation does not affect CCR's. Ownership is examined and whether it meets state statute. In 1982, the original agreement says that CCR's will remain in place. Unless the CCR's violate law, they remain in place. The CCR's may create a private right of action; however, the City is not party to them. The City has no way to force the current owners to operate the facility as a golf course. The annexation agreement states that it is subject to the City Council approval and not be able to predetermine the outcome.

City Manager Gary Esplin clarified that when the annexation took place, the City said, under no condition, will it be a party to an HOA enforcing the covenants that are outside the City zoning ordinance. That is the responsibility of the HOA. This is a similar situation to what took place in 1982 - they requested to annex into the City. The City agreed that the existing rights would remain and they would be allowed to continue as they were operating. This is a general plan amendment. The Council has to determine if the uses make sense to the overall development of Bloomington. He commented that everyone has the right to request a general plan amendment and golf courses across the United States are in trouble.

Mr. Kohler asked to be heard again to address minutes from 2004 as he believes it contradicts what the City Manager has said.

City Manager Gary Esplin stated that the minutes do not include everything that was said. He is stating his feelings as of today.

Mayor Pike stated that the public hearing is closed. At this point, he does not feel it is material. He explained that City Manager Gary Esplin does not vote.

Councilmember Hughes commented that the Council needs to make a decision on what is taking place now, not what happened in the past.

Councilmember Bowcutt stated that he firmly believes the Council and most citizens continue to want this community be a great place to live.