

# ITEM 3C

## Zone Change

PLANNING COMMISSION AGENDA REPORT: 04/12/2016

### ZONE CHANGE

#### **Arbors 5 (Atkins)**

Case No. 2016-ZC-017

- Request:** Consider a zone change from A-1 (Agricultural) to R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size).
- Owner:** Development Solutions Group, Inc
- Applicant:** Development Solutions Group, Inc
- Location:** The property is located at the SE ¼ of Sec 10, T43S, R15W, SLB&M (located at approx. 3200 East and 2840 South).
- Acreage:** 20.00 acres
- Existing Zoning:** A-1 & A-20 (Agriculture)
- General Plan:** LDR (Low Density Residential)
- Adjacent zones:** North = A-1  
South = R-1-8  
West = R-1-8  
East = A-1
- Options:** The Planning Commission has several options:
1. Deny the zone change
  2. Approve the zone change as presented
  3. Table the zone change to allow for any additional information to be provided as determined.

### **EXAMPLE**

#### **Motion to Approve:**

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

The Planning Commission recommends approval to rezone 20.00 acres from A-1 (Agricultural) to R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size) on property located at the SE ¼ of Sec 10, T43S, R15W, SLB&M (located at approx. 3200 East and 2840 South).

# Application

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

CITY OF ST. GEORGE  
 REC'D: \_\_\_\_\_  
 TRACED: \_\_\_\_\_  
 OFFICE: \_\_\_\_\_  
 9:17 AM



\$50.00 CASH  
 CHECK(S)

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: Development Solutions Group

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

PHONE: 628-2121 CELL: 628-2121 FAX: \_\_\_\_\_

APPLICANT: Development Solutions Group  
 (if different than owner)

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

PHONE: 628-2121 CELL: \_\_\_\_\_ FAX: \_\_\_\_\_

EMAIL ADDRESS(ES): brad@developmentsolutions.co

CONTACT PERSON / REPRESENTATIVE: Brad 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. The westerly 20.0 acres of the northeast quarter of the southeast quarter of section 10, 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 #: 2016-ZC-015 FILING DATE: 2/23/16 RECEIVED BY: [Signature] RECEIPT #: \_\_\_\_\_  
 \*FEE: \$500 (Filing fee and 1" 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? A-1
2. What zone or zones are requested by this application? R-1-B
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.xgcity.org/commdev/forms.php>)*
5. Total acreage of proposed zone change: 20.0 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.

**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 Zone change at the Arbors  
*(Project name must be previously approved by the Washington County Recorder & City Planning Department)*  
 Developer/Property Owner Development Solutions Group Phone No. 628-2121  
 Contact Person/Representative Brad Petersen Phone No. 628-2121  
 Licensed Surveyor Development Solutions Group Phone No. 628-2121

**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 1<sup>st</sup> acre) + \$50.00 per acre for 2-100 acre and \$25 per acre 101-500 and \$10.00 per acre 501-plus  
**\*\*NO FEE FOR ACREAGE (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 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of the month at 5:00 p.m. All applications, the legal description and surveyed site plan drawing (Record of Survey) must be complete and submitted at least 3 weeks prior to the meeting. Incomplete or inaccurate applications **will not** be accepted or scheduled. City Council sets a public hearing date after a recommendation for approval from the Planning Commission, and then there is a 14-day advertising period prior to the public hearing.

**Hearing Dates:**

Planning Commission \_\_\_\_\_  
City Council Set Date \_\_\_\_\_  
City Council Hearing Date \_\_\_\_\_  
Council Action \_\_\_\_\_

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

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

**IV. APPLICANT AGREEMENT**

We the undersigned applicant(s) DEVELOPMENT SOLUTIONS GROUP, LLC  
(is)(are) the owner(s) AGENTS  
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 [Handwritten Signature]

Address 120 E. ST. GEORGE BLVD # 200

Signature \_\_\_\_\_

Address \_\_\_\_\_

Signature \_\_\_\_\_

Address \_\_\_\_\_

Attach additional sheets if necessary for additional owners.

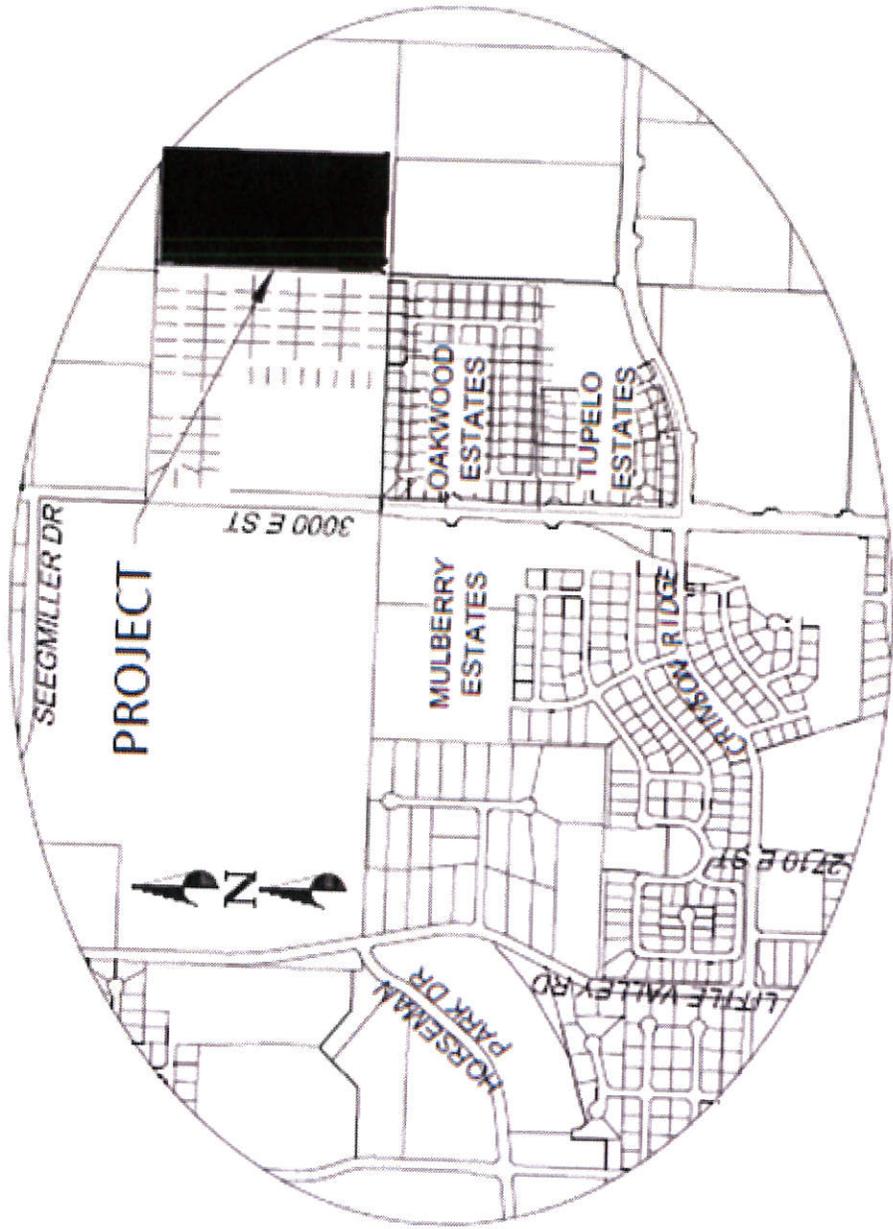
2016-ZC-017

Arbors 5

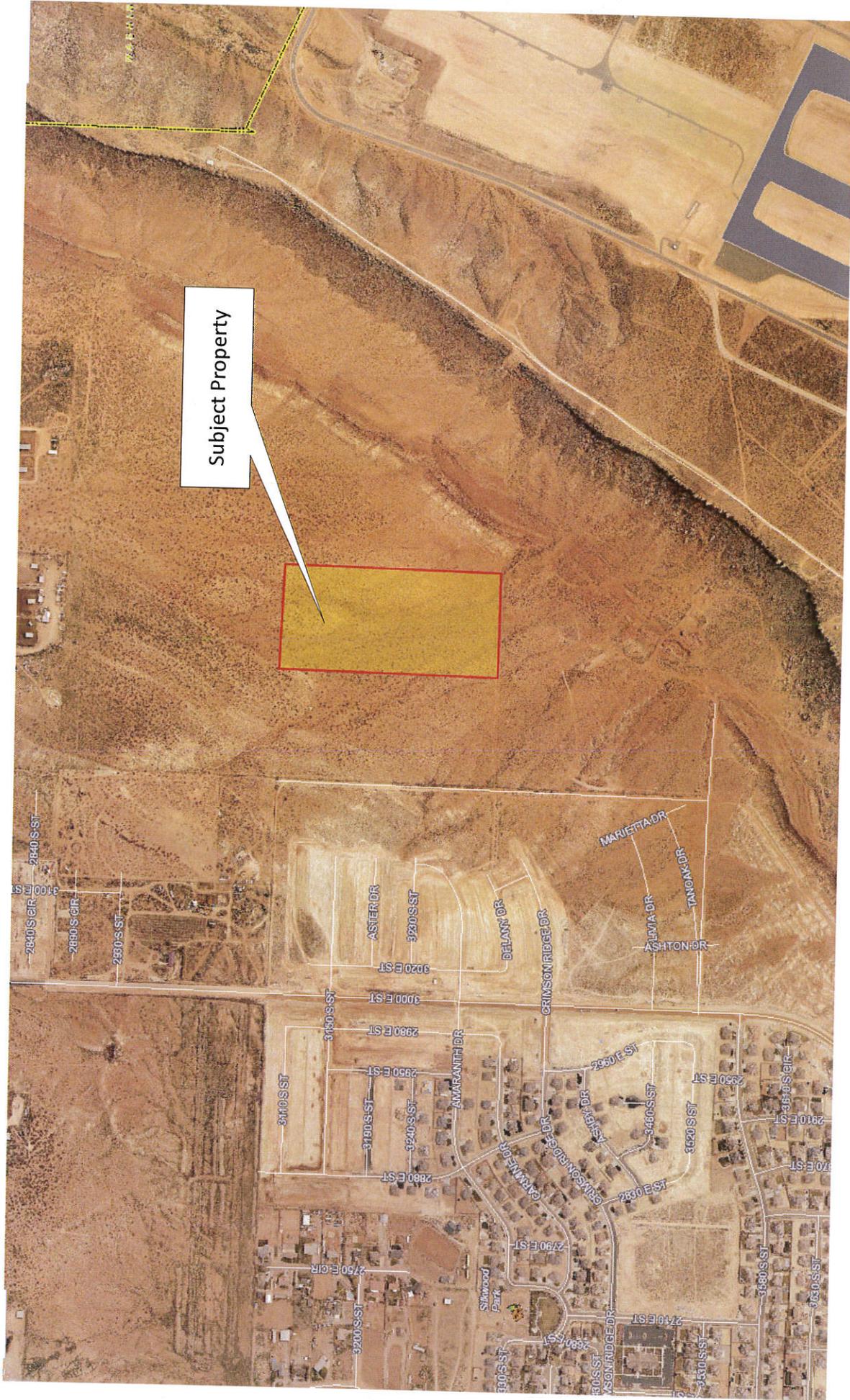
**Request:**

Consider a zone change from A-1 (Agricultural) to R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size).

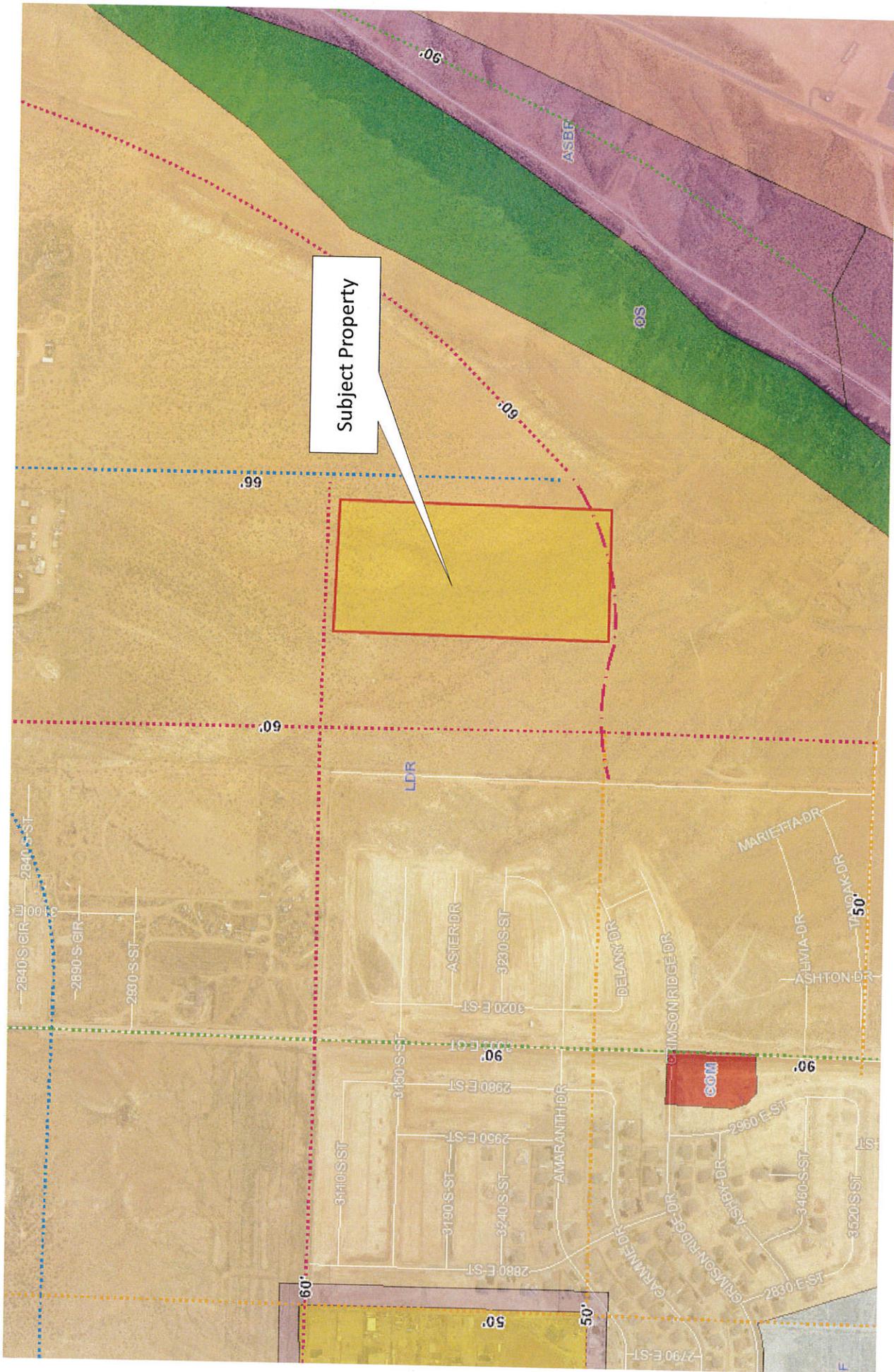
# Vicinity Map



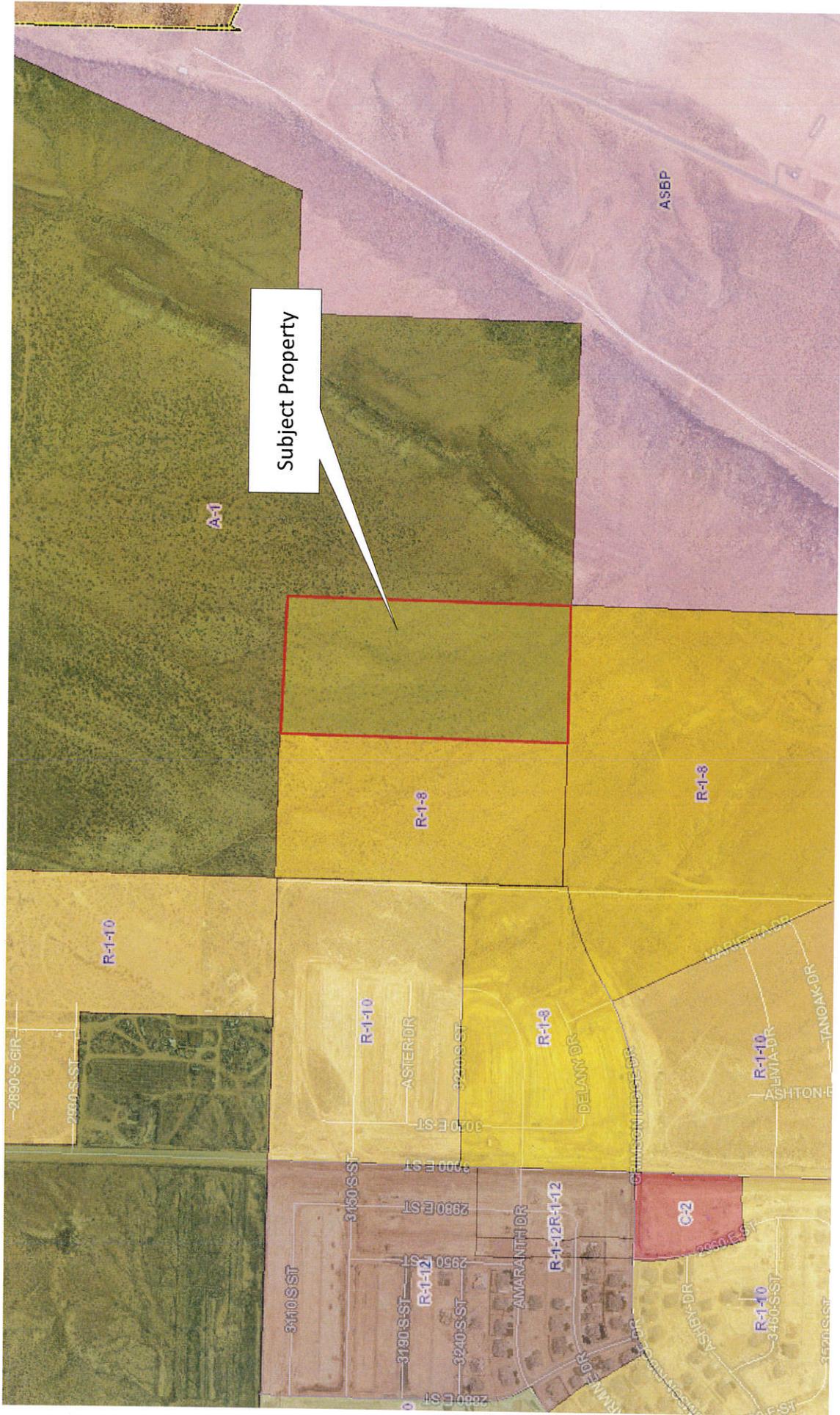
St. George  
Vicinity Map  
WEST TO ROAD



Vicinity Map



General Plan



Current Zoning





## ITEM 4

PLANNING COMMISSION REPORT OF: 04/12/2016

### CONDITIONAL USE PERMIT

Case # 2016-CUP-009

- Request:** To construct a five (5) story hotel (Hyatt Place) that exceeds the allowable maximum building height of thirty-five feet (35').
- Property:** The subject hotel would be located on Lot 3 of the recently approved Final Plat "Confluence Commercial Center"
- Zoning:** C-3 (General Commercial)
- General Plan:** Commercial
- Ordinance:** Title 10, Chapter 10 "Commercial Zones," Section 10-10-4 allows a maximum building height of 35 ft...."*unless a greater height is approved by the City Council after recommendation by the Planning Commission.*"
- Applicant:** St George Hotel Investors, LLC.  
180 N University Avenue #200  
Provo Utah 84601
- Representative:** Development Solutions  
120 East St George Blvd Ste 301  
St George, Utah 84770  
Mr. Logan Blake PE
- Project:** The applicants propose to construct a 104 room, 5 story hotel. Section 10-10-2 "Permitted Uses" of the Zoning Ordinance lists a hotel as a permitted use in the C-2 zone.
- Noticing:** Notice letters were sent to property owners within a 300 ft. radius and notice was posted in four (4) public places [on the City website, State website, and on two (2) bulletin boards in the City].
- Acreage:** 80,391 sq. ft. (1.846 acres)
- Footprint:** The building footprint is 13,937 sq. ft.
- Bldg. Sq. Ft.:** The total square footage for the five story building would be 64,831 sq. ft.
- Rooms:** The applicants propose 104 rooms.

**Parking:** Section 10-19-5 requires one (1) parking space for each living or sleeping unit, plus 2 spaces for resident manager or owner. The applicants propose 104 units which require  $104 + 2 = 106$  spaces.

**Landscaping:** Street frontage area (120 East) requires a minimum of 3,930 sq. ft. and 4,041 sq. ft. is proposed.

The parking lot parking requires a minimum of 5% or 2,104 sq. ft. (for areas over 100 spaces) and 2,200 sq. ft. will be provided.

**Adj. Land Uses:** The surrounding zoning is commercial and an existing hotel is located immediately to the east. This project is east of the Dixie Center.

**Required Setbacks:** Front: 20 ft. Side: 10 ft & 10 ft. Rear: 10 ft.

**Proposed Setbacks:** Staff will verify setbacks are met during the SPR process.

**Materials / Colors:** See submitted Materials & Colors Board

**Bldg. Height:** The proposed building height (flat roof) is a maximum of fifty-three feet eleven inches (53'-11") to the top of the parapet with allowance for architectural features up to sixty-six feet three inches (66'-3"). The height is slightly lower than the neighboring Holiday Inn and is comparable to surrounding buildings in mass and scale.

**Heights:** Comparable Roof Heights (immediate area)

Bldg.	Location	Zone	Height	Stories
Dixie Center	Convention Center	C3	40'	2
Hilton Hotel	Convention Center	C3	63'	5
Holiday Inn	Convention Center	C3	60' (68' to arch. features)	5

**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
<p>Mitigate during construction by regulating the hours of operation.</p> <p>After the hotel is constructed, no excessive noise levels are anticipated with the normal operation of a hotel.</p>		A. Noise	<p>1. Excessive noise (unwanted or undesired sound) can cause serious impacts to health, property values, and economic productivity. Conditional uses shall not impose excessive noise on surrounding uses. "Excessive noise" generally means noise that is prolonged, unusual, or a level of noise that in its time, place and use annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.</p>
<p>Mitigate during construction by methods of watering and other requirements of air quality permit control.</p>		B. Dust	<p>1. Comply with all air quality standards, state, federal and local.</p> <p>2. Use shall not create unusual or obnoxious dust beyond the property line.</p>
<p>Contain all odors during construction.</p> <p>After constructed, no excessive odors are anticipated with the normal operation of a hotel.</p>		C. Odors	<p>1. Comply with all air quality standards, state, federal and local.</p> <p>2. Use shall not create unusual or obnoxious odors beyond the property line.</p>
<p>The hotel will correspond to the existing Dixie Center and Hilton Hotel designs and/or will be constructed of similar and/or compatible materials and colors.</p>		D. Aesthetics	<p>1. Blend harmoniously with the neighborhood so the use does not change the characteristics of the zone and the impact of the use on surrounding properties is reduced.</p>
<p>Meet all required City, State, and Federal applicable safety standards for construction (e.g. OSHA, etc.)</p>		E. Safety	<p>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.</p> <p>2. Uses shall not locate within the 100-year floodplain as identified by FEMA unless</p>

			expressly recommended by the city engineer in conformance with city engineering standards and all state, local and federal laws.
The City Traffic Engineering Department will plan check the layout, design, projected traffic volumes, sight distances, signage, and striping to meet all applicable codes and standards.		F. Traffic	<p>1. Traffic increases due to the conditional use shall not cause streets or nearby intersections to fall more than one grade from the existing level of service grade or fall below a level of service "D".</p> <p>2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.</p>
The maximum hotel height will be approx. 53'-11" with the architectural features up to approx. 66 ft.		G. Height	<p>1. Buildings shall fit into the overall context of the surrounding area.</p> <p>2. Photo simulations are required showing all sides of the building(s) and showing how the building fits into the surrounding area to include not less than five hundred feet (500') in all directions from the building and including its relationship to nearby ridges, hills, and buildings.</p>
	N/A	H. Hours of Operation	1. Nonresidential uses operating in proximity to or within a residential zone shall limit hours of operation so as not to disturb the peace and quiet of the adjacent residential area.
	N/A	I. Saturation / Spacing	1. To the extent feasible, nonresidential uses allowed in residential zones as conditional uses shall be dispersed throughout the community rather than concentrated in certain residential areas.
This proposed hotel will be within the existing character of the commercial zone for the immediate area.		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.
Shall comply with all applicable City, State, and federal standards for public health.		K. Public Health	<p>1. Use shall comply with all sanitation and solid waste disposal codes.</p> <p>2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)</p>

## Narrative



March 7, 2016

Wes Jenkins  
City of St. George Development Services  
175 East 200 North  
St. George, UT 84770

Re: Conditional Use Permit – Hyatt Place, Confluence Commercial Center

Dear Mr. Jenkins,

Please find enclosed an application for a Conditional Use Permit seeking allowance for a height variance in the C-3 zone for the proposed Hyatt Place at the Confluence Commercial Center. The Hyatt Place is proposed as a 104-room, five-story hotel. The proposed height of the hotel is 53-feet 11-inches to the top of the parapet with allowance for architectural features up to 66-feet 3-inches. This height is slightly lower than the neighboring Holiday Inn and is comparable to surrounding buildings in mass and scale. The Holiday Inn and Hilton Garden Inn are both five stories and the Dixie Center is a large building in its mass. We feel that the Hyatt Place will fit with the neighboring properties.

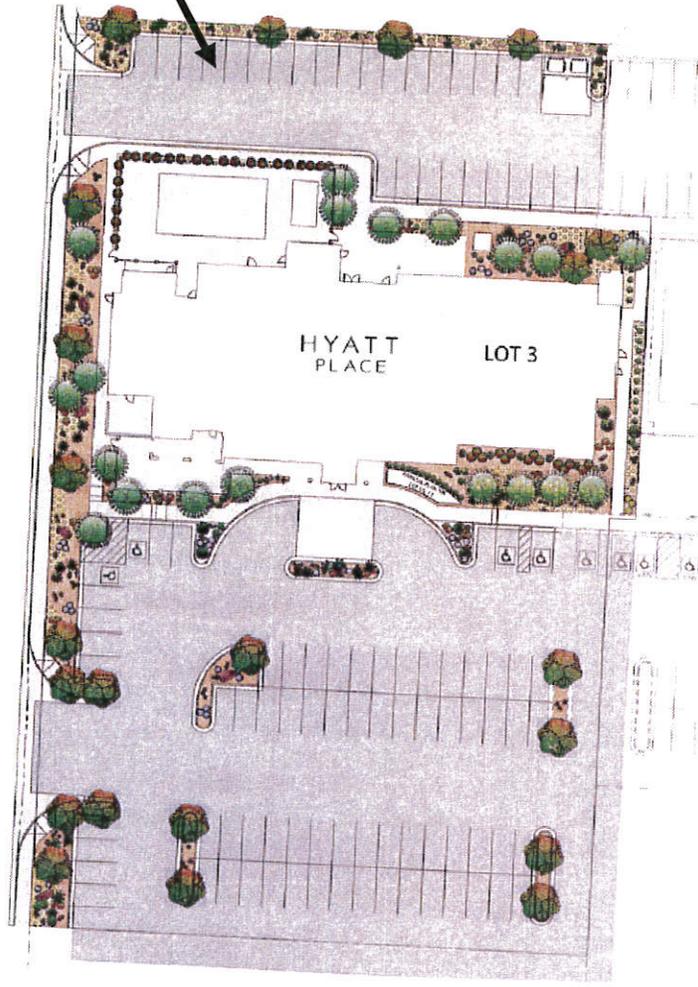
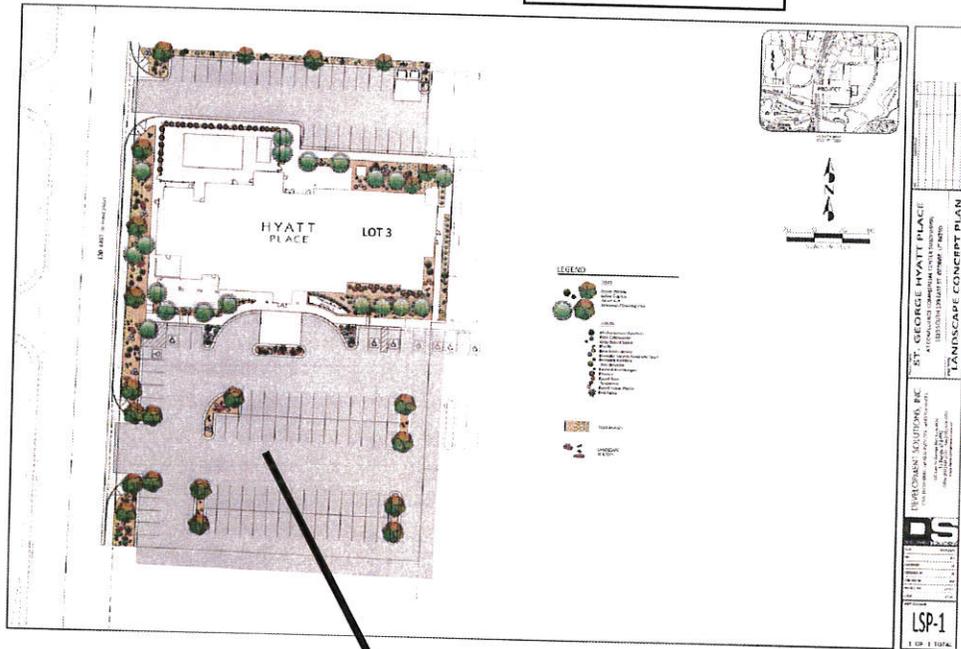
Should you have any questions or concerns please do not hesitate to contact me.

Sincerely,

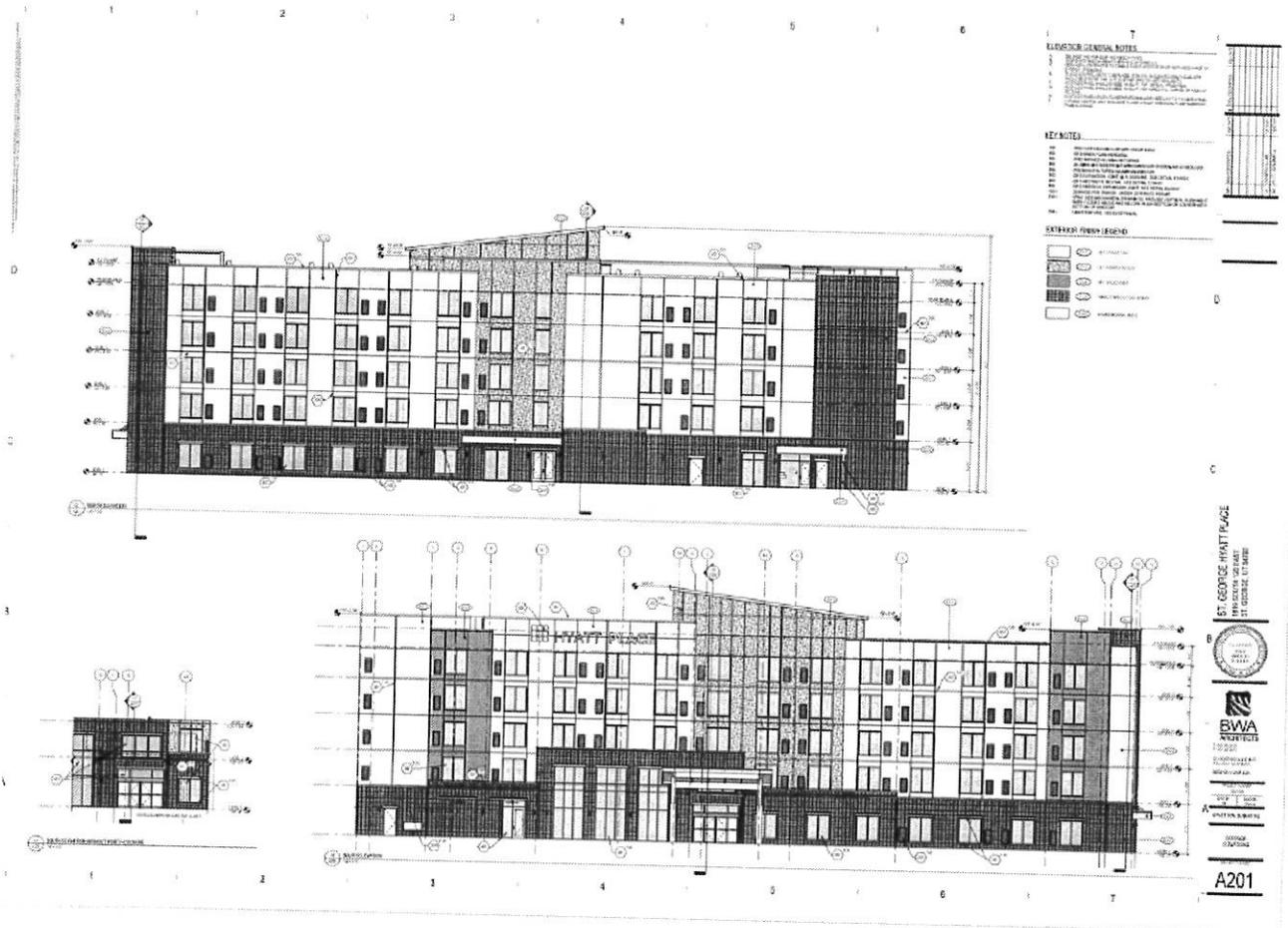
A handwritten signature in blue ink, appearing to read "Matt Hansen", with a long horizontal flourish extending to the right.

Matt Hansen  
Project Manager

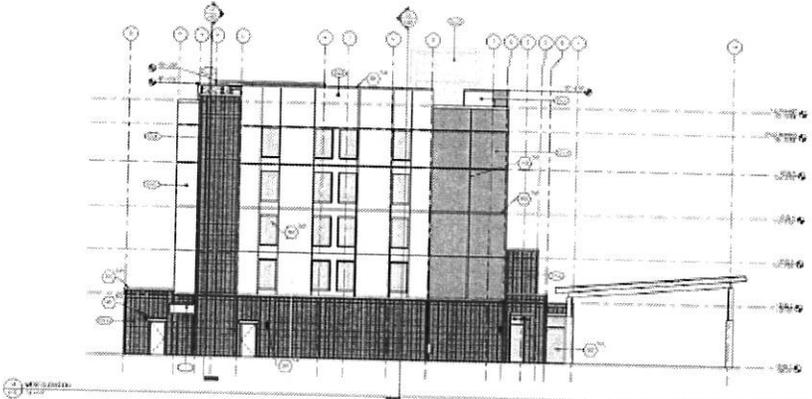
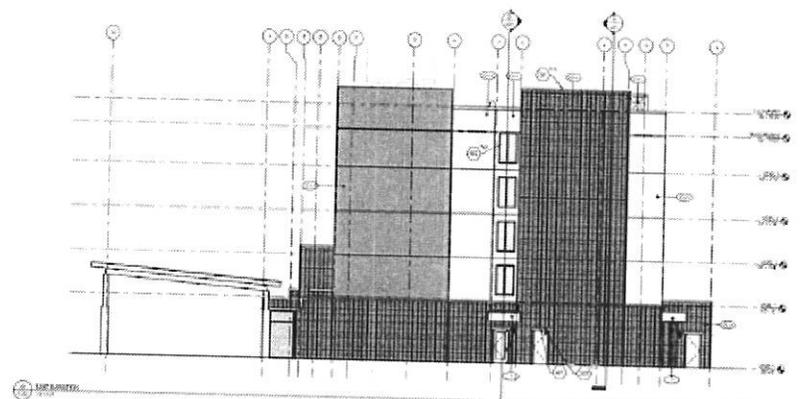
# Site Plan



# Elevations



2 3 4 5 6 7



2 3 4 5 6 7

**SECTION GENERAL NOTES**

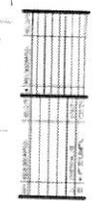
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
5. THE CONTRACTOR SHALL MAINTAIN ADEQUATE SAFETY MEASURES THROUGHOUT THE PROJECT.
6. THE CONTRACTOR SHALL MAINTAIN ACCURATE RECORD DRAWINGS.
7. THE CONTRACTOR SHALL MAINTAIN ADEQUATE COMMUNICATION WITH THE ARCHITECT.

**KEY NOTES**

1. SEE FOUNDATION PLAN.
2. SEE SECTION 05100 FOR CONCRETE WORK.
3. SEE SECTION 05200 FOR MASONRY WORK.
4. SEE SECTION 05300 FOR METAL DECKING.
5. SEE SECTION 05400 FOR MECHANICAL SYSTEMS.
6. SEE SECTION 05500 FOR ELECTRICAL SYSTEMS.
7. SEE SECTION 05600 FOR FINISHES.
8. SEE SECTION 05700 FOR SPECIALTIES.
9. SEE SECTION 05800 FOR PAINTS AND COATINGS.
10. SEE SECTION 05900 FOR FURNITURE AND FIXTURES.

**EXTERIOR FINISHES**

1	CONCRETE
2	MASONRY
3	METAL DECKING
4	MECHANICAL SYSTEMS
5	ELECTRICAL SYSTEMS
6	FINISHES
7	SPECIALTIES
8	PAINTS AND COATINGS
9	FURNITURE AND FIXTURES



100'-0"

110'-0"

120'-0"

130'-0"

140'-0"

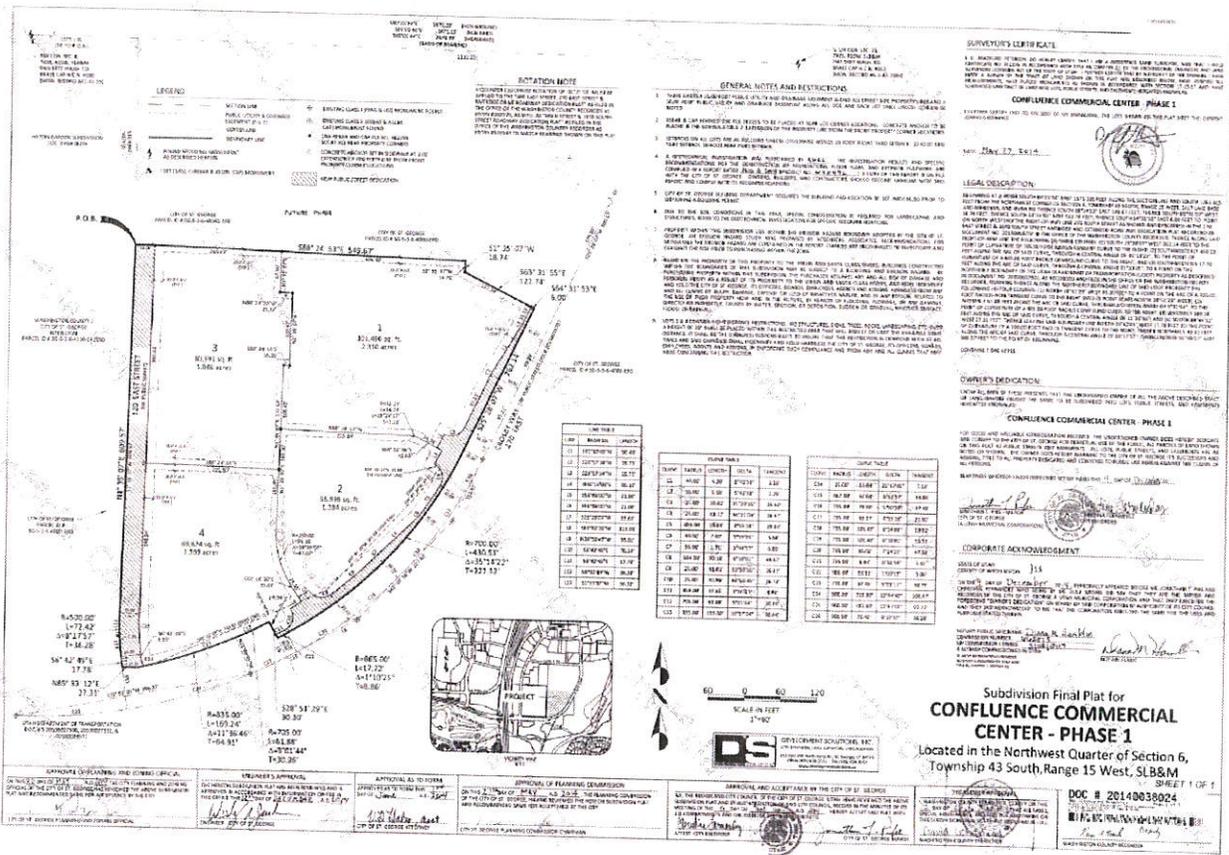
1ST GEORGE HYATT PLACE  
 1000 SOUTH DEBART  
 ST. GEORGE, UT 84770



11/15/2016  
 10:00 AM  
 10:00 AM  
 10:00 AM

A

A202



## Rendering



# ITEM 5A

## Preliminary Plat

PLANNING COMMISSION AGENDA REPORT: 04/12/2016

### PRELIMINARY PLAT

Redwood Estates Ph 6

Case No. 2016-PP-012

**Request:** To approve a preliminary plat for a five (5) lot residential subdivision

**Location:** The site is located at approximately 3200 East 3100 South

**Property:** 1.38 acres

**Number of Lots:** 5

**Density:** 3.62 du/ac

**Zoning:** R-1-8

**Adjacent zones:** This plat is surrounded by the following zones:  
North – R-1-8  
South – R-1-8  
East – A-1  
West – R-1-8

**General Plan:** Low Density Residential

**Applicant:** Development Solutions Group

**Representative:** Steve Kamlowsky

**Comments:**





# ITEM 5B

## Preliminary Plat

PLANNING COMMISSION AGENDA REPORT: 04/12/2016

PRELIMINARY PLAT  
Riverside Cliffs Phase 3  
Case No. 2016-PP-014

**Request:** To approve a preliminary plat for a thirteen (13) lot residential subdivision

**Location:** The site is located at approximately 1250 South and 1800 East south of Riverside Drive

**Property:** 4.46 acres

**Number of Lots:** 13

**Density:** 2.91 du/ac

**Zoning:** R-1-8

**Adjacent zones:** This plat is surrounded by the following zones:  
North – R-1-8  
South – R-1-8  
East –R-1-8  
West – R-1-10

**General Plan:** Medium Density Residential

**Applicant:** Ence Homes

**Representative:** Rosenberg Associates

**Comments:**

1. Lots 52 and 53 have a 35-foot setback from the existing ridgeline.



**PLANNING COMMISSION  
CITY OF ST. GEORGE  
WASHINGTON COUNTY, UTAH  
May 26, 2015 – 5:00 PM**

**PRESENT:** Chair Ross Taylor  
Commissioner Ro Wilkinson  
Commissioner Diane Adams  
Commissioner Julie Hullinger  
Commissioner Todd Staheli (arrived at 5:07 PM)

**CITY STAFF:** Assistant Public Works Director Wes Jenkins  
Planning & Zoning Manager John Willis  
Planner II Ray Snyder  
City Surveyor Todd Jacobsen  
Assistant City Attorney Victoria Hales  
Deputy City Recorder Annette Hansen

**EXCUSED:** Commissioner Don Buehner  
Commissioner Nathan Fisher  
Council Member Joe Bowcutt  
Building & Development Office Supervisor Genna Singh

**FLAG SALUTE**

Chair Ross Taylor called the meeting to order and lead the flag salute at 5:04 pm. Because of the lack of commission members Chairman Taylor explained that any of the quorum decisions would have to be unanimous in order to pass.

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

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

Ray Snyder presented the aerial views of the proposed development area, along with a proposed site plan, elevations and materials board. He noted that the City Council has approved the hillside permit on May 21, 2015. He then discussed the findings that were included in the packet. He explained that the height of the majority of the building is fifty-eight feet (58’) and the courtyard in the rear of the building is forty-seven feet. He noted that due to elevation differences a small portion of the southeast corner would be sixty-seven feet (67’) in height.

Rob Reid from Rosenberg Associates, representing the applicant, noted that this project is tucked into the base of the bluff where it won't restrict any views from the homes on the bluff. He noted that by using the Hillside Density Transfer Bonus the community is able to keep over 32 acres left as its natural state, and only develop on the 6.82 acres parcel, and that this is a perfect location for the use of a Conditional Use Permit for additional height to offset the transfer of density. Jared Neilson with MP Properties mentioned that the roofline will be only 5 to 6 ft. higher from the existing buildings in the area.

Chair Ross Taylor asked if the density transfer allows for the applicant to exceed the density limit, and if the developer is then able to develop the entire R-3 parcel.

Assistant City Attorney Victoria Hales explained that any density transfer is recorded with the property and that the applicant may develop on the R-3 parcel. Any Conditional Use Permits granted would be attach to the land. Any motion made needs to include and note the 67 ft. height on the southwest corner of the complex.

**MOTION: Commissioner Diane Adams made a motion to approve the Conditional Use Permit for the requested height for the proposed multi-family apartments to be four (4) stories above ground with two (2) levels of underground parking and the height of the majority of the building will be forty-seven to fifty-eight feet (47'- 58') with a small portion of the southeast corner to be sixty-seven feet (67') and that the applicant comply with the conditions and restrictions in A-K findings of staff as outlined to mitigate the detrimental effects of the project.**

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

**AYES (5)**

**Chair Ross Taylor**

**Commissioner Ro Wilkinson**

**Commissioner Diane Adams**

**Commissioner Julie Hullinger**

**Commissioner Todd Staheli**

**NAY (0)**

**Motion carries.**

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

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

Ray Snyder addressed the commission and explained that city code requires a design review of multi-family developments and also requires the submittal of the application along with a site plan, elevation drawings, landscaping, and materials and color samples. These items were presented to the commission for review. The applicant proposes 164 units; the apartments will be one, two, and three

bedroom units ranging from 499 to 1,300 sq. ft. all within one building. The unit mix will be 22% one bedroom units, 68% two bedroom units, and 10% three bedroom units, for a total of 164 units. He explained that there are two parcels that total approximately 39 acres at the base of the East Bluff at 1990 East Street. He proposes using a density transfer bonus as permitted in the Hillside Ordinance and wishes to move all units onto the 6.82 acre parcel and leave the remaining acreage as untouched bluff. The applicant desires to reduce the parking requirements from 2 spaces per unit to 1.75 spaces per unit as provided in city code Section 10-19-4 which allows the Planning Commission to grant a reduction in the requirement where it can be shown that the required two spaces per unit is an excessive amount of parking. The project requires a total of 383 spaces and 344 spaces are being proposed.

Jared Neilson with MP Properties, representing the applicant, discussed the parking for this complex which is provided by parking garages below the units and in the exterior areas around the building. He stated that there are 212 parking stalls in the covered underground parking garage and 132 parking stalls outside with 43 of them covered. This provides a 1.76 parking ratio, not including guest parking. He explained that they have a similar apartment complex in Layton Utah which has 156 units with 272 parking spaces (including guest) and is designed at a 1.74 parking ratio. He stated on a typical weekday night 12 spaces are not occupied and on a typical weekend night 48 spaces are not occupied.

Commissioner Ro Wilkinson expressed concerns about large rocks falling from the adjacent bluff and asked if this issue was a concern to staff.

Ray Snyder stated that the Hillside Board reviewed the site to see if a rock fall study was required and it was determined that it was not required for this area.

Commissioner Diane Adams asked if there were two accesses into the parking garage.

Jared Neilson explained that there was, one being on the front of the building and one on the north side of the building.

Councilmember Joe Bowcutt inquired about the remaining 32 acres that the developer would be transferring the density from and designating as unbuildable.

Jared Neilson explained that they would like to donate that portion to the City.

Councilmember Bowcutt then asked if it is not donated to the City how it would be guaranteed that it would not be developed.

Assistant City Attorney Victoria Hales explained that there would need to be recorded with the property a deed restricting development. The Commission cannot require that the land be donated to the City, but if the developer wants to donate it, the City may be willing to accept it.

Jared Neilson explained that it is their intent to keep the integrity of the hillside.

Commissioner Diane Adams inquired as to the target market for residents of this proposed complex and how it would be managed.

Jared Neilson explained that the market for this type of residence would be small young families and single professional adults, as the majority of the units are one and two bedroom apartments. He also explained that there would be four full time managers on site.

**MOTION: Commissioner Diane Adams made a motion recommend approval of the building design as submitted with the presented building colors and site plan; allow a parking reduction**

to be 1.82 spaces per unit or a total of 354 parking stalls which includes 299 residential parking spaces and 55 guest parking spaces; site plan review will be submitted and approved with the density transfer as presented given that the hillside will not be developed and that a document be recorded as such with the property.

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

**AYES (5)**

**Chair Ross Taylor**

**Commissioner Ro Wilkinson**

**Commissioner Diane Adams**

**Commissioner Julie Hullinger**

**Commissioner Todd Staheli**

**NAY (0)**

**Motion carries.**

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

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

John Willis explained that the original approval was four (4) buildings, each 3-stories high with a couple buildings having minor 4-story sections in the middle, with 78 total units. The applicant is proposing to eliminate one of the buildings and increase the height to 4-stories throughout, as well as expanding the footprint of the other buildings. The project will maintain the same number of units. He explained that they propose to eliminate one building entirely which would allow for more landscaping, and noted that given they are not changing the number of units that the parking requirements would remain the same. He presented the proposed elevations as well as the materials board to the commissioners. He explained that the applicant is proposing 4-story buildings which will be fifty-three feet in height, exceeding the City Code of thirty-five feet so the height difference must be approved by the Planning Commission. He mentioned that there was a letter received in opposition to the proposal.

Chair Ross Taylor mentioned the letter received and inquired if the applicant had reviewed the content of the letter.

Applicant Dave Nasal stated that he has since been in contact with the complainant and looks like they have resolved the issue.

Estancia Condominiums at Green Valley representative Dave Nasal addressed the Commission and presented renderings and photos of the proposed colors of the buildings. He stated that Phase 2 is a 16 unit building because of the elevation levels. He mentioned that with this proposed change it would help preserve the views of the surrounding developments as well as allow for more open space. He stated that the neighbors to the North and East sides of the development are in support of the amendment.

Commissioner Todd Staheli expressed concerns with not having the issue with the complainant resolved before moving forward with the approval.

Assistant City Attorney Victoria Hales mentioned that as the letter addressed parking concerns, and seeing as there was no parking changes being proposed, that the Commission would deal with that issue if it came to that point. At this time the applicant is only requesting a height change.

Chair Ross Taylor opened the public hearing. No comment from public at this time.

Chair Ross Taylor closed the public hearing.

**MOTION: Commissioner Ro Wilkinson made a motion to recommend approval of the zone change amendment for Estancia increasing the height allowance to fifty-three feet (53') as presented on 3 buildings and eliminating 1 building. If parking is changed then the applicant must come before the planning commission to approve said change.**

**SECONDED: Commissioner Julie Hullinger seconded the motion.**

**AYES (5)**

**Chair Ross Taylor**

**Commissioner Ro Wilkinson**

**Commissioner Diane Adams**

**Commissioner Julie Hullinger**

**Commissioner Todd Staheli**

**NAY (0)**

**Motion carried.**

4. **ZONE CHANGE (ZC)**

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

John Willis explained that this item was tabled at the applicant's request until the next Planning Commission meeting.

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

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

John Willis explained the current zoning ordinance is unclear and lacks consistency in regards to accessory buildings in residential zones. Each zone has different requirements and this amendment would make it easier to administer and provide consistency in the code. In most sections of the code, accessory structures are measured from the midpoint of the roof; however in the single family zones, height is measured from the ground to peak. Additionally, current code requires building setbacks based on wall height and provides ranges, but no guidance when applying ranges. The proposed amendment will help administer the code by being more concise, as well as consistent. He then went over the proposed changes of each ordinance.

Assistant City Attorney Victoria Hales had questions about allowing an accessory building on the required utility easement. If the City needs to use the easement, it would damage the accessory building and the City cannot be responsible for buildings in the public easement. She suggested that staff allow the legal department to review this issue and come up with the proper wording to address this concern.

*Changes in the allowances for accessory buildings in side-yards were also discussed along with the required setbacks and building exterior requirements.*

Commissioner Diane Adams noted that she liked the idea of conforming and updating the code as it would limit the number of CUP's the Planning Commission would have to review.

Chair Ross Taylor opened the public hearing. No comments were made.

Chair Ross Taylor closed the public hearing.

Commissioner Todd Staheli mentioned that it would be nice if the code were changed so that the Planning Commission would only have to see issues on accessory buildings if they exceeded the height limits.

Chair Ross Taylor felt that the easement requirements should be looked at as owners should have the authority to build there if it is determined that the easement had no plans of ever being used. He stated that most easements are never used and staff should be able to determine if the easement would be used in the future or not.

Councilmember Joe Bowcutt expressed his support of allowing staff more freedom and authority to handle these situations before they come to the Planning Commission.

*Commissioners discussed the various changes and Chair Ross Taylor suggested that they continue this issue as the commission would like to have legal staff look at and clarify some of the issues and concerns the commission had regarding easements and allowing structures in the easement.*

6. **PRELIMINARY PLAT (PP)**

Consider approval of a preliminary plat for a thirteen (13) lot residential subdivision for "**The Escapes at the Ledges Phase 6.**" The owner is Movie Rock LLC and the representative is Mr. Ryan Thomas, Development Solutions. The property is zoned PD-R (Planned Development

Residential) and is located at Canyon Tree Drive and Arcadian Shores Drive. Case No. 2015-PP-015. (Staff – Wes Jenkins).

Wes Jenkins presented the item to Commissioners.

Assistant City Attorney Victoria Hales reminded the Commission that all preliminary plats approvals are subject to legal approval.

**MOTION: Commissioner Julie Hullinger made a motion recommend approval of the preliminary plat as presented, subject to legal approval.**  
**SECONDED: Commissioner Diane Adams seconded the motion.**  
**AYES (5)**  
**Chair Ross Taylor**  
**Commissioner Ro Wilkinson**  
**Commissioner Diane Adams**  
**Commissioner Julie Hullinger**  
**Commissioner Todd Staheli**  
**NAY (0)**  
**Motion carried.**

7. **FINAL PLATS (FP)**

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

Wes Jenkins presented the item.

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

Wes Jenkins presented the item.

Assistant City Attorney Victoria Hales inquired as to the setbacks for this development and suggested that this be addressed as a condition of approval.

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

Wes Jenkins presented the item.

**MOTION: Commissioner Julie Hullinger made a motion to recommend approval of final plats 7A and 7C as presented, and 7B (Tonaquint Heights Phase 2) conditioned on the buildings must meet all current setback requirements.**

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

**AYES (5)**

**Chair Ross Taylor**

**Commissioner Ro Wilkinson**

**Commissioner Diane Adams**

**Commissioner Julie Hullinger**

**Commissioner Todd Staheli**

**NAY (0)**

**Motion carried.**

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

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

Wes Jenkins presented the item. He explained the purpose for the amendment is to add lot 33 and to provide a private drive as access to lots 32, 33 and 34. Originally lots 32, 33 and 34 were getting access from Granite Way.

Assistant City Attorney Victoria Hales asked if there is a required 100' setback with no removal of significant vegetation.

**MOTION: Commissioner Todd Staheli made a motion to approve the preliminary plat amendment for Stone Cliff Phase 13 as presented, subject to legal approval for the setback and vegetation issue.**

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

**AYES (5)**

**Chair Ross Taylor**

**Commissioner Ro Wilkinson**

**Commissioner Diane Adams**

**Commissioner Julie Hullinger**

**Commissioner Todd Staheli**

**NAY (0)**

**Motion carried.**

9. **MINUTES**

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

**MOTION: Commissioner Ro Wilkinson made a motion to approve the minutes from the March 10, 2015 meeting.**

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

**AYES (5)**

**Chair Ross Taylor**

**Commissioner Ro Wilkinson**

**Commissioner Diane Adams**

**Commissioner Julie Hullinger**

**Commissioner Todd Staheli**

**NAY (0)**

**Motion carried.**

10. **DISCUSSION**

Staff updated the Planning Commission on recent City Council actions.

**ADJOURN**

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

**SECONDED: Commissioner Julie Hullinger seconded the motion.**

**AYES (5)**

**Chair Ross Taylor**

**Commissioner Ro Wilkinson**

**Commissioner Diane Adams**

**Commissioner Julie Hullinger**

**Commissioner Todd Staheli**

**NAY (0)**

**Meeting adjourned at 6:59 pm**

**PLANNING COMMISSION  
CITY OF ST. GEORGE  
WASHINGTON COUNTY, UTAH  
June 09, 2015 – 5:00 PM**

**PRESENT:** Chair Ross Taylor  
Commissioner Todd Staheli  
Commissioner Don Buehner  
Commissioner Nathan Fisher  
Commissioner Ro Wilkinson (entered at 5:31 pm)  
Council Member Joe Bowcutt

**CITY STAFF:** Assistant Public Works Director Wes Jenkins  
Planning & Zoning Manager John Willis  
Planner II Ray Snyder  
City Surveyor Todd Jacobsen  
Assistant City Attorney Victoria Hales  
Building & Development Office Supervisor Genna Singh

**EXCUSED:**  
Commissioner Diane Adams  
Commissioner Julie Hullinger

**FLAG SALUTE**

Chair Ross Taylor called the meeting to order and asked Commissioner Todd Staheli to lead the flag salute at 5:02 pm.

1. **FINAL PLATS (FP)**

A. Consider approval of a Roadway Dedication Final Plat for “**Canyon View Drive St George.**” The property is zoned R-3 (Multiple Family) and is located at approximately 1000 South Dixie Drive (south of the Pelican Hills Development). The representative is Mr. Brandon Anderson, Rosenberg Associates. Case No. 2015-FP-025 (Staff – Todd Jacobsen)

Todd Jacobsen explained that Canyon View Drive will connect to the development to the east and that will be the main road to take up to the condos up on top of the hill. The road north of Canyon View Drive will have a different name.

B. Consider approval of a sixteen (16) lot residential final plat for “**Desert Rim Phase 1.**” The property is zoned PD-R (Planned Development Residential) and is located at approximately 3630 East Desert Canyons Parkway. The representative is Mr. Brad Petersen, Development Solutions. Case No. 2014-FP-075 (Staff - Todd Jacobsen)

Todd Jacobsen presented the item with no comments.

C. Consider approval of a one (1) lot residential condominium subdivision final plat for “**Estancia Phase 1.**” The property is zoned PD-R (Planned Development Residential)

and is located at approximately 1145 South Plantations Drive (in the Green Valley area). The representative is Mr. Michael Purdy, Cornerpoint. Case No. 2015-FP-017 (Staff – Todd Jacobsen)

Todd Jacobsen explained that parcel 1, 2, and 3 are left out of this plat. Approval is only for the building fronting the road.

- D. Consider approval of an eight (8) lot residential subdivision final plat for “**Stone Cliff Phase 13.**” The property is zoned PD-R (Planned Development Residential) and is located at approximately 2630 East and 1710 South (Stone Cliff development – Flint Street). The representative is Mr. Reid Pope, Pope Engineering. Case No. 2015-FP-032. (Staff – Todd Jacobsen)

Todd Jacobsen presented the item with no comments.

Todd Jacobsen added that all final plats are subject to legal approval tonight.

Commissioner Nathan Fisher asked how many phases there are with Estancia.

Todd Jacobsen explained that there will be this phase 1 with future phases to be brought forward at another time.

*Assistant City Attorney Victoria Hales added that there are some outstanding agreements and title report issues to clean up. The plats won't record until those items are cleaned up.*

**MOTION: Commissioner Nathan Fisher made a motion to approve items 1a, b, c and d and authorize chair to sign subject to planning, development, and legal review that all requirements and agreements are in place and satisfactory to the City.**

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

**AYES (4)**

**Commissioner Don Buehner**

**Chair Ross Taylor**

**Commissioner Nathan Fisher**

**Commissioner Todd Staheli**

**NAYS(0)**

**Motion carries.**

2. **EASEMENT VACATION / LOT LINE ADJUSTMENT (EV / LLA)**

Consider approval of an easement vacation / lot line adjustment for “**Lot 1 of Trebruk Estates Phase 1.**” The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at 182 South Trebruk Circle. The representative is Mr. Marc Brown, Brown Consulting Engineers. Case No. 2015-LRE-018. (Staff – Todd Jacobsen)

Todd Jacobsen stated that existing lot fronts the cul-de-sac. He also owns the lot that backs the river. He wants to add to the lot that fronts the cul-de-sac and reduce the lot that fronts the river. The easement will need to be vacated and re-established.

Councilman Joe Bowcutt asked if the plat would need to be amended and if the surrounding owners agree to the change.

Todd Jacobsen responded that there are two options: amend the plat or by document. We chose to go by document for this case. We did receive consent from the neighbors and have that in our files. Easement will be vacated down the middle and remain surrounding the lot. No remnant will remain at the back, or the owner will resolve with City staff.

Commissioner Todd Staheli asked if a structure can be built that close to the river.

Todd Jacobsen stated the proposed structure is out of the floodplain, and they will have to stay out of the floodplain.

**MOTION: Commissioner Don Buehner made a motion to recommend approval for item 2, easement vacation and lot line adjustment considering staff's recommendation and that it meets the requirements outlined by staff.**

**SECONDED: Commissioner Nathan Fisher seconded the motion.**

**AYES (4)**

**Commission Don Buehner**

**Chair Ross Taylor**

**Commissioner Nathan Fisher**

**Commissioner Todd Staheli**

**NAYS(0)**

**Motion passes.**

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

Consider approval of a lot line adjustment for "Central Storage." The property is zoned C-3 (General Commercial) and is located at 955 North 1300 West Street. The representative is Mr. Marc Brown, Brown Consulting Engineers. Case No. 2015-LRE-019. (Staff – Todd Jacobsen)

Todd Jacobsen noted that this property is not in a subdivision. The request is to move the lot line south in order to separate the smaller storage units from the larger storage units.

Assistant City Attorney Victoria Hales asked if there are easements to be vacated.

Todd Jacobsen said there are no easements to be vacated with this item.

Joe Bowcutt questioned if the storage units above the lot line belong to someone else.

Todd Jacobsen explained that the same owner owns each lot.

**MOTION: Commissioner Nathan Fisher made a motion to recommend approval of the lot line adjustment, item 3.**

**SECONDED: Commissioner Don Buehner seconded the motion.**

**AYES (4)**

**Commissioner Don Buehner**

**Chair Ross Taylor**

**Commissioner Nathan Fisher**

**Commissioner Todd Staheli**  
**NAYS(0)**  
**Motion carries.**

4. **VACATE CITY PROPERTY (VCP)**

Consider approval of City property to be vacated at approximately **2100 East Colorado Drive**. The property is zoned PD-R (Planned Development Residential). The applicants are Mr. and Mrs. Jenkins, and the representative is Mr. Bob Hermandson, Bush and Gudgell. Case No. 2015-LRE-020-A. (Staff - Todd Jacobsen)

Todd Jacobsen stated that item 4 and item 5 tie into each other. Red Cliffs Park East Phase 1 included the roadway in their plat. There was a strip there deeded to the City from the Developer, James Sullivan, S&S Homes. There is a home owner (1032 N) that owns up to the road. There is a significant elevation change there so he is not able to do anything with the property. Now with the road there is access to the property other than the piece of property the City owns. The Developer asked the home owner if they could purchase the upper part of the property for development. The owner has agreed to that. James Sullivan will grant the owner the property requested for vacation so the owner can access his parcel and so S&S can develop additional lots. We will then split the home owner's lot and then amend the plat for Red Cliffs Park East Phase 1. Approval would be based on the condition that the home owner merge the lot with the City vacated piece. The lot merger must occur within 30 days.

Commissioner Nathan Fisher asked if the statute generally stipulates the land be give back to the adjacent owner.

Todd Jacobsen stated that is true if it's a roadway. This piece is not part of the roadway; that's why it goes back to the developer who originally donated it.

Joe Bowcutt asked for clarification: so S&S owned before and deeded to the City and now he wants it back? In the past haven't we charged for purchase?

Todd Jacobsen said that it was donated to the City so it can be donated back.

Assistant City Attorney Victoria Hales counseled that a condition of approval needs to be that it must be merged to the adjacent parcel within 30 days.

Commissioner Nathan Fisher asked if the agreement between the home owner and James (S&S) is already established.

Assistant City Attorney Victoria Hales said normally it would go back to S&S. We don't get involved in the private agreements between the homeowner and S&S.

Todd Jacobsen stated we do have a letter from James requesting the land go to the home owner

**MOTION: Commissioner Don Buehner made a motion to, based on staff recommendation, recommend item 4 to vacate city property located at approximately 2100 E Colorado Drive. The recommendation is conditioned that the vacated piece be merged with the adjacent parcel within 30 days.**

**SECONDED: Commissioner Nathan Fisher seconded the motion.**

**AYES (4)**  
**Commissioner Don Buehner**  
**Chair Ross Taylor**  
**Commissioner Nathan Fisher**  
**Commissioner Todd Staheli**  
**NAYS(0)**  
**Motion carries.**

5. **LOT SPLIT (LS)**

Consider a lot split for **1032 North 2075 East Circle**. The property is zoned RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size). The applicants are Mr. and Mrs. Jenkins, and the representative is Mr. Bob Hermandson, Bush and Gudge. Case No. 2015-LRE-020-B. (Staff - Todd Jacobsen)

Todd Jacobsen stated this lot split deals with the vacation we just reviewed. This lot split would include the merged vacated property.

**MOTION: Commissioner Todd Staheli made a motion to recommend approval of item 5, lot split at 1032 N 2075 E Circle per staff recommendation and what we've heard tonight.**  
**SECONDED: Commissioner Don Buehner seconded the motion.**  
*Commissioner Nathan Fisher asked if the motion included the condition on a deed being recorded of the merge of the vacated property.*  
**Commissioner Todd Staheli added the condition that the lots be merged within 30 days.**  
**Commissioner Don Buehner re-seconded the motion.**  
**AYES (4)**  
**Commissioner Don Buehner**  
**Chair Ross Taylor**  
**Commissioner Nathan Fisher**  
**Commissioner Todd Staheli**  
**NAYS(0)**  
**Motion carries.**

*\*Ro Wilkinson entered at 5:31 pm\**

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

Consider a zone change amendment request to construct a two-story, 90 unit town home project consisting of 16 buildings with amenities on approximately 7.89 acres of property in the PD-R (Planned Development Residential) zone. The project is "**Desert Hills Town Homes**" and is located at approximately the northeast corner of Brigham Road and Desert Hills Drive. The owner is SITLA (State Institutional Trust Lands Administration), and the applicant is Mr. Ryan Thomas, Development Solutions Group. Case No. 2015-ZCA-016. (Staff – John Willis)

John Willis explained the following:

We recently updated the general plan for this area from COM to MDR. The applicant would now like to amend the PD seeking approval of the density, site plan, elevations, and materials. The proposal is for 90 units, 2-story buildings. The MDR density range is 5-9 units per acre. They are requesting 11.4 units per acre. This density can be approved per 3 findings: the development is an infill development, the dwellings are platted for individual ownership, the density and scale is similar in scale to an adjoining development or fits harmoniously in the neighborhood. The applicant has provided a narrative and exhibits and believes they meet the criteria. They exceed the landscaping and parking requirements. They meet building height and recreation area. There are townhouses in the vicinity as part of the overall Hidden Valley development which met MDR criteria. MDR would allow up to 9 DUA and applicant requests approximately 12 DUA. The request to increase density doesn't appear out of character with the units across the street, but the applicant must prove that the findings are met.

Commissioner Nathan Fisher asked if a materials board was provided or if the printed paper was the submittal.

John Willis responded that only the printed 24x36 was provided by the applicant.

Commissioner Nathan Fisher questioned the density of the town homes to the west.

Assistant City Attorney Victoria Hales stated the project to the west has a higher density than the MDR allows, however the entire development is within the MDR range of the zone.

Ryan Thomas, Development Solutions:

The Hidden Valley Townhomes wasn't an infill piece so they could bring in other areas with open space and a 90' road and that's how they could lower their overall density. This is an infill piece so we don't have the opportunity to bring in more land to lower the density. The second finding – all the units will be individually platted for individual ownership. The third finding – if in harmony – we believe it is. The units will be similar in size to the other townhomes. Our dimensions are very similar to those of the other projects. The density for Hidden Valley is 10.2 units an acre.

Commissioner Nathan Fisher asked if walking through the projects the feel would be similar. Ryan Thomas said yes and added that the roofs will not be red like the site plan they will be earth tone per the materials sheet.

Commissioner Ro Wilkinson asked how many accesses are available.

Ryan Thomas explained there is a main entrance on Desert Hills Drive and another on 840 East. The 840 East access is already there. Half of the parking will be covered. There will be visitor parking.

Commissioner Nathan Fisher stated that a physical materials board would be nice to see rather than a print as the colors are not always the same.

Ryan Thomas stated that a physical materials board can be brought in prior to City Council. Commissioner Nathan Fisher reiterated that he would like to see the board.

Ryan Thomas added that the intent is to be similar to the surrounding projects.

Commissioner Don Buehner stated there are two concerns. One is the materials board and the other is the increased density request. I have some concern about the density.

Ryan Thomas countered that Hidden Valley didn't meet the general plan. We added up all the phases of the area and they exceed the general plan with a 10.2 density.

Commissioner Don Buehner added that another problem with the density is that it is directly across from the high school. I had some concern when you amended the general plan to MDR and now you're asking for HDR.

Ryan Thomas explained that HDR is 9-22 units and we're at the bottom end of that spectrum.

Commissioner Don Buehner stated that we debated with the general plan if MDR or COM was better. In asking for your density you're making it more akin to HDR than MDR and my concern is that it is not harmonious to the high school. You tend to get more rental units near a school. Increased density right next to a high school is a concern to me.

Ryan Thomas said he didn't see how the product compares to the high school.

Commissioner Don Buehner stated it's not a comparison it's whether it's in harmony.

Ryan Thomas countered that the project is in harmony to the neighbor to the west.

Commissioner Nathan Fisher explained the concern is the overall area not just the adjacent neighbor. If the finding is infill can't they pull in that future commercial piece? Infill means it cannot be developed any other way, so we don't create a definition or exception that can be argued every time there is a development.

Assistant City Attorney Victoria Hales counseled that there is not a definition in the code for infill. Planning Commission determines if the project meets the requirements per their application. Other times infill has been used it is for parcels that are land-locked in the center of a block with limited access, like in the downtown area. This parcel is surrounded by access, three roadways and other developable land. The Commission must determine if it is infill based on the total circumstance for this parcel.

Commissioner Nathan Fisher noted the applicant's argument is that additional land cannot be acquired but they can acquire their own vacant commercial area. There are 2/3 findings they have not yet proven.

Ross Taylor agreed that we need to be sensitive to the high school. Small apartments that are rentals are not the most desirable by a school as they tend to be a distraction. With that in mind, I would be in favor of lower density and configuring units that would be more family friendly. I'm concerned also that we've gone over the limit for MDR and there may be adjacent parcels that have done that in the past.

Ryan Thomas added there will be a wall around the project. These will be townhomes so there may be full time owners or renters but they'll be sold individually. I believe we meet the criteria as Hidden Valley had a 10.2 density and that too is over the approved range. When we came in with the general plan originally we thought about HDR but we didn't want to go up to 22 units an acre. Our intent has always been the lower limits of HDR.

Don Buehner stated that we need to verify the density of Hidden Valley. Additionally, that parcel is not across from the high school as this piece is. I believe more consideration needs to be made regarding the high school.

Commissioner Nathan Fisher asked about the unit sizes.  
Ryan Thomas said a floor plan should be in the packet. There will be an HOA to maintain the landscaping.

Assistant City Attorney Victoria Hales stated that at this point we cannot confirm nor deny if the project west of this proposal was outside the allowed amount for MDR. I would assume that the project would meet the requirements of the zone. Planning Commission may recommend approval, denial, or ask the applicant if they want to continue it and to bring it back with the requested details.

Commissioner Nathan Fisher noted that the submittal states 3 bedrooms and 2.5 bathrooms.  
Ryan Thomas added that this product will be priced at a certain point. Parts of the population need that price point. Our project has the tennis courts and seminary building across not the high school itself.

Councilman Joe Bowcutt stated that the challenge is if that density is acceptable.

Commissioner Don Buehner stated the issue is making an exception to the allotted density. They have the right to MDR but going to HDR the requested exception is the concern.

Assistant City Attorney Victoria Hales stated 71 units would be the maximum unit count at MDR as opposed to the 90 in the request.

Commissioner Nathan Fisher advised that we would be setting a precedent for what the definition of infill is with this proposal.

Chair Ross Taylor opened the item to the public.

Chair Ross Taylor closed the item to the public.

Ryan Thomas added that they sent flyers out to the neighbors and held a neighborhood meeting that no one showed up to when the general plan was being amended.

Commissioner Todd Staheli reiterated that a materials board rather than printed paper is preferred and should be seen. It is up to the applicant to do some more research and bring the board. We are few in numbers so it's up to the applicant to take a chance with a motion tonight or to table the item.

Commissioner Ro Wilkinson suggested the applicant return with another proposal.

Commissioner Nathan Fisher added that the materials board needs to be reviewed because there are times the colors don't match. It is our obligation for us a commission to review that.

Ryan Thomas stated that they would like a motion made tonight.

**MOTION: Commissioner Don Buehner made a motion to recommend to City Council denial of the PD-R request for the following reasons: 1 – there is question as to whether the request for increased density is harmonious as it is the front of the high school in the neighborhood make up, and verify the density of Hidden Valley; 2 – the color board has not been submitted and the printed paper copy is not adequate**

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

*Commissioner Nathan Fisher – I concur but on different grounds – the materials board is significant but another issue is if this piece is truly an infill piece. My hope is that City Council makes a decision on that. I believe it would be like a reviewing a variance where they’ve created their own hardship. I think we’ll get the same product with lower density.*

*Commissioner Don Buehner noted there is some mitigation from 70 units to 90 units and the reduction mitigates the risks.*

*Commissioner Nathan Fisher agreed; we’ll get the same product in fewer number, but the number is significant.*

**AYES (5)**

**Commissioner Ro Wilkinson**

**Commissioner Don Buehner**

**Chair Ross Taylor**

**Commissioner Nathan Fisher**

**Commissioner Todd Staheli**

**NAYS(0)**

**Motion carries - denied recommended to City Council.**

7. **ZONE CHANGE (ZC)**

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

*(Carried over from previous PC meeting)*

John Willis explained the following:

This came forward in May and now it is back for consideration. The applicant has modified the request and left a buffer of RE-20 along the frontage and R-1-12 for the remainder of the piece.

Commissioner Nathan Fisher asked if they own all the way to Little Valley road.

John Willis said they do except for the corner piece. There were concerns at previous meetings having R-1-12 across from larger lots. The entire property will be subdivided; the lots along the frontage will just be larger lots.

Paul Blackmore added that they met with Paul Iverson after the last meeting. He wanted a buffer to help protect his land. We coordinated and compromised to leave the RE-20 area to guarantee the feathering to his property. The 11.5 of the 13+ acres is to be changed. The compromise didn’t affect our potential layout but it guarantees the lot sizes to the neighbors.

**MOTION: Commissioner Ro Wilkinson made a motion to accept the zone change on 11.5**

acres from RE-20 to R-1-12.

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

**AYES (5)**

**Commissioner Ro Wilkinson**

**Commissioner Don Buehner**

**Chair Ross Taylor**

**Commissioner Nathan Fisher**

**Commissioner Todd Staheli**

**NAYS(0)**

**Motion passes.**

8. **GUEST HOUSE (GH)**

Consider a request for a guest house / pool house to exceed the maximum allowable floor area of four hundred square feet (400 sq. ft.). The property is located at **643 Saratoga**. The zoning is R-1-10 (Single Family Residential, 10,000 sq. ft. minimum lot size). Case No. 2015-GH-004 (Staff – Ray Snyder).

Ray Snyder explained the following:

The setbacks are well out of the easements. They request a counter, sink, and refrigerator. It's considered living area but they have barn doors and the changing rooms are accessible from the outside only. The bathroom is also only accessible from the exterior. The applicant will need to fill out a deed restriction stating the guest house cannot be rented. The actual livable area is about 400 s.f. but total footprint is 600 s.f. Staff does not see any red flags and feels the guest house is appropriate.

Councilman Joe Bowcutt asked if the mechanical room is counted in the 600 s.f..

Ray Snyder said yes because it is under a roof but open on one side. The applicant did mention that they may scale this down because the pool took up more room than originally thought.

Chair Ross Taylor noted that the 400 s.f. limitation is to prevent rentals but the design itself precludes the rental. I don't see this ever having an appeal for a rental.

**MOTION: Commissioner Nathan Fisher made a motion to approve the guest house/pool house item 8 as designed conditioned on the deed restriction and construction being in accordance with the plans as presented.**

**SECONDED: Commissioner Don Buehner seconded the motion.**

**AYES (5)**

**Commissioner Ro Wilkinson**

**Commissioner Don Buehner**

**Chair Ross Taylor**

**Commissioner Nathan Fisher**

**Commissioner Todd Staheli**

**NAYS(0)**

**Motion carries.**

9. **PRELIMINARY PLATS (PP)**

- A. Consider approval of a preliminary plat for a ninety-one (91) lot residential subdivision for “**Desert Crest.**” The applicant is Quality Development and the representative is Mr. Ken Miller. The property is zoned PD-R (Planned Development Residential) and is located on South Desert Canyons Parkway. Case No. 2015-PP-009. (Staff – Wes Jenkins).

Wes Jenkins presented the item. There will be a trail along the Parkway that the city will own and maintain. Open space will also need to be dedicated of 15%.

Chair Ross Taylor asked how many phases are up for approval.

Wes Jenkins explained that originally there was phase 1 but now it will be one big development with five phases.

Assistant City Attorney Victoria Hales noted that the legal department will review this at the final plat stage so all plats are subject to legal approval at a later time.

**MOTION: Commissioner Todd Staheli made a motion to recommend approval of item 9a for Desert Crest subject to 15% open space dedication for all phases and subject to legal approval.**

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

**AYES (5)**

**Commissioner Ro Wilkinson**

**Commissioner Don Buehner**

**Chair Ross Taylor**

**Commissioner Nathan Fisher**

**Commissioner Todd Staheli**

**NAYS(0)**

**Motion carries.**

- B. Consider approval of a preliminary plat for a seventy-six (76) lot residential subdivision for “**Red Wood Estates.**” The applicant is Development Solutions and the representative is Mr. Steve Kamlowksi. The property is zoned R-1-8 (Single Family Residential, 8,000 s.f. minimum lot size) and is located at 3200 East and Crimson Ridge Drive. Case No. 2015-PP-017 (Staff – Wes Jenkins).

Wes Jenkins explained that the zone was just changed to R-1-8. They are requesting lot size averaging. 12 lots fall below 8,000 s.f.. The density does stay below the requirement.

Assistant City Attorney Victoria Hales noted that the legal department will review this at the final plat stage so all plats are subject to legal approval at a later time.

**MOTION: Commissioner Ro Wilkinson made a motion to recommend approval of item 9b based on staff comments and conditioned on legal approval.**

**SECONDED: Commissioner Nathan Fisher seconded the motion.**

**AYES (5)**

**Commissioner Ro Wilkinson**  
**Commissioner Don Buehner**  
**Chair Ross Taylor**  
**Commissioner Nathan Fisher**  
**Commissioner Todd Staheli**  
**NAYS(0)**  
**Motion carries.**

10. **PARKING (PRKG)**

A request to review the parking requirements for the "Promenade at Red Cliffs." The property is zoned C-2 (Highway Commercial Zone) and is located on Red Cliffs Drive north of St George Blvd. Case No. 2015-PRKG-001. (Staff – Ray Snyder)

Ray Snyder presented the following:

This site used to be Paradise Bakery. The Bakery was approved as a restaurant and staff considers the site to be non-conforming in regards to parking. If another restaurant were to come into the building in under a year that use can be continued. There is an overall site plan for the whole complex but most of the parking is not part of this proposal. There are three restaurant proposals within the one building. They want to divide the building into 3 pieces and also create a patio area of 1000 s.f.. That additional patio would remove some parking and increase the need for parking. Staff calculated 409 parking spaces. It is not clear where the excluded property parking is but there is a statement that 472 spaces are available that staff is honoring. Staff put together a parking table to evaluate the current uses and parking. 474 spaces would be required and their document states there are 472. It appears they are short 2 spaces to begin with and taking away 7 while adding more square footage would increase their non-conformity. I did receive an email from Sue regarding a parking analysis. ATrans went through and did a study but staff administers the code. If a center has greater than 500 spaces there is an allowance to allow reduced parking. There is a 53 space short fall.

This is subject to the following: evidence of no conflict of demand, number of stalls does not exceed spaces normally required, spaces cannot be more than 200' from use, shared parking agreement needed.

Chair Ross Taylor stated the parking is difficult there and restaurant patrons stay for a while.

Commissioner Don Buehner agreed that parking there is a problem.

Commissioner Ro Wilkinson added that a lot depends on holidays and snow birds and the parking varies. The restaurants are the most used.

Ray Snyder added that Red Rock Commons put in additional parking and there is still difficulty parking there.

Assistant City Attorney Victoria Hales counseled that it existed as a restaurant before so the non-conforming use exists. You're looking at if they can take away the 7 spots and add the outdoor seating area. Planning Commission needs to determine if the applicant's new request works with the existing, non-conforming use. Can they remove the number of spaces requested? Continuing a restaurant use is allowed.

Commissioner Nathan Fisher asked if the non-conformity can continue if they expand. Assistant City Attorney Victoria Hales stated the patio is the issue. Commissioner Nathan Fisher countered that to remain non-conforming it has to be the same as before. If they add to it then they have to bring it to current code. Assistant City Attorney Victoria Hales stated it has to come to code if it is a major change, but if it is not significant then it can remain.

Sue Jagodzinski approached the Commission to explain:  
We've been working with staff for the last month or so on the parking situation. Our specialty is buying performing buildings and bringing them back to life. Paradise Bakery has left and there is a furniture store there as well. The 1000 s.f. can be retail since the furniture store is there as well. I've been to the site multiple times and did not have a problem finding parking. I have heard that this is an underperforming center that is an eye sore. We want to improve the center with architecture and painting to upgrade the aesthetics. The patio isn't set in stone. It can shift to lose fewer spaces. I know we are relocating the trash enclosure as well.

Commissioner Todd Staheli asked where the handicap stalls will be relocated to. Sue said they will go to the west of the building. Commissioner Nathan Fisher asked if moving the trash enclosures will take up different parking spaces. Sue said yes the spaces and enclosure will flip flop. If we can add spaces we're open to it.

Commissioner Don Buehner stated we really want to see the area successful but the customer service of the previous tenant was poor. I'm not sure when the study was done but with an unsuccessful place that doesn't have many customers is an unrealistic view of demand. If it becomes successful then that adds to the parking demand. The 7 spaces to me is an issue that we need to consider carefully.

*\*Councilman Joe Bowcutt stepped out at 7:21 pm.\**

Commissioner Todd Staheli agreed that the parking study shows availability because Paradise was performing poorly. The issue of not having enough parking for all those is moot but removing the 7 and adding seating is a problem.

*\*Councilman Joe Bowcutt returned at 7:24 pm.\**

Commissioner Nathan Fisher stated losing stalls to make something successful may be worth considering. I like the idea of adding the patio in a way to not lose stalls. We need to know if we can change the non-conforming. Assistant City Attorney Victoria Hales counseled that 10-19-5 allows you to do it if you make the finding notwithstanding the requirement to City Council that the spaces are deemed reasonable for the uses. Commissioner Nathan Fisher – the center space – part of the building is retail and not restaurant – can the whole thing become restaurant and not change the non-conforming?

Assistant City Attorney Victoria Hales stated that is a concern but you have to consider if the spaces are reasonable for the uses under the code. If they have the same uses and parking, there is no change, and no special approvals are required.

Commissioner Todd Staheli said he would lean toward 2 successful restaurants over parking. Commissioner Don Buehner agreed but expressed concern that more goes into the success of a restaurant than patio space. If the next business isn't successful then we've lost parking stalls for nothing.

Sue – asked if the approval can run with the business.

Assistant City Attorney Victoria Hales counseled the non-conforming must be similar in proportion regarding the retail and restaurant spaces and uses.

Councilman Joe Bowcutt asked if the parking calculation includes stalls by the food court area and in front of Tai Pan.

Ray Snyder said the parking is for the whole center.

Councilman Joe Bowcutt said there are several vacant places in that food court area which means if restaurants come into those vacancies we've got a problem.

Commissioner Nathan Fisher noted that we can approve it now to fix it but if it becomes successful we've got a bigger problem than we currently have.

Councilman Joe Bowcutt commented he would hate to see what could be two viable or three viable businesses be shut down for 7 parking spaces.

Commissioner Don Buehner agreed but suggested the best help we can give the applicant is that they go back to the drawing board and keep the stalls and work with what you have. Eliminate the 3<sup>rd</sup> area and have 2 nice restaurants. Try to make it work with the space provided.

Eliminating stalls presents a problem.

Commissioner Nathan Fisher stated that application should reconfigure the area in a manner that is less intrusive.

Chair Ross Taylor said if they can add the patio and not touch parking it's a go on our end.

Commissioner Don Buehner said you can go forward to City Council and you can ask for a recommendation from us tonight to continue your time frame or you can choose continue it and bring in a different detail.

Sue Jagodzinski said we continue the item.

**No motion – item tabled.**

11. **REDUCED SETBACK (RS)**

Consider a reduced setback from ten feet (10') to zero feet (-0'-) on the south property line of the Lifetime Store at 530 E St. George Blvd to allow construction of a storage structure. Case No. 2015-RS-001. (Staff - Ray Snyder)

Ray Snyder explained the applicant would like to put a covered storage area with 0' setback. The setback is usually 10'. It is commercial to commercial and the request is allowed per

Planning Commission approval if the setback is determined unnecessary. The structure will be 11' high.

Assistant City Attorney Victoria Hales asked if the storage is enclosed by a fence.

Ray Snyder said there's a partial block wall. You wouldn't see the storage because the wall except for the 5' above the fence.

Vaughn Stuart explained the block wall existing. The part open from the wall can be enclosed if needs so the other neighbor can never see what is stored there.

Chair Ross Taylor asked which neighbor the graphics are from.

Ray Snyder said it is the neighbor the south.

Commissioner Todd Staheli asked why the zero setback is necessary when there is nothing back there.

Vaughn Stuart said they set up their basketball tournaments there and they do have vehicles to load and unload there.

Commissioner Nathan Fisher said it's already storage as a zero setback without a structure so this would allow some covering and prevent a weed patch with the 10' setback requirement. The south property will eventually improve and it would be nice for them to have a decent view rather than storage.

Vaughn Stuart noted the property line jogs so only a portion would be on the line.

Commissioner Nathan Fisher said it will be more usable for you and more appealing for the neighbor to the south. What material will be used for the wall?

Vaughn Stuart said aluminum or steel frame work. There can be vinyl siding. The structure will go past the jogged property line but will not itself jog.

Commissioner Nathan Fisher asked what the roof material and color would be.

Vaughn Stuart stated it would be like a commercial car port. Color has not been decided.

Commissioner Nathan Fisher stated tan would be preferred by the Planning Commissioner.

Assistant City Attorney Victoria Hales said the code does require that outside storage be behind a solid fence. 10-10-5 does state that all materials and merchandise shall be stored in an enclosed building or surrounded by site obscuring fence. Material cannot be higher than the enclosing fence or wall.

Assistant City Attorney Victoria Hales recommended a 5 minute break.

Chair Ross Taylor noted that the sprinkler company was surrounded by a 6' solid fence and then they had a 3 way enclosure with 10' landscaping.

*\*Meeting break at 8:07 pm\**

*\*Meeting resumed 8:15 pm\**

Assistant City Attorney Victoria Hales counseled that before the Planning Commission today is the reduced setback for outside storage and I don't think there is an issue with the request as long as there is a solid block fence or enclosed building. If the motion is made to meet those requirements you may move forward.

Commissioner Todd Staheli asked if the storage can be above the wall.

Assistant City Attorney Victoria Hales said that would be a code violation.  
Councilman Joe Bowcutt asked if a 3 sided structure counts.  
Assistant City Attorney Victoria Hales counseled the code says enclosed or behind solid block fence so he can pick either however enclosed is 4 sides.

Commissioner Nathan Fisher said the only way to do this is to have a 6' wall around the property with an open structure of 11' but product stacking can only be 6'.

Commissioner Todd Staheli asked if drainage is an issue with the 0' setback.

Commissioner Nathan Fisher said we can approve the 0' setback with a solid fence enclosing the storage area or an enclosed building.

Assistant City Attorney Victoria Hales counseled the motion tonight is just the setback.

John Willis stated that staff will ensure the code is met.

**MOTION: Commissioner Nathan Fisher made a motion to approve the request for a 0' setback on the rear property line for a storage facility conditioned on the applicant complying with applicable ordinances.**

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

**AYES (5)**

**Commissioner Ro Wilkinson**

**Commissioner Don Buehner**

**Chair Ross Taylor**

**Commissioner Nathan Fisher**

**Commissioner Todd Staheli**

**NAYS(0)**

**Motion carries.**

## 12. DISCUSSIONS

Discuss recent City Council Actions (June 4<sup>th</sup>) and other current items.

**NOTE: The June 23<sup>rd</sup> Planning Commission meeting will be held at the Washington County Commission Chambers, 197 East Tabernacle.**

## ADJOURN

**MOTION: Commissioner Ro Wilkinson made a motion to adjourn.**

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

**Meeting adjourned at 8:36 pm.**