

**PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH
August 25, 2015 – 5:00 PM**

**APPROVED: 04/26/2016
Motion: Ro Wilkinson
Second: Diane Adams**

PRESENT: Chair Pro Tem Nathan Fisher
Commissioner Diane Adams
Commissioner Ro Wilkinson
Commissioner Don Buehner
Commissioner Todd Staheli
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
Deputy City Recorder Annette Hansen

EXCUSED: Chair Ross Taylor
Commissioner Julie Hullinger

FLAG SALUTE

Chair Pro Tem Nathan Fisher called the meeting to order and asked Commissioner Ro Wilkinson to lead the flag salute at 5:05 PM.

1. **FINAL PLAT (FP)**

Consider approval of a twelve (12) unit residential subdivision Final Plat for “**Escapes at the Ledges Phase 6.**” The property is zoned PD-R (Planned Development Residential) and is located at approximately 1600 West and 4950 North (in the Ledges Development). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-038. (Staff – Todd Jacobsen)

Wes Jenkins presented the item. There is an amenity common area for the Escapes development only.

MOTION: Commissioner Ro Wilkinson made a motion to accept the final plat, item 1 Escapes at the Ledges Phase 6 and authorize chair to sign.

SECONDED: Commissioner Diane Adams seconded the motion.

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Todd Staheli.

NAYS (0)

Motion carries.

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

- A. Consider approval of a thirty-one (31) lot residential amended subdivision Final Plat for “**Escapes at the Ledges Phase 1 Amended.**” The property is zoned PD-R (Planned Development Residential) and is located at approximately 2055 West and 2600 North (Cougar Rock Circle). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FPA-040 (Staff – Todd Jacobsen)

Wes Jenkins presented the item: The purpose of this Final Plat Amendment is to amend lots 106-108, 112, 119, 120, 123, 126, 130, and 131. Lot 106, 112, 120, 123, 126, and 131 were increased in size to accommodate a larger building footprint. Lot 130 was relocated slightly to match lot 131. Lots 108, and 119 were decreased in size to match a change in the building footprint and Lots 106-108 were relocated to accommodate the changes in building footprints of Lots 106 and 108.

Councilman Joe Bowcutt asked if the additional space came out of common area.

Chair Pro Tem Nathan Fisher asked if they still meet the needed common area requirement.

Wes Jenkins said that is correct.

MOTION: Commissioner Diane Adams made a motion to approve the amended final plat for Escapes at the Ledges Phase 1 Amended and authorize chair to sign.

SECOND: Commissioner Todd Staheli seconded the motion.

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (0)

Motion carries.

- B. Consider approval of a twenty-one (21) lot residential amended subdivision Final Plat for “**Escapes at the Ledges Phase 2 Amended.**” The property is zoned PD-R (Planned Development Residential) and is located at Caledonia Dunes Drive and Escapes Drive (in the Ledges Development). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FPA-039 (Staff – Todd Jacobsen)

Wes Jenkins presented the item. The purpose of this Final Plat Amendment is to amend lots 204-208, 212 and 219. Lot 204, 205, 212, and 219 were increased in size to accommodate a larger building footprint. Lot 208 was decreased in size to match the change in the building

footprint and lots 205-208 were relocated to accommodate the changes in building footprints of lots 205 and 208.

Chair Pro Tem Nathan Fisher asked if the common area requirement is still met.
Wes Jenkins said it does.

MOTION: Commissioner Don Buehner made a motion to recommend approval to City Council of the Escapes at Ledges Phase 2 Amended and authorize chair to sign.

SECOND: Commissioner Ro Wilkinson seconded the motion.

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (0)

Motion carries.

- C. Consider approval of a fifteen (15) unit residential amended subdivision Final Plat for “**Villa Highlands at Hidden Valley Phase 1 Amended.**” The property is zoned PD-R (Planned Development Residential) and is located at London Lane and Athens Drive (in the Hidden Valley Development). The representative is Mr. Bob Hermandson, Bush and Gudgell. Case No. 2015-FPA-041 (Staff – Todd Jacobsen)

Wes Jenkins presented the item. This is to enlarge the private ownership areas of units 1-4, 14, and 15.

MOTION: Commissioner Diane Adams made a motion to recommend approval to City Council of the amended final plat for Villa Highlands at Hidden Valley Phase 1 and authorize chair to sign.

SECOND: Commissioner Todd Staheli seconded the motion.

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (0)

Motion carries.

3. **PRELIMINARY PLAT (PP)**

Consider approval of a preliminary plat for a sixty (60) lot residential subdivision development called “**Sienna Park Condominiums at Stone Bridge.**” The applicant is Sienna Pointe, LLC. The representative is Mr. Rob Reid, Rosenberg Associates. The

property is zoned PD-R (Planned Development Residential) and is located at 271 North Country Lane. Case No. 2015-PP-023 (Staff – Wes Jenkins).

Wes Jenkins presented the following:

Country Lane is to the East of the project. This is part of the overall Stone Bridge Planned Development (PD). It is shown as Low Density Residential (LDR) on the general plan but is a high density project. With all the Open Space (OS) dedicated previously, the average is LDR. It was approved for 70 units but then in 2005 they amended the PD. There are 2-story and 3-story buildings. The north east building was changed to 2-story with the other northern buildings as 3 story. There is a reduced setback on the northern line. There was an agreement between the City and developer for the golf course that allows them to encroach. That agreement must be located and verified. Also the northeast building can only be 2-story not 3-story.

Chair Pro Tem Nathan Fisher asked why the northeast building is limited to 2 story.
Wes Jenkins said we cannot be sure by reading the minutes.

Chair Pro Tem Nathan Fisher asked if the needed agreement is for setbacks or is a development agreement.

Wes Jenkins explained the minutes said there was a maintenance agreement and part of that indicates an allowed reduced setback.

Chair Pro Tem Nathan Fisher asked what happens if we can't find the agreement.

Assistant City Attorney Victoria Hales said they would have to meet the standard setbacks. Legal will have to review the agreement, if found so it is subject to legal.

Commissioner Nathan Fisher stated any motion will be subject to the agreement and the northeast building being limited to 2 stories.

Commissioner Don Buehner asked which building is limited to 2 story.

Wes Jenkins said the east building E.

Chair Pro Tem Nathan Fisher asked if the other high density is there at Stone Bridge as well.

MOTION: Commissioner Don Buehner made a motion to recommend to City Council approval of the preliminary plat for Sienna Park Condos as Stone Bridge based on staff recommendations that conditions are that building E, one the east end, be only 2 stories, and also subject to the setback and/or maintenance agreement previously established. If there isn't an agreement, they have to meet setbacks. This is subject to legal review.

SECONDED: Commissioner Diane Adams seconded the motion.

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (0)

Motion carries.

4. **GENERAL PLAN AMENDMENT (GPA)** (Public Hearing)

Consider a General Plan Amendment from E (Employment) and MDR (Medium Density Residential) to **MHDR** (*High Density Residential*) on approximately 51.95 acres. The property is generally located at approximately 1280 W 4700 S (Southeast of the intersection of Sun River Parkway and Arrowhead Canyon Drive). The owner is SITLA and Mr. Kyle Paisley is the agent. The applicant is Sun River St George Development L.C., and the representative is Mr. Scott McCall. Case No. 2015-GPA-006. (Staff – Ray Snyder)

(Note: Tabled at City Council 8/6/2015 as a HDR request – recommended to reapply as a MHDR request instead)

Ray Snyder presented the item.

Chair Pro Tem Nathan Fisher opened the public hearing.

Assistant City Attorney Victoria Hales clarified that the request is for MHDR (Medium High Density Residential) and not High Density Residential as written on the agenda.

Charlie Brunson there has not been enough notification to the people in SunRiver for this project. The only people who get notification are those within 500' but it will affect the entire community. Before the zoning can be changed I think the area should be canvassed and everyone talked to. He needs to say what he's going to do and then consider that proposal.

Assistant City Attorney Victoria Hales explained this is a general plan amendment and not a zone change. Tonight's consideration is the general plan only. The issue is in the broad legislative discretion of the City Council considering the Planning Commission's recommendation. The proposed general plan amendment has been noticed per State code and City ordinance and that is what the Planning Commission will consider tonight. There will be additional notification if the applicant comes in for a zone change.

Commissioner Don Buehner noted that the general plan does pave the way for the zone change so it is a precursor.

Assistant City Attorney Victoria Hales agreed and added that the consideration is if MHDR is a good fit for the area rather than the existing land use designation.

Chair Pro Tem Nathan Fisher addressed Mr. Brunson stating if you're concerned there's not enough detail at this stage there won't be. That detail will come forward at a future stage. Although it may be ideal to have that information at this stage it is not required.

Christopher Crosby – we are against the change to MHDR. There have been 2 people on our street who are moving out due to the fear of apartments being built there. This is to be an age restricted area and we don't know that this project will be as well. We don't want MHD housing.

Neil Brook – this is trying to hide what is going on. People on the street are upset about it. We met with SunRiver at the Clubhouse six months ago and were told this wasn't going to happen.

I never would have purchased here if I knew there was going to be a high density project here. What happens to the value of my home if they put high density there? Can they guarantee that it will be a 55+ community? There's no guarantee.

Commissioner Todd Staheli asked who the "they" is.

Neil Brook said the sales people. The value of our home is going to go down. We don't want to live near hot rods and kids.

Commissioner Diane Adams asked if Mr. Brook was okay with the previous plan, the topography map in the sales office.

Christopher Crosby interrupted to state that was the Atkinville Trust Lands plan. I researched it all before we moved in. There was a beautiful plan laid out that must have been thrown out. It's not fair to do your research for a nice neighborhood and then suddenly there's high density by you. What does MHD mean? Is it single family homes? Is it 3 story apartments?

Chair Pro Tem Nathan Fisher replied that MHD is 10-15 units per acre.

Christopher Crosby said we were promised it would be an over 55+ community and were told there would be a vote regarding the area and now we're in the dark about it all.

Chair Pro Tem Nathan Fisher counseled that a 55+ community is something selected by the owner but is not an item for the Commission to review.

Christopher Crosby asked if it would allow for apartments.

Chair Pro Tem Nathan Fisher said there could be apartments or townhomes or condos.

Commissioner Ro Wilkinson asked how the traffic is out there now.

Christopher Crosby stated we could use a traffic light. It's steady traffic. If they built apartments they residents won't stay there. People will be coming into SunRiver like crazy. We were also promised a 30' setback.

Chair Pro Tem Nathan Fisher clarified that at Stonebridge there was a reduction for setbacks, not this project. If a 2 story single family home were to be built there would you be against that?

Christopher Crosby said there should be single story by Arrowhead and multi story by I-15. Put it back 30' and add a nice wall.

Chair Pro Tem Nathan Fisher asked why it should be single family single story.

Christopher Crosby said it should be that way so people can't look into our back yards. It will be more attractive for us. Apartments will also be for those with less money.

Chair Pro Tem Nathan Fisher asked if it is correct to state your concerns are for your view and the value of your property.

Christopher Crosby said it's the social impact. The people who live in high density are usually from a certain social climate and demographic. The visual is not important it's the type of people. I don't want workforce housing by me.

Dixie Brunson – it took my husband Neil and I six years to get down here. We don't plan on moving out but it's not right. We were promised the SunRiver lifestyle. You would not like that right behind you. It takes away from our experience. We haven't even been here 1.5 years. We want to look out our backyard and see what is there – dirt and mountains. The ladies in our

neighborhood want to walk in the early morning and feel safe. If it's not a 55+ community, that is disturbing. We know each other and we all operate under the same rules and operations. Not knowing what is going to be here is disturbing and the traffic to be here is scary. Each of us on this road is impacted and are very disturbed by this and don't see any recourse here. Can we oppose this in any other way?

Chair Pro Tem Nathan Fisher stated the Commission cannot address what happened in the sales office. We can address the general plan amendment. We want to know the important elements of the area that would affect our decision and if this land use is appropriate for the area. Your comments boil down to what goes in there is not consistent with the SunRiver experience.

Neil Brunson said if they keep that area low density we would not be upset.

Chair Pro Tem Nathan Fisher noted that it is currently medium density right now and employment which allows for 5-9 units per acre and some commercial so there would most likely be a multi unit building there. You bought with MDR already established. Beyond that issue, the more compelling is how that property is used in regards to who can live there. If they developed as single family right now they could still have younger families there.

Neil Brunson stated we did not understand that – we left all of that when we moved to this area.

Chair Pro Tem Nathan Fisher said if it stays the way it is there can be a multi unit, multi story building and young family and businesses. If we change nothing the same conditions you are opposing can be there.

Assistant City Attorney Victoria Hales reiterated that tonight's request is a general plan amendments, a density change from 4-9 units an acre and employment, to MHDR which is 10-15 units per acre. That is the question for today and the general plan. The request is for all residential not employment.

Charles Unknown – I came to the first meeting and heard the presentation for twin houses single story with the option to go to high density if the twin homes don't sell.

Christopher Crosby told the Commission to bring up the original plan for the Atkinville Trust Lands. That commercial originally was for a restaurant and store not for manufacturing or anything. The commercial I saw and thought it would be wonderful to have homes and some restaurants on the corner.

Chair Pro Tem Nathan Fisher explained that what exists is E and MDR. There's no way for us to rewind and take it back.

Councilman Joe Bowcutt stated change happens and it will continue to happen. St. George is not the 12,000 population it once was.

Christopher Crosby said there needs to be change with guidance. Change is inevitable and we can guard the change. There's also a water issue out there. We would like to have the change be something we can all live with and we're united stating we don't want MHDR.

Commissioner Ro Wilkinson suggested that the public get together with management and address the issues with them. Planning Commission only has control over the land use.

Janet Crosby – I have a concern with the traffic there. SunRiver isn't built out and Arrowhead Canyon Parkway is getting busier and busier. People who travel this road to get home will be impacted as well.

Janelle Kestner – I travel on Arrowhead to my residence. My concern is traffic. I know the road will be expanded to accommodate it but the concern is if anyone has actually been out there and talked to the people. A Councilmember did that and I was impressed. Before you make such a huge decision I think you should. There is property there that the high density could have gone onto instead of this property. Some of the high density could have dumped onto Pioneer and never would have impacted the community. We want more single family homes there. It's a beautiful community. The higher density is a concern.

John Mayor – we understand the land is available for development. If it were to remain MD it would be okay but the higher density is a problem.

Chair Pro Tem Nathan Fisher said MD would allow for a large building with multiple units.

John Mayor - I did understand MD when I purchased. Changing the density is not something I would have foreseen.

Chair Pro Tem Nathan Fisher closed the public hearing.

Scott McCall - We're not supposed to talk details at this stage so I'm torn. Our intentions have not changed but it's not proper for the general plan. If it helps, we're still committing to age restricted housing. We still want a majority of twin homes that will be grouped along Arrowhead Canyon. We are seeking the MHDR to allow us the possibility of going to 2-story units. We have stated this in a newsletter to the residents. Those would be towards the interstate. Traffic issues would also limit our unit count at the zone change stage. There is a traffic study underway that will be submitted with the zone change. Our CCRs will codify the age restriction at the zone change as well. There will be meetings with neighborhood reps prior to the zone change application. This is an interchange and is very appropriate for a higher density by the freeway. No one is more sensitive to the SunRiver community than us. We are not going to build junk and are the best developer for this property.

Commissioner Don Buehner asked the applicant what the main problem or issue with the current MD and E designation is.

Scott McCall explained that E is not compatible. We want that to be residential instead of commercial and light industrial. MD does not get us what we need for some two story buildings.

Commissioner Todd Staheli asked if the E can be changed to MD and satisfy your needs.

Scott McCall said we couldn't do 2 story. We can bring more forward at a zone change. They won't be apartments. Arrowhead Canyon will have a trail and buffer area.

Commissioner Don Buehner asked if being restricted to MD would prevent you from doing a nice development.

Scott McCall said we couldn't do the product we're looking to develop. We would be stuck with twin and single homes. I do have the Atkinville Interchange master plan from years past. The portion that is MD on the current land use is currently zoned for multi-family at 16 units. The precedent is set for those units. We would actually be reducing it.

Commissioner Ro Wilkinson asked if a water study has done.

Scott McCall stated water availability will be determined by the City Water Department. SITLA approved the line from the airport to SunRiver.

Commissioner Ro Wilkinson read the applicant's submittal, ". . .water has expressed concerned but the General Plan will not make it more difficult. We are confident this will be resolved before the zone change."

Scott McCall stated it will be resolved before the zone change.

Assistant City Attorney Victoria Hales said the General Plan only is not contingent on a water source. The zone change is contingent on a water source, and on SunRiver building the infrastructure to supply this development with water. No platting would be allowed until the infrastructure is developed by the owner or developer.

Chair Pro Tem Nathan Fisher restated tonight's decision is if MHDR is appropriate for this area. Assistant City Attorney Victoria Hales said I appreciate the applicant making a statement to relieve the public's concern but it is a general plan amendment and the issue at hand is if it fits the overall goals and policies and the desired land use in this area. Any project details are not binding. With the input received whether to change the general plan is the decision for you to make today: from employment and MDR 5-9 units an acre, to MHDR 10-15 units an acre.

Commissioner Don Buehner noted that it makes sense to have some higher density in that area, but the request is for the entire sweep of 52 acres. The concern is that they buy into a lifestyle and there needs to be some consideration for that. There may be some merit to having some higher density there but the entire 52 acres is a concern.

Chair Pro Tem Nathan Fisher asked Commissioner Buehner, if you could address the layout for single stories by arrowhead at a later stage would you feel more comfortable?

Commissioner Don Buehner said only partially. A 52 acre swath is a great area. If the property were sold and someone later came forward with a project that meets the land use it may not be the same as what SunRiver developers are proposing.

Assistant City Attorney Victoria Hales reiterated that the General Plan is a land use designation. The property can be sold but that doesn't give zoning entitlements.

Commissioner Todd Staheli said it was mentioned that we may not be out by that community. I stopped riding my bike out there because of the traffic. The traffic does concern me and I know it will increase. I know we don't vote on lifestyle but it is something to consider.

Commissioner Don Buehner stated the issue for me is not what they were told but more communicating in the general plan the way to preserve the community culture. I think there's something more appropriate than the broad sweep.

MOTION: Commissioner Don Buehner stated, based on the presentation and information received including the public hearing and representative's comments I make a motion to recommend to City Council denial of this general plan amendment based on the idea that MHD may be appropriate in that area but the concerns we've heard tonight lead me to believe that the approximate 52 acres would not be in the best interest of all citizens.
SECONDED: Commissioner Todd Staheli seconded the motion.

AYES (2)

Commissioner Don Buehner

Commissioner Todd Staheli

NAYS (3)

Ro Wilkinson

Diane Adams

Chair Pro Tem Nathan Fisher

Motion denied.

Commissioner Diane Adams asked if it goes to City Council regardless.

Assistant City Attorney Victoria Hales counseled the Commission to vote on another motion and then the item can go forward. The City Council has requested that a motion recommending, not recommending, or recommending with conditions should come from the Planning Commission.

Commissioner Todd Staheli asked why City Council sent the item back.

Councilman Joe Bowcutt explained the schedule of the agenda that night was SunRiver and then the MHDR designation. We asked that they come back with the MHDR. Personally I felt that the citizens of SunRiver present that night were in favor of that change.

Ray Snyder concurred. The City Council wished the request for SunRiver would have been heard after the land use designation creation. My impression was Council was supportive of the MHDR.

Assistant City Attorney Victoria Hales counseled the motion can be to recommend denial or recommend approval, or have conditions.

Chair Pro Tem Nathan Fisher stated the common concern is what is by Arrowhead versus the interstate. I think we can address that at the zone change but I do agree with Commissioner Buehner to possibly put a condition I just don't know that we can do that.

Assistant City Attorney Victoria Hales said the Planning Commission can recommend approval of the General Plan on so many acres or certain areas. This is in your broad discretion, and you do not have to recommend MHDR on all the acres requested. It doesn't change what the applicant requested, but it would illustrate to Council your recommendation.

Councilman Joe Bowcutt said the part that scares me with that recommendation is that you're addressing the zone change rather than the general plan.

Assistant City Attorney Victoria Hales said no, the motion would be that the General Plan only be changed for a certain area.

Chair Pro Tem Nathan Fisher said I'm all for compromise when we can do it. My concern is that we try to accomplish through this what would be done at a zone change stage. I'm not against it but there is a procedure to address this at a later stage.

Ray Snyder added that you can look at the MDR and E areas. You can discuss having MDR along the E and then MHDR along 1-15. The general plan consists of area blobs. You don't have to give dimensions. They can redraw the exhibit prior to council with some MDR along Arrowhead.

Assistant City Attorney Victoria Hales noted you can tailor your recommendation as you see fit, and keep MDR along a certain corridor, and then MHDR to remaining area if you see fit.

John Willis said it's similar to what you do at a zone change to only approve a portion of the property. Maybe the entire property doesn't make sense as MHDR but some of it does.

Chair Pro Tem Nathan Fisher asked if the applicant can still move forward to City Council with their original proposal.

Assistant City Attorney Victoria Hales counseled yes, they can, but Council wants to have a recommendation from the Planning Commission. It will be the same agenda item but your recommendation will be on the staff report for their review.

Chair Pro Tem Nathan Fisher stated he still thinks that it is better slated for the zone change arena but am willing to move forward.

Assistant City Attorney Victoria Hales said the City Council reviews your recommendation in the decision making process. You absolutely can tailor your motion to what you would like to see or not see.

Chair Pro Tem Nathan Fisher asked if the applicant chose to appeal, what happens?

Assistant City Attorney Victoria Hales explained the applicant can move forward after the Planning Commission vote, and argue the Commission did not make an appropriate legislative decision. The applicant would be appealing their decision, and the City Council could accept the Commission's recommendation or modify it.

Commissioner Todd Staheli stated his dilemma is not knowing the area well enough to say which portions of the proposal should be the different land use designations.

Commissioner Ro Wilkinson stated we don't have to be that specific.

Assistant City Attorney Victoria Hales noted the general plan is a general map. You can suggest there is a buffer blob of MDR along Arrowhead and then the remainder could be MHDR or whatever you deem most appropriate.

Commissioner Diane Adams said we could say 50% of the property primarily along Arrowhead be MDR and then the rest be MHDR.

Councilman Joe Bowcutt argued that he still doesn't think we can do that.

Ray Snyder advised that in the past we have taken the exhibit out of the packet and drawn on it.

Councilman Joe Bowcutt countered we're not developers.

Commissioner Don Buehner stated rather than drawing or percentages perhaps we say, "a reasonable buffer corridor be at Arrowhead." Reasonable is a good term because the developer can then make it work.

Assistant City Attorney Victoria Hales said you don't need acreage or square footage. A general description is fine.

Scott McCall suggested that the first street could be single family homes.

John Willis suggested approximately 200'.

Assistant City Attorney Victoria Hales advised that the Commission has to determine what the appropriate change is to the general plan.

Chair Pro Tem Nathan Fisher stated any motion will affect them in the future and there's another stage where we can determine this perfectly and more precisely.

Commissioner Todd Staheli asked if the developer could resubmit with the multiple land uses. Chair Pro Tem Nathan Fisher asked if the applicant would like to resubmit. Scott McCall said he would like to move forward with the current proposal.

Commissioner Don Buehner cautioned that waiting could work but it could also back-fire. We need to communicate well what we think the best land use designation would be so future zone changes would reflect that intention.

Commissioner Todd Staheli asked if we vote to have MHDR on the whole thing and then deal with it at the zone change how do we justify denying certain product types if we've already laid the groundwork?

Chair Pro Tem Nathan Fisher replied this is legislative and broad in nature. The zone change is the same but allows us to get into specifics. We can request a PD-R and have everything brought forward at once.

Commissioner Don Buehner stated if we recommend MHDR for the entire request it would be difficult at a later time to say, oh we only wanted it as MHDR on this portion and not on that.

MOTION: Commissioner Diane Adams made a motion to recommend approval of item 4, GPA for the Villas at SunRiver be approved with the modification that a reasonable buffer corridor is placed along Arrowhead Canyon Drive as MDR and the remaining portion of the request be MHDR. I have drawn this and will pass along to the commissioners for review.

SECOND: Commissioner Ro Wilkinson

AYES (3)

Commissioner Diane Adams

Commissioner Don Buehner

Commissioner Ro Wilkinson

NAY (2)

Chair Pro Tem Nathan Fisher

Commissioner Todd Staheli

Assistant City Attorney Victoria Hales counseled that a motion needs to pass with four agreeing.

Ray Snyder passed around another option for consideration.

Commissioner Todd Staheli said my concern is that there's a suggestion for MDR along Arrowhead and the rest MHDR. My concern is the MHDR is an even greater area. I would like to see more MDR and less of MHDR. I would like the MDR to be greater.

Chair Pro Tem Nathan Fisher stated if the majority is in favor of drawing a line, let's move forward with that, but I still favor this being handled at the zone change stage.

discussions regarding where line should be

Chair Pro Tem Nathan Fisher stated there is a line that curves through the property. What is that?

John Willis stated it's a master plan road.

MOTION: Commissioner Todd Staheli made a motion to recommend two land use designations. 1 – MDR by Arrowhead Canyon and MHDR off of 1-15 per the hand drawn exhibit identified by the dotted line going through the map to be approved by City Council.

SECOND: Diane Adams

AYES (4)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS(1)

Chair Pro Tem Nathan Fisher

Motion carries.

Commissioner Don Buehner thanked those who came out to hear the item.

5. **ZONE CHANGE AMENDMENT (ZCA)** (Public Hearing)

Consider a zone change amendment request to allow the use of a small commercial showroom for a pottery sales business and to continue the use of two (2) existing residences. The property is located at 95 S 200 E and the owner is Ms. Twila Abrams. Case No. 2015-ZCA-019. (Staff – Ray Snyder)

Ray Snyder presented the following:

The request is to allow for a showroom for an import pottery business and continue the use of existing residences. This PD is approved for a restaurant and bed and breakfast. There is commercial zoning there that stands as existing non-conforming as a residence. The applicant wants to create a showroom gallery of 600 s.f. of the east building and the business operation is for fine dishes sold through the internet, trade shows, and retail. The showroom is also requested. Staff does not see this as a big retail draw with minimal traffic volume. The applicant intends to live in the home to the west. This is not seen as a concern by staff. The two residences are non-conforming. The applicant proposes to construct a new building for storage. The showroom would be an added use to the existing use list. They have created the showroom but are waiting for approval to operate the business. The driveway must be widened to 25' for traffic flow. They would like the 25' drive with a radius to save the existing tree which staff supports. The non-conformity does need to be addressed and is not increased.

Commissioner Todd Staheli asked if parking is only the driveway. Is there an area on the lot for parking?

Ray Snyder said there is 600 s.f. of showroom and parking would be 1:250. There is ample parking for the residences and for the commercial area. Staff would look at the site plan with the applicant.

Chair Pro Tem Nathan Fisher opened the public hearing.

Douglas Wolfenstein – I live on the opposite corner. I support this change. Watching you the last few hours has been disappointing with your lack of knowledge of your role. My concern is about the elementary school.

Chair Pro Tem Nathan Fisher closed the public hearing.

MOTION: Commissioner Diane Adams made a motion to recommend approval of item 5 to amend the PD-C to allow the use of a small commercial show room in the east building and allow the non-conforming residential uses to continue. Parking at 1:250 for the commercial showroom and the residences require 2 spaces each with 2 covered. The applicant shall provide a paved driveway of 25' except the radius for the tree and are permitted to construct an accessory structure at max height 14' and it is proven that the non-conformity is not increasing nor does it have a negative impact.

SECONDED: Commissioner Ro Wilkinson seconded the motion.

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (0)

Motion carries.

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

Consider a zone change request to rezone 13.03 acres from R-1-7 (Single Family 7,000 s.f. minimum lot size) to PD-R (Planned Development Residential) to accommodate the future development of a townhouse project consisting of forty (40) dwelling structures with 100 units. The project is called **“The Residences at Four Fifty (450 North Street)** and is generally located at 450 North between 2480 East and 2860 East. The applicant is Dixie Endeavor LLC and the representative is Mr. Dave Nasal. Case No. 2015-ZC-020 (Staff – John Willis)

John Willis presented the following:

This is a PD request so we will review the density, site plan, materials, and elevations as well as a reduction in guest parking. There are several stub streets in the project and 450 will connect. The current zone is R-1-7 and the general plan is MDR at 5-9 units per acre which is 65-118 units for the size of this project. The layout consists of 100 units. Each building is 2 stories. There will be 4-plexes with private drives. The south side will be twin homes on public streets. Density in an R-1-7 is about 5 units per acre. They are required 2 spaces per unit with 1 covered space each. They do propose 2 car garages that will satisfy that requirement. On the north part of the development, for the private drive they do meet the guest parking standard at 13 spaces. The south side with a public street they request a reduction to no guest parking. The code does allow that parking requirement to be reduced. The south side does have the public street that could accommodate parking. There is a narrative in the packet discussing the request. Landscaping is required at 30% and they have 38%. The recreation area requirement is met at 20,000 s.f..

There will be 4 plexes to the north and 2 plexes to the south. Building heights will be below the 35' max. City Council may reduce guest parking if sufficient evidence is provided. The garage size must be 400 s.f. minimum to meet the parking standard for two spaces. A 6' solid fence is required on any property line adjacent to a single family zone. Medium density is 5-9 units and does not always mean 9 units are appropriate.

Chair Pro Tem Nathan Fisher asked how wide 450 North is.

Wes Jenkins said it's an 80' but is built as a 66'.

John Willis said this would connect 450 North on either side of the vacant land. The road ROW has been dedicated so the applicant would dedicate as well. None of the existing residences would need to dedicate additional ROW.

Wes Jenkins stated the other streets are 50'.

Chair Pro Tem Nathan Fisher asked what the setback is for the driveway on the south part of the project.

John Willis said 25' like a single family zone. The south side will have the twin homes with garages and back yards platted on public streets.

Chair Pro Tem Nathan Fisher noted it would be similar to the neighboring subdivision.

John Willis said multi-family usually has a private drive and parking. This case has a public street and driveway.

Wes Jenkins stated the interior roads are 50'.

John Willis explained that phases 4, 5, 6, and 7 would allow parking on the 50' residential street.

Assistant City Attorney Victoria Hales noted that parking on the street does not count toward any requirement. The reduction has to be based on evidence other than street parking.

Chair Pro Tem Nathan Fisher opened the public hearing.

Linda Smith – I moved here in 2002 and bought my home in a single family area. It is dangerous to have doors that cannot be seen from the road. There is no concern about lifestyle. The Flats at Southpoint above here I feel like is not safe. Kids would go through the garage into the home and is poor design. The parking – I visit friends up there and there's no parking there either. I would like to keep that pocket as single family and preserve what is there. We don't need to crowd people in like sardines. With sardines comes more crime.

Kenan McCudus – we don't need another Dixie Downs area. This plan keeps changing all the time. The developer said 80 units but the presentation is for 100. I moved to this area as a single family area and I don't want multi-family right next to me. The development will be 2 stories and most of the area is single story. I don't think it's fair to those around this area. This kind of development doesn't lean to attract people who want to be rooted in the area and my family is. We're not against developing the property I just don't think this plan is a good idea. The master plan is single family homes and that's why I purchased there. I have my home for privacy. This project would impede on my privacy.

Chair Pro Tem Nathan Fisher asked Mr. McCudus if he understood that single family homes could go there as 2 story.

Kenan McCudus said it wouldn't match. The neighborhood is all single family and one level.

Jeremy Robinson – I've talked to many neighbors and we're concerned. We have a great neighborhood and that is because it's a single family area. The purpose of the zone is for single family to be established, maintained, and protected. This is a great place to raise a family. We as home owners have a long term investment in the area. If we change this to people who are not invested in the long term they won't have the same goals as we do. We want a safe friendly neighborhood.

Sally Verone – I don't want anything to change in that area. It should stay as single family homes. Our property values will go down. There are 3-4 lots in front of us and people may not build there if this project is allowed.

Mandy Gubler – when we bought our house 6 years ago this whole area had very strict CCRs. I believe that single story is in the CCRs. We bought with the intention of being in the middle of a single family neighborhood. When the Flats came in it was not ideal but it was far enough away to not directly impact us. This neighborhood is its own little community and when that is threatened none of us will take that lightly. We are invested in this neighborhood. Parking on the street is not okay because they'll park in front of my house. There are enough short term people in this area. We need long term people to sustain the community we are working hard to establish. Our property values will decrease because it's not something this neighborhood was designed for. It doesn't make sense. The area is being revived with single family homes.

Ty Stucki – when I moved in 2 years ago I was told by a realtor that it was going to be single family homes behind me. I knew over time it would develop but as single family. Having this behind me worries me. There is a loss of value to my home and lower income housing makes for higher crime rates. Aside from a financial benefit to the builder it's a reduction to us who live there. 450 North is a main road for those of us who want to go southbound. It's busy already. That street is going to be major and has no light. To reduce the parking to me is a big concern as well.

Kenan McCudus– the letter says 26 dwellings with 100 units. The agenda states 40 structures with 100 units. I am concerned that you give an inch and he takes a mile.

Chair Pro Tem Nathan Fisher stated the unit count has not changed and the applicant would only be allowed 100 units.

John Willis explained the original request was 4-plexes on the south side. Staff had the request modified to duplexes to better fit the area. The unit count has not changed.

Kenan McCudus – but as soon as he changes the zone he can go to staff and change it again.

Chair Pro Tem Nathan Fisher stated that if approved this cannot change without another public hearing.

Kenan McCudus said property values are going to be decreased if you allow multi family here.

Assistant City Attorney Victoria Hales said this is a zone change request from R-1-7, single family units, which is about 5 units per acre. The request is to go to PD-R at 7.67 units per acre. If you can address your comments to supporting or not supporting the zone change request.

Kevin Wilkinson – I have a subdivision on 450 North of 6 lots. I have 2 built and am working on 2 others. My concern for the area is looking at how much high density is already in the area. You're increasing the amount of homes from 65 to 100. I would like to say that high density around there has impacted the homes I have there. Another concern I have is with the garages at 400 s.f.. You won't be able to park a larger vehicle in those garages. Depending on their target market – if it's families you're going to have those larger family vehicles. My concern is increasing the density in the area because there is already quite a bit there.

Betty Applegate – I live in Southgate and have so much traffic at my home. I can't imagine having more traffic there. It is dangerous there. I bought there thinking it was going to be single family all around me and I was disappointed when Desert Rose and the Flats were built. It's a shame that this is being done to us. We already have to deal with the high school and now we have to deal with more? No thank you. Please think of us.

Barbara Turnbow – when we bought we were told this area would be single family. 67 blocks of a fence have been damaged since the apartments near us were put in. The crime has increased greatly. This project would change our way of life. You need to protect us, the little people, not the big developer who is looking to make more money.

Clifford Turnbow – I know you serve the citizens of St. George and you have a tremendous responsibility on your shoulders. I support the decisions you make. I also want to compliment the developers who want this community to flourish. We moved to St. George because the area we were in had an influx of people and the crime rates went up rapidly. The people in this area are good solid people. We love the area. The notice letter states 26 structures with 100 units. Now there are townhouses at 40 dwellings and 100 units. When I see that I get concerned. I do not know how a fire department could get in and around to some of the apartments in the area. What other thoughts to accommodate safety are going into this project? The pictures of the area presented are not accurate. There are new homes in there not shown. I would encourage more honesty.

Chair Pro Tem Nathan Fisher stated it would be helpful for us if you could give us specific factual information to guide us tonight. The fire truck access was something that we all wrote down. We are all clear that you are against the proposal. We need specific information that is relevant to this area.

Chair Pro Tem Nathan Fisher asked counsel if there is an issue with the notice.

Assistant City Attorney Victoria Hales stated the notice is sufficient. They increased the number of structures but the number of units did not change.

Carolyn McDonald – our fence was hit with graffiti. We will be impacted by the traffic. With 100 units that means we're getting 100+ vehicle traffic. We like the single family residences.

Russell Wood – 2720 does not have enough room for a bus. By increasing this it will impact that bus route.

Chair Pro Tem Nathan Fisher closed the public hearing.

Dave Nasal (representative) – some background here – the property to the north (Flats and Springtree) is over 11 units per acre. On the north side where there is more density to transition down to R-1-7 we thought 4-plexes would work. We moved to duplexes on the southern portion per staff's recommendation. Attached 2 car garages were a big part of this. These are not apartments. These are platted individually. A family can purchase a unit and live there long term. From a road standpoint – 450 N. is a large road; the north side will have private access. There will be sufficient fire access. As for parking – the reason we are requesting the reduction is because the townhomes are setback just like a single family home would be. The majority of the homes in the neighborhood have 2 car garages. I wouldn't anticipate more parking on the street than a normal single family home would. We feel the townhome would meet a single family home parking standard. There is a 30' setback in the backyard which is much greater than any single family zone would have. From a fitting in standpoint, I think these are attractive units. I did speak to the police department and you can look up crime rates in the City. There has been relatively little crime activity in the area in the last few months. Those concerned about property values – appraisers use comparable sales and a project like this is not comparable. There is R-3, M-1, M-2 and MH-6 all around this area. Those properties are not used in the evaluation. Someone had mentioned that I stated 80 units for this project and now it's 100. If it stayed as an R-1-7 there would be an allowance of 80 units. We anticipate families utilizing their backyards for recreation rather than creating amenities with greater HOA dues. There will be an HOA because there is common area and landscaping.

Chair Pro Tem Nathan Fisher questioned if walls would surround the project.

John Willis stated they are required to build a 6' solid wall adjacent to the single family. The applicant did submit a materials board as well as elevations.

Dave Nasal added there will be stucco and some siding. The stone is the lower pillar. There is stucco on the second floor and then hardy board.

Commissioner Todd Staheli asked if the units that back residential homes have 30' setbacks.

Councilman Joe Bowcutt stated it is 30' from this project and another 10' setback from the other property.

Commissioner Ro Wilkinson asked if there is a patio or anything on the back.

Dave Nasal said there is a sliding door to the back with a concrete pad patio.

Chair Pro Tem Nathan Fisher asked if the current zone and proposed zone unit counts are similar.

John Willis said they're really close.

Commissioner Diane Adams said if they built as is there would be a 10' rear setback with possible 2 story home.

Commissioner Don Buehner stated the issue I struggle with is not so much setbacks and look but that this development brings in a certain type of resident and there are other areas in the community that that would fit in. This project would change the makeup of this area. I don't see this as a natural fit.

Commissioner Diane Adams added I went out there today and had a hard time navigating the streets as they are. I saw new homes being built. This is not a neighborhood friendly project. It was hard for me to drive around. There were a lot of cars parked in driveways and on the street. With the existing traffic I cannot see adding this volume.

Commissioner Todd Staheli concurred. I don't think there's enough area in front of the homes for guests to park.

Commissioner Diane Adams said I don't support the reduction in parking.

Commissioner Ro Wilkinson said it is hard to navigate those streets and I do see emergency personnel having a hard time.

Chair Pro Tem Nathan Fisher – I am familiar with this property. It is tough to find an area in town where you can do a project like this. This area already provides for a higher density type product. Someone commented that the higher density north of 450 but not south of 450 but there will still be someone who has to live next to the higher density. If it remains R-1-7 there would be more of a drastic change in the area. This appears to be a transition from the higher density north to the lower density south. He is producing the equivalent of an R-1-6 rather than the R-1-7. I don't think the traffic can be addressed much here. The parking is a bit of a concern. The R-1-7 subdivision has a 2 car garage and driveway and there are cars already parked on the streets. The proposal is exactly what is in the R-1-7 with the 2 car garage and driveway. If we think they need more parking it is no different than the R-1-7. I think the applicant consciously provided that to make it consistent with single family and I think it's fair to request that.

Councilman Joe Bowcutt stated that 450 North serves as a buffer to transition the varying densities.

Assistant City Attorney Victoria Hales counseled that the PD-R zone requires guest parking and if a reduction is being sought evidence for the reduction is to be presented.

Chair Pro Tem Nathan Fisher said I feel they are providing adequate evidence with the 2 car garages.

Assistant City Attorney Victoria Hales added that they are supposed to have supporting evidence to justify the reduction. They are asking for an increase from R-1-7 where guest parking isn't needed, to PD-R which does require it unless there is evidence to support the reduction.

MOTION: Commissioner Don Buehner stated this proposal encroaches into a natural neighborhood space. I make a motion to recommend to City Council denial of the zone change request for the reason that it has an encroaching effect to a natural single family neighborhood and would bring in a different product than what is already there.

SECONDED: Commissioner Diane Adams seconded the motion.

Commissioner Todd Staheli asked if the commissioners felt the parking is justified.

Commissioner Don Buehner said that's very murky but I didn't address it because if it is left as R-1-7 it is not relevant.

AYES (4)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (1)
Chair Pro Tem Nathan Fisher

7. **DISCUSSIONS**

- A. Discuss as required any recent City Council Actions and other current items.
- B. PC & CC Work Meeting – August 27th – discuss 1) Storage Containers & 2) TND Ordinance revisions – proposed by Quality Development (applicant)

ADJOURN

MOTION: Commissioner Ro Wilkinson made a motion to adjourn
SECONDED: Commissioner Diane Adams seconded the motion.
Meeting adjourned at 9:11 pm.