

**ST. GEORGE CITY COUNCIL MINUTES  
REGULAR MEETING  
SEPTEMBER 22, 2016, 5:00 P.M.  
CITY COUNCIL CHAMBERS**

**PRESENT:**

**Mayor Jon Pike  
Councilmember Jimmie Hughes  
Councilmember Michele Randall  
Councilmember Joe Bowcutt  
Councilmember Bette Arial  
Councilmember Ed Baca  
City Attorney Shawn Guzman  
City Manager Gary Esplin  
City Recorder Christina Fernandez**

**OPENING:**

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance was led by Scouts from Troup 414 and the invocation was offered by Reverend Luigi Persichetti.

Councilmember Randall read a proclamation proclaiming September Suicide Awareness Month.

**FINAL PLAT AMENDMENT/ORDINANCE:**

**Consider approval of an ordinance amending the final subdivision plat for Entrada at Snow Canyon Chaco West Phase 3 and Entrada at Snow Canyon Chaco West Phase 3A.**

Assistant Public Works Director Wes Jenkins presented the request to amend the final subdivision plat for Entrada at Snow Canyon Chaco West Phase 3 and Entrada at Snow Canyon Chaco West Phase 3A. He showed the final plat and outlined the amendments. The purpose of the amendment is to merge lot 35 of Entrada at Snow Canyon Chaco West Phase 3 and lot 37 of Entrada at Snow Canyon Chaco West 3A into one lot.

**MOTION:** A motion was made by Councilmember Hughes to approve the final plat amendment for Entrada at Snow Canyon Chaco West Phase 3 and Entrada at Snow Canyon Chaco West Phase 3A to merge lots 35 and 37.

**SECOND:** The motion was seconded by Councilmember Arial.

**VOTE:** Mayor Pike called for a roll call vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**FINANCIAL REPORT:**

**Consider approval of the August, 2016 financial statement.**

City Manager Gary Esplin advised this is the second month in the current fiscal year. Revenue trends are good and are up.

**MOTION:** A motion was made by Councilmember Arial to approve the financial report for August, 2016.

**SECOND:** The motion was seconded by Councilmember Baca.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**AWARD OF BID:**

**Consider award of bid for the purchase of USCO switches and disconnects and S&C switches and disconnects for the Power Department.**

Purchasing Manager Connie Hood advised there has been a change in the number of quantities since the request was submitted. CED was the low bidder at \$119,811.12

**MOTION:** A motion was made by Councilmember Hughes to award the bid to CED for \$119,811.12.

**SECOND:** The motion was seconded by Councilmember Bowcutt.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**AWARD OF BID:**

**Consider award of bid for the purchase of wood poles for the Power Department.**

City Manager Gary Esplin advised the low bidder for the wood poles was Border States.

Purchasing Manager Connie Hood stated the amount is \$53,539.28 and includes a 1% discount. Border States and Electrical Wholesale Supply is the same company.

**MOTION:** A motion was made by Councilmember Randall to award the bid to Border States in the amount of \$53,539.28 for the wood poles for the Power Department.

**SECOND:** The motion was seconded by Councilmember Arial.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**AWARD OF BID:**

**Consider award of bid for the relocation of a steel building to Hela Seegmiller Farm.**

City Manager Gary Esplin explained this request is for the relocation of a steel building from Snow Park to Hela Seegmiller Farm.

Purchasing Manager Connie Hood advised the low bidder was Progressive Contracting in the amount of \$64,322.

**MOTION:** A motion was made by Councilmember Baca to approve the relocation of the steel building to Hela Seegmiller Farm in the amount of \$64,322.

**SECOND:** The motion was seconded by Councilmember Randall.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

City Manager Gary Esplin provided an update on the progress at Hela Seegmiller Farm.

Parks Planner Millie Cockerill explained the building will be modified to look similar to the buildings already there.

**PROFESSIONAL SERVICES AGREEMENT:**

**Consider approval of a professional services agreement with Sunrise Engineering for the design of the Hidden Valley sports court repair project.**

City Manager Gary Esplin recommended entering into a professional services agreement with Sunrise Engineering for the design of the Hidden Valley sports court repair project. Funds are included in the current budget.

**MOTION:** A motion was made by Councilmember Arial to approve a professional services agreement with Sunrise Engineering for the design of the Hidden Valley sports court repair project.

Purchasing Manager Connie Hood stated the amount of the agreement is \$34,900

**SECOND:** The motion was seconded by Councilmember Bowcutt.  
**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**TSA LEASE RENEWAL:**

**Consider approval to renew the lease with the TSA for space at the airport terminal.**

City Manager Gary Esplin outlined the terms of the lease. The rental payment is \$22,931.92 for the first five (5) years and \$27,512 for the second five (5) years.

**MOTION:** A motion was made by Councilmember Hughes to approve the renewal of the lease with the TSA in the amount of \$22,931.92 for years one (1) through five (5) and \$27,212 for the following five (5) years.

**SECOND:** The motion was seconded by Councilmember Randall.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**APPROVAL OF GRANT:**

**Consider approval of a grant for the replacement of airport runway and taxiway signs.**

City Manager Gary Esplin advised this is not a grant from the FAA as listed on the agenda; rather it is from the Utah State Aeronautics Operational Division. The \$38,000 grant will be used for the replacement of runway and taxiway signs while the City's match will be from the airport PFC funds.

**MOTION:** A motion was made by Councilmember Arial to approve the grant from the Utah State Aeronautics for the replacement of airport runway and taxiway signs in the amount of \$38,000.

**SECOND:** The motion was seconded by Councilmember Bowcutt.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

City Manager Gary Esplin stepped out.

**PUBLIC HEARING/VACATE PUBLIC UTILITY AND DRAINAGE EASEMENT/ORDINANCE:  
Public hearing to consider vacating a public utility and drainage easement  
located in the Pine View Plaza Commercial Center. Steve Jennings,  
applicant.**

Assistant Public Works Director Wes Jenkins presented the request to vacate a public utility and drainage easement located in the Pine View Plaza Commercial Center. He showed an aerial map of the location. The request has been approved by the JUC.

Mayor Pike opened the public hearing. There being no comment, he closed the public hearing.

**MOTION:** A motion was made by Councilmember Baca to vacate the public utility and drainage easement located in the Pine View Plaza Commercial Center.  
**SECOND:** The motion was seconded by Councilmember Randall.  
**VOTE:** Mayor Pike called for a roll call vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**PUBLIC HEARING/VACATE PUBLIC UTILITY AND DRAINAGE EASEMENT AND FINAL  
PLAT AMENDMENT/ORDINANCE:  
Public hearing to consider vacating a public utility and drainage easement and  
approving a final subdivision plat amendment located at lots 63 and 64 within  
the Bloomington Hills No. 2 Subdivision. Truline Surveying, applicant.**

Assistant Public Works Director Wes Jenkins presented the request to vacate a public utility and drainage easement and to amend the final plat for lots 63 and 64 within the Bloomington Hills No. 2 Subdivision. He showed the final plat and outlined the proposed amendments. The purpose of the amendment is to merge the two lots together so the applicant can build a garage and add on other improvements on the vacant lot.

Councilmember Bowcutt commented that whatever the addition is, it should face the cul-de-sac.

Mayor Pike opened the public hearing. There being no comment, he closed the public hearing.

**MOTION:** A motion was made by Councilmember Arial to vacate the public utility and drainage easement and approve the final subdivision plat amendment in the Bloomington Hills No. 2 Subdivision.

**SECOND:** The motion was seconded by Councilmember Hughes.

**VOTE:** Mayor Pike called for a roll call vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**PUBLIC HEARING/ZONE CHANGE AMENDMENT/ORDINANCE:**

**Public hearing to consider a zone change amendment for the DRMC-IHC parking lot expansion. IHC Health Services, Inc, applicant.**

Planner Ray Snyder presented the request for a zone change amendment... He presented a PowerPoint presentation covering the following: summary of the request; letter; zoning map; zone change map; new parking lot area; parking lot layout; overall DRMC-IHC campus/site layout; slope exhibit – precision medicine parking; photos of the area; and comments – hillside permit and cancer center; and DRMC parking summary. He mentioned that the Planning Commission recommended approval and a few comments were received by residents.

Councilmember Bowcutt noted there was concern at the Planning Commission meeting with regards to traffic across Medical Center Drive.

Mayor Pike mentioned the hospital planned to shuttle patrons.

Mr. Snyder clarified that the applicant does plan on having a crosswalk and a shuttle service.

City Manager Gary Esplin returned.

Councilmember Baca explained the cancer research center was going to be put where the parking lot is now being planned. Regulations required the cancer research facility be closer to the hospital.

Mayor Pike stated that the hospital stood to lose millions of dollars a year if they built the cancer center too far from the existing hospital.

Mayor Pike opened the public hearing.

Resident William Fulton asked about the previous zone change to Administrative Professional (AP). He mentioned the ordinance lists hospital as a conditional use in this zone, so why does it have to be Commercial. Additionally, height regulations allow for 35' unless there is a variance. He is not against the hospital; however, there are four commercial zones, Planned Development – Commercial (PD-C) does not stipulate which of those four zones it refers to.

Planning and Zoning Manager John Willis explained that the AP zone does not allow a parking lot to stand alone without a building; however, a parking lot can be built in PD-C without a building as it is a listed use in Commercial zoning. If anything else other than a parking lot is built, they would have to return with a zone change.

City Manager Gary Esplin explained the difference between a Commercial and PD-C zone. A variance to the AP zone can only be granted if there is a hardship regard to a particular property. As there is no hardship with this property, the applicant is requesting a zone change.

Mr. Fulton inquired about the parking lot lighting. He mentioned that there is a bit of an issue in this area regarding light pollution.

Mayor Pike explained they can meet or exceed City requirements if they chose to, but it can be looked at. He has seen improvements in the City generally. The PD-C zone allows for flexibility; however, the City cannot ask an applicant to exceed the ordinance.

Resident Mike Satter mentioned a letter he submitted. He understands safety is an issue; however, the existing lighting at the performance center is more subdued than the hospital parking lot. He asked the Council to consider asking IHC to reduce the lighting so they can see the City.

City Attorney Shawn Guzman advised the ordinance does not allow the City to require an applicant to reduce lighting, but the Council can specify in the PD approval. He is not sure what standards they will be using; however, the applicant can state that they are willing to work on the lighting and it can be included in the approval.

City Manager Gary Esplin added that light cannot exceed the area of the parking lot on the ground but light shining up is different. The ordinance does not address lights shining up, but they have to be directed downward.

Mayor Pike added that the Council can direct staff to work with the applicant to minimize the light.

Mayor Pike closed the public hearing.

Councilmember Baca clarified there is a piece of land south of the parking development – if they choose to build on those lots, they will have to return for approval.

**MOTION:** A motion was made by Councilmember Arial approve the zone change amendment to PD-C for the DRMC-IHC parking lot expansion.

**SECOND:** The motion was seconded by Councilmember Baca.

Councilmember Baca asked that the applicant work with the City to do what they can to direct the lighting from going upward.

**VOTE:** Mayor Pike called for a roll call vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**PUBLIC HEARING/ZONE CHANGE/ORDINANCE:**

**Public hearing to consider a zone change from R-1-12 to R-1-10 on 0.61 acres located north of Sage Meadows Phase 3, between 2940 East and 3000 East. Scott Woolsey, applicant.**

Planning and Zoning Manager John Willis presented the request to change the zone from R-1-2 to R-1-10 on 0.61 acres located north of Sage Meadows Phase 3, between 2940 East and 3000 East. He presented a PowerPoint presentation covering the following topics: aerial – vicinity map; general plan and zoning maps; and site plan. The Planning Commission recommended approval.

Mayor Pike opened the public hearing. There being no comment, he closed the public hearing.

**MOTION:** A motion was made by Councilmember Randall to approve the zone change from R-1-12 to R-1-10 on 0.61 acres for Sage Meadows Phase 3.

**SECOND:** The motion was seconded by Councilmember Bowcutt.

**VOTE:** Mayor Pike called for a roll call vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**PUBLIC HEARING/ZONE CHANGE/ORDINANCE:**

**Public hearing to consider a zone change from R-1-10 to Planned Development Residential on 2.95 acres located west of the logical extension of 2450 East and the Virgin River. SwitchPoint, applicant.**

Planning and Zoning Manager John Willis presented the request to change the zone from R-1-10 to Planned Development Residential (PD-R) on 2.95 acres located west of the logical extension of 2450 East and the Virgin River. He explained that the Council approved a General Plan amendment in August and presented a PowerPoint presentation covering the following topics: aerial map; current zoning; GP approved August 4, 2016; conceptual site plan; landscape and recreational plan; elevation; materials board and photo of the street view. The Planning Commission spent a bit of time discussing the

parking and colors and recommended approval of the increase in height up to 40' as well as the reduction to 18 parking stalls for guest parking.

The Council discussed the proposed colors.

Mayor Pike explained that SwitchPoint began as a City service; however, the Friends of SwitchPoint now operates the facility, the City is only the landlord.

Carol Hollowell and Tracy Dutson with the Friends of SwitchPoint thanked the Council for the land donation. Mr. Dutson explained the yellow color was discussed in length at the Planning Commission – they would consider changing it. The design of the building is to help with the population. When they submit the application for the funding, they have to do things that are budget conscience. He noted that Planning Commissioner Nathan Fisher voted nay because of the color. It is proposed to have nine (9) units providing housing for residents earning 30% or less of area median income, twenty-seven (27) units for residents at or below 50%, nine (9) units for residents at or below 55% and the (10) units at market rate. The requested reduction for parking is in guest parking. In his experience, the population either uses public transportation as they typically cannot afford more than one vehicle. Ms. Hollowell explained based on the population that will be living at this complex, they will not have more than one car as they will be on fixed incomes. With SwitchPoint, they see that the residents do not have cars; rather the volunteers and staff utilize the parking. They meet the parking requirements for the number of units. Mr. Duston added if approved, they will be asking for a letter from the City to state that the property is properly zoned so that they can submit their application.

Mayor Pike opened the public hearing. There being no comment, he closed the public hearing.

Mayor Pike added that because the siding will be stucco, it can be painted a different color if needed.

Mr. Dutson commented that if the request is approved, the colors are not set in stone; he is considering changing the roof color.

Mayor Pike mentioned that this is a PD-R; therefore, the palette will be approved tonight. If any changes are made, they would have to return for approval.

A discussion took place regarding the proposed colors.

**MOTION:** A motion was made by Councilmember Bowcutt to approve the zone change from R-1-10 to PD-R on 2.95 acres at the logical extension of 2450 East and the Virgin River and to also approve the color and materials board, waiving the eighteen (18) guest parking spaces and the presented building height.

**SECOND:** The motion was seconded by Councilmember Arial.

**VOTE:** Mayor Pike called for a roll call vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**PUBLIC HEARING/ZONE CHANGE AMENDMENT/ORDINANCE:**

**Public hearing to consider a zone change amendment for the SunRiver Commons to 1) transfer 9.78 acres from Planned Development Residential zoning from the SunRiver St. George PD into the Interchange PD and combine it into the mixed use area 3.1 and to update its land use to mixed use; 2) approve a proposed 5-story hotel site on 2.43 acres fronting SunRiver Parkway, west of Pioneer Road; and 3) allow for the use of auto sales and service as a permitted use in the Interchange PD's Community Commercial planning areas. SR Hotel Group and SunRiver Development LC, applicants.**

Planning and Zoning Manager John Willis outlined the request.

City Attorney Shawn Guzman explained that in 2007, the Council approved the Atkinville Master Plan. Several commercial zones were specified in that Master Plan. In this particular zone, all C-2 uses were allowed. In 2012, the Council amended the ordinance by limiting auto sales in C-2 zones to certain designated roadways and this roadway section was not included. The applicant was told that they would need to get a designation of auto sales in the zone; however, staff was incorrect. Auto sales is still included in the C-2 uses, therefore, the applicant would have to request amending the ordinance by adding another roadway to the list. Because of the error, the request was discussed in a public hearing at the Planning Commission meeting. The Council can choose to listen to the comments about auto sales, but that will not be considered tonight. If the applicant chooses to pursue the request to change the ordinance to designate this roadway for auto sales, the very soonest would be the Planning Commission meeting on October 11<sup>th</sup>. He mentioned that it will be a public hearing; however notices would not be sent as it is not a zone change.

Planning and Zoning Manager John Willis showed the locations for the proposed auto sales.

Mayor Pike apologized for the error. As auto sales is already an approved use for the area, the applicant would have to request to add the street in the approved area to the eligible to have auto sales as a permitted use. Because this went forward to the Planning Commission he will allow comments on the auto sales. He mentioned a number of emails that he and the Council have received and read.

City Manager Gary Esplin added that if the applicant requests to add streets to the list and the Council approved it, the applicant would have to return for approval as this is a PD-C.

Mr. Willis presented a PowerPoint presentation covering the following topics: summary of request; vicinity map; general plan map; city zoning map; 1999 SunRiver PD Development Plan; Atkinville zoning designation map; transfer acreage; hotel summary; hotel site plan; zoning map; hotel site plan; hotel rendering; hotel elevations; sign plan; and hotel – landscaping. He noted that letters received regarding this item are included in the agenda packet.

Mayor Pike added the reason the hotel is on tonight's agenda is because of the height and the materials that need to be approved.

Mr. Willis noted that the Planning Commission discussed for this item for approximately two hours – a lot of public comment regarding the auto sales and the height of the hotel. The Planning Commission approved the transfer of property as well as the height, materials and elevation for the hotel.

Darcy Stewart, representative for the applicant, stated that each phase has to come before the Council for approval as it is a Planned Development. He mentioned that a few years ago, approximately 50 acres were zoned multi-family and commercial. Residents were concerned as they did not want multi-family so he and his partners required the property, making it age restricted to respect the beauty of the area and make residents happy. What they are doing out there is intended to make this a beautiful development and in the best interest of SunRiver. They believe the hotel will be a beautiful one and will be used primarily by those visiting the area. The proposed height is because of economics, anything smaller is not feasible. A number of the homes currently in SunRiver are at a higher elevation than the proposed height of the hotel. He noted that the property near where the SunRiver offices are located is zoned commercial. The definition of an auto dealer is tough - it is not their intent to put a bunch of dealerships there. Anything that has to be registered with the DMV is considered auto sales.

City Attorney Shawn Guzman stated the definition is a bit different. A street legal golf cart or recreational vehicle would be considered under auto sales.

Mr. Stewart explained their intent for this property was to put in business that would be fun and beneficial to the residents. They are not talking to anyone at this time who would build an auto dealership there; but because of the definition, they are asking for the designation. He outlined the location he would like to see the auto sales use allowed – along the freeway. The road built between the residential and commercial zones was built like a continental divide. When some of the phases were developed, they installed a number of pine trees with the hope that they provided separation from the freeway. In time, he hopes that this is recognized as a great addition to the community. He will work with staff to negate any lighting issues as well as safety issues. A monument sign is proposed for the hotel and the parking lot will be lit with dark sky lights. Mr. Stewart showed renderings for the hotel.

Mayor Pike opened the public hearing. He asked the public to keep comments short and if a point has been sufficiently made it does not help to hear it several more times. Additionally, he asked the public to refrain from clapping.

Resident John Hansen explained he supports the improvements as they have a great track record and commercial is needed in the area. He has trouble seeing a three-story being economically feasible. The commercial tax base is important to the entire St. George community. He hopes that the RV sales use is approved.

Resident Mike McFarland asked the Council to keep in mind that the Planning Commission discussed the auto sales for a long time – they were opposed to it as well as many of those in the audience. If the Council approves this, they are setting a precedence that can change everything that has been set in the past. He mentioned that City Manager Gary Esplin stated that variances are for hardship situations, this is not for hardship it is for convenience as the developer want to

build a five-story hotel bordering a residential area. They are old people being taking advantage of in many ways.

Mayor Pike mentioned that he was on the Council at the time this ordinance was created. He clarified that the intention was to say the Council would not add auto sales; rather it said the Council would designate streets. The City is less than half developed so there will be other area where developers will want to develop auto sales.

Mr. McFarland commented that one of the issues at the Planning Commission meeting was to see a bunch of cars when coming into southern Utah.

Residential Al Marshall mentioned that there is no fire suppression unit in the SunRiver station; he was told that they can put one there but it would have to be transferred to another station and another one would have to be purchased. He then asked who conducted the traffic study with regard to the hotel.

Councilmember Randall replied that the traffic study was done by Horrocks Engineers on April 25, 2016.

Mayor Pike explained that a ladder truck is not needed as safety suppression systems will be built in the hotel would meet the demand. There are ladder trucks in other areas of the City that can be utilized.

Resident Jan Banales stated that right now, it is an interesting time in St. George as there is an opportunity to control growth and how the growth will affect the City. The first exit from the Gorge is the Southern Parkway with the beautiful City of St. George sign. She is not sure if the City wants the first impression to be a five-story hotel, RV sales or a gas station. There is plenty of land where these services can be developed. She believes a design should enhance an area, not deter from it and that commercial and residential neighborhoods can co-exist. In driving around the City, most hotels are only two or three stories high; she does not feel a five-story hotel is needed in this location.

Resident Cheryl Sandol asked City Attorney Shawn Guzman about page 93 of the agenda packet regarding the City Manager's recommendation which states that the automotive use is already approved in the list of uses for this Planned Development.

City Attorney Shawn Guzman explained what the City Manager was referring to was City code.

Ms. Sandol then inquired about the fact that the Atkinville Exchange was done first then the ordinance addressed the street names specifically for auto zones. She asked why this is able to go ahead if the streets were specified.

Mayor Pike explained the ordinance was not meant to be exclusive.

Ms. Sandol commented that she agreed with many of the comments made. St. George is a vacation destination and is very stunning. SunRiver has been in a magazine and is advertised in TV commercials. She is not sure St. George has

considered or placed guidelines for maintaining the community without signage and building codes in perspective to preserve the City. A 5-story is excessive with the other hotel projects being developed. The lower elevation of three stories would be more in keeping of the design of buildings in the area and will not be quite as evasive for the homes adjacent to the commercial property.

Resident Cameron Ferguson mentioned that they are concerned what will happen in the future. If Mr. Stewart is clear on not putting auto lots into the area, why doesn't he put it in writing – maybe through a restricted covenant?

Resident Larry Verner commented that there are two single women on his street who are very concerned with people on the fifth floor of a hotel looking into their backyards. Additionally, he is concerned with crime. He stated that he worked in the automobile industry for a number of years; if approved, they will see more people test driving cars in their golf course community. He mentioned that Mayor Pike, Councilmember Randall and Councilmember Bowcutt spoke to SunRiver while campaigning – they all said how nice the community was and that they would work with them to keep it that way. He asked them to go back to that statement.

Resident Barbara McLaughlin asked if they will be allowed to speak during the public hearing at the time the proposed ordinance amendment is discussed.

Mayor Pike replied yes; however, notices would not be sent out.

Ms. McLaughlin mentioned that she has lived in SunRiver for nine years. When she moved there, she was assured by the SunRiver real estate agent that they would build "light commercial" which meant restaurant, café, dry cleaners, etc. not RV storage or a 5-story hotel - she feels betrayed. She built and owned a Holiday Inn which was built on a major thoroughfare, not in a residential area. They felt a strong obligation to their community that was conducive to a nice living space. It is not their responsibility to ensure a higher revenue flow for a developer. She stated the proposed hotel is not appropriate for the area and mentioned there are a number of homes that will be affected by the hotel. She asked the Council to consider that SunRiver residents are senior citizens and should have their interests protected and to deny the request.

Resident Jackie Borroughs commented that if the developer is pushing on an auto dealership and hotel, they should move it across the freeway and leave SunRiver alone.

Mayor Pike commented that there will be residential and commercial on the other side of the freeway as well. He believes future Councils will have similar discussions.

Resident Stacy Ward-Brumfield commented that the developer continues to change his mind on what he wants to do. He is proposing a gas station which she feels would be great across the freeway, as well as a truck stop. She is troubled with the Kenworth business located to that area and believes citizens that live within five miles should be notified when an area that used to be a rest stop that burned down. The 38' height should not be changed to 68'.

Mayor Pike explained that public meetings are not required to be published in a newspaper but are noticed on the Utah Public Notice Website, the City's website and are available at City Hall.

City Attorney Shawn Guzman explained if the zoning is approved on Pioneer or in that area at a future meeting, unless the uses in the PD-C are amended, they can build an auto sales business. His interpretation is that the definition of auto sales does not include semi trucks.

Ms. Ward-Brumfield commented that she knows of many single women who want to move out of SunRiver because the hotel will be in their backyard. She mentioned that the traffic in the area is bad at times and asked the height change be denied as it is not necessary in this community, will change the entire look of their neighborhood and because they were not told that this type of development will be proposed.

City Attorney Shawn Guzman clarified that designated roadways applies to the definition of automobiles in the ordinance and does not include semi-trucks. That is why the designation was not needed for Kenworth, although it is primarily a service center.

Resident John Hinton asked for clarification regarding designating streets for auto sales. He asked if a section of a street can be designated.

Mr. Hinton asked if the Council can compromise by approving a section of Pioneer Road to allow for RV and golf cart sales and not allow any other type of auto sales.

City Attorney Shawn Guzman explained that a section of roadway can be designated for auto sales. It would be up to the applicant to request a specific type of auto sales as the previous council has already granted them all of the uses approved in the C-2 zone.

Resident Judy Harlin provided a copy of a letter she wrote and read to the Council outlining her opposition to the proposed hotel and car dealership. In her letter, she provided suggestions for other businesses.

Shane Wittwer mentioned that he is with the management company for the proposed hotel. His company has been in St. George for approximately 60 years. The notion that there is a high crime rate at the hotels along the I15 corridor is not accurate. Lighting for a 5-story hotel is similar to that of a 2-story hotel. The hotel will not be pointed toward existing homes. As this is a tourist town and area, there will be other hotels in the area.

Ms. McLaughlin explained that she did some research and that they had a big drug dealing problem with their hotel. She called some hotel managers in the City and all of them have mentioned they have problems with drugs and prostitution, some of which are every day. She has had to teach her housekeepers to profile patrons. Addicts have to either steal or deal – they will break into homes and go "car shopping".

Mayor Pike mentioned that there are stings periodically; the Police Department is on this and the City will not stop sending the message that these issues will not be tolerated. He noted that the hotel is a permitted use in the zone, the only question is how tall it can be.

Resident Alan Marshall mentioned his son works maintenance for three hotels; the police are there four times a week.

Mr. McFarland noted that the restriction in the zone is 35', they are objecting to a variance. He spoke with a Police Captain for quite some time who said that the City does not have enough officers. He does not believe the height of the hotel will make a difference on the amount of crime. He then stated at the Planning Commission meeting, one of the developers said if they cannot make it that height, Hampton Inn will pull out.

Ben Rogers with CRSA mentioned that one of the regular issues they face is with height. A number of years ago, the residents of Washington County selected a more dense version for the PD zones; however, the current PD zone prohibits the vision that the residents voted for in Vision Dixie. Outside of this specific project, there is a greater question for the Council to address is the height allowed in the PD zones. Regarding the lighting, they have worked with the County and other cities to keep the lighting very low. There are lighting designs to limit the lighting off the site. He commented lives in Tonaquint Terrace; his home has been broken into as has his neighbors' homes. Stopping development is not a way to stop crime.

Mayor Pike closed the public hearing.

City Attorney Shawn Guzman stated that since the Planning Commission took two separate motions the Council should do the same.

A discussion took place on what the motions should include.

**MOTION:** A motion was made by Councilmember Hughes to approve the transfer the 9.78 acres from PD-R (Planned Development Residential) from the SunRiver St. George Planned Development into PD-C (Planned Development Commercial).

**SECOND:** The motion was seconded by Councilmember Arial.

City Attorney Shawn Guzman clarified that the same uses that have been previously approved for the adjacent will apply to this parcel.

**VOTE:** Mayor Pike called for a roll call vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

Councilmember Hughes commented that when he originally looked at the hotel, he felt it didn't need to be that high; however, if the developer still wishes to build the hotel, he would have to increase the footprint of the hotel. As this is zoned commercial with approved uses, a gas station could be built here. The Council's job is to make a proposal with a neighborhood which is a challenge. Lastly, the property owner is trying to fit things in with the zone and please the residents. The developer has property rights based on the current zoning.

Councilmember Baca noted that this issue is not new to this particular area. A few years back, the same issues arose with the Wingate, a 4-story hotel in Bloomington. The community is facing the need to create adequate commercial, industrial and residential to balance the revenues for the City. There has not been an increase in property tax in this community because the City had a balanced approach. He recently spoke with the manager of the Wingate hotel who told him that things are going quite well and that they have been able to adjust to the issues and concerns of the residents, even works with residents of SunRiver and their families who visit. In looking at some of the other 5-story hotels in the City, they are not necessarily out of place. For him, it is hard to hear what expectations residents had when they purchased their homes. He asked Chief Stoker if he has any questions or concerns with being able to service a 5-story hotel.

Chief Stoker explained he has no issues with the height as buildings that are three stories and higher are required to install safety factors. It is convenient to have ladder trucks; however, in that area, ladder trucks are not required at this time per ISO insurance ratings.

City Manager Gary Esplin commented that the Police Department budget alone takes in the entire amount of property taxes generated in the City. He agrees there are tradeoffs with everything the City does, but having a strong commercial base is important.

Mayor Pike noted that it is good planning to not put everything in one location. He would like to see residents share the impact.

Councilmember Bowcutt commented that it is incredible to see all of the residents who showed up to speak and submit emails. The Council cannot just make a decision on a small portion of the City; rather they have to make a decision that works for the majority of the citizens.

**MOTION:** A motion was made by Councilmember Baca to approve a proposed 5-story hotel site on 2.43 acres fronting SunRiver Parkway, west of Pioneer Road, including everything that has been specified and discussed.

**SECOND:** The motion was seconded by Councilmember Bowcutt.

City Attorney Shawn Guzman advised that the motion should specify the maximum height of 68'.

Councilmembers Baca and Bowcutt agreed to the maximum height of 68'.

**VOTE:** Mayor Pike called for a roll call vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

Mayor Pike called for a short recess.

**CONDITIONAL USE PERMIT:**

**Consider approval of a conditional use permit and building design conceptual site plan for City View, an urban infill redevelopment mixed-use project located in the vicinity of St. George Boulevard, Tabernacle Street, Main Street and 100 West; property is zoned C-4; and approval to demolish the George Worthen House, a historical building located at 32 West Tabernacle Street. PEG Development, applicant.**

Planning and Zoning Manager John Willis presented the request for a conditional use permit and building design conceptual site plan for City View located in the vicinity of St. George Boulevard, Tabernacle Street, Main Street and 100 West; zoning is C-4. He explained there are three requests: 1) a site plan and building elevation; 2) a conditional use permit for height; and 3) a demolition of a landmark site. He presented a PowerPoint presentation covering the following topics on the building design and conceptual site plan: aerial map; current zoning; site plan; colored site plan; parking counts; boutique hotel elevation; materials board; max height 62'; north apartment/mixed use building elevation; materials board; south apartment/mixed use building elevation; max height 52'; public plaza; boutique hotel and north apartment/mixed use building; renderings; photos of the property. The Historic Preservation Commission recommended approval as did the Planning Commission. He outlined some of the comments of Planning Commission as follows 1) a height increase beyond the 35'; 2) a reduction in parking from 2 to 1.5 per unit; 3) a reduction in the 36 parking stalls for guest parking; 4) a cross access and parking easement will need to be reviewed by the City and recorded on the property; and 5) a development agreement. He then presented the request to demolish a landmark site with a PowerPoint presentation covering the following topics: aerial map; and photo of the George Worthen House. After a lengthy discussion, the Historic Preservation Commission recommended the applicant attempt to preserve the home or relocate it. The Planning Commission recommended approval with a condition that the applicant: 1) publish an ad in the newspaper; 2) post a notice on the building (notices are to be for 30 days); and 3) work with the historic society to see if anyone is interested in moving the building to another location.

Councilmember Arial noted that she likes the building and is proud that the City has identified historic buildings; but this one is standing in the way of a great development that will transform the downtown area.

Matt Hansen with PEG Development provided a conceptual master plan which City Manager Gary Esplin outlined.

**MOTION:** A motion was made by Councilmember Randall to approve the demolition permit with the 30 day notice in the newspaper and on the building.

**SECOND:** The motion was seconded by Councilmember Baca.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**MOTION:** A motion was made by Councilmember Arial to approve a reduction in parking to 1.5; not requiring guest parking; and to require two stalls for sharing.

**SECOND:** The motion was seconded by Councilmember Hughes.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**MOTION:** A motion was made by Councilmember Arial to approve the height variance of no more than 62' high.

**SECOND:** The motion was seconded by Councilmember Baca.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**MOTION:** A motion was made by Councilmember Arial to approve the design board as presented.

**SECOND:** The motion was seconded by Councilmember Randall.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye

Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**SET PUBLIC HEARING:**

Planner Ray Snyder advised at its meeting held on September 13, 2016, the Planning Commission recommended setting a public hearing for October 6, 2016 to consider a zone change amendment to the Dinosaur Crossing Commercial Center for pads B, D and K located at the southeast corner of Mall Drive and Riverside Drive to develop three separate retail buildings.

**MOTION:** A motion was made by Councilmember Bowcutt to set the public hearing for October 6, 2016.

**SECOND:** The motion was seconded by Councilmember Randall.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**CONDITIONAL USE PERMIT:**

**Consider approval of a conditional use permit to construct a 240 sq. ft. addition to an existing detached RV garage with a maximum midpoint height of approximately 17' at 2591 South 2310 East; zoning is RE-12.5. Mr. and Mrs. Narkiewicz, applicants.**

Planner Ray Snyder presented the request for a conditional use permit to construct a 240 sq. ft. addition to an existing detached RV garage with a maximum midpoint height of approximately 17'. He presented a PowerPoint presentation covering the following topics: summary of the request; narrative for proposed use; required setbacks, coverage, RV garage; vicinity aerial view; site aerial; zoning; photos of the home; site plan; elevation; proposed addition; floor print; staff comments; and findings which pertain are aesthetics, height and maintain the character and purpose of zone. The Planning Commission recommended approval.

**MOTION:** A motion was made by Councilmember Randall to approve the conditional use permit.

**SECOND:** The motion was seconded by Councilmember Arial.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**CONDITIONAL USE PERMIT:**

**Consider approval of a conditional use permit for a 67' cell tower at 2040 West 2000 North; zoning is Open Space. Jared White, applicant.**

Planner Ray Snyder presented the request for a conditional use permit to construct a 67' cell tower at 2040 West 2000 North. He commented that the applicant had a family emergency and could not make tonight's meeting. The Planning Commission recommended approval for this pole as well as the following one. He then presented a PowerPoint presentation covering the following topics: summary of the request; narrative; aerial view; zoning map; capacity map; plans; site plan; rendering of the monopine pole; and photo simulation. He read the Planning Commission's motion as follows: "the Planning Commission recommends approval of the 67' high monopine with a 6' CMU fence unless a letter is received from the Washington County School District indicating that a 6' chain link fence is preferred with findings A-K". He then mentioned a letter received from a citizen who was concerned with Electro Magnetic Fields and the rebuttal from the representative.

**MOTION:** A motion was made by Councilmember Bowcutt to approve the 67' tower, but not make it be a monopine tower, with a block wall rather than a chain link fence and that it be painted to match the poles nearby.

**SECOND:** The motion was seconded by Councilmember Baca.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – nay  
Councilmember Baca – aye

The motion carried.

**CONDITIONAL USE PERMIT:**

**Consider approval of a conditional use permit for a 60' cell tower at 592 North Bluff Street; zoning is C-3. Jared White, applicant.**

Planner Ray Snyder presented the request for a conditional use permit to construct a 60' cell tower at 592 North Bluff Street. He presented a PowerPoint presentation covering the following topics: summary of the request; narrative; aerial view; vicinity map; and photos of the property. The applicant originally wanted 100'; however, the Planning Commission recommended approval of a 60' high monopole. He read the Planning Commission's motion as follows: "the Planning Commission recommends approval of the 60' high monopole with a 6' CMU fence (color per staff approval) and with findings A-K with the understanding that the location is within 150' of a residential zone".

**OTION:** A motion was made by Councilmember Baca to approve the conditional use permit for a 60' cell tower located at 592 north Bluff Street with the conditions articulated.

**SECOND:** The motion was seconded by Councilmember Arial.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**FINAL PLAT:**

Assistant Public Works Director Wes Jenkins presented the final plat for Hawthorne Estates Phase 5, a 21-lot residential subdivision located at approximately 3100 East and 3370 South; zoning is R-1-10. He showed and reviewed the final plat.

City Manager Gary Esplin provided an update on the proposed park in that area.

**MOTION:** A motion was made by Councilmember Randall to approve the final plat for Hawthorn Estates Phase 5.

**SECOND:** The motion was seconded by Councilmember Hughes.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**PRELIMINARY PLAT:**

Assistant Public Works Director Wes Jenkins presented the preliminary plat for City View, a 6-lot commercial subdivision located at 1 West St. George Boulevard; zoning is C-4. He showed and reviewed the preliminary plat.

**MOTION:** A motion was made by Councilmember Baca to approve the preliminary plat for City View.

**SECOND:** The motion was seconded by Councilmember Randall.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**APPOINTMENT:**

Mayor Pike recommended appointing Danielle Larkin to the Planning Commission for a four year term.

**MOTION:** A motion was made by Councilmember Arial to appoint Danielle Larkin to a four year term on the Planning Commission.

**SECOND:** The motion was seconded by Councilmember Randall.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

City Manager Gary Esplin provided an update on tonight's storm.

Police Chief Stratton advised there have not been much flooding. They did receive a report that someone saw what they thought was a kayak flipping over; however, the gentleman was found to be okay.

**MINUTES:**

**Consider approval of the minutes from the meeting held on August 4, 2016.**

**Consider approval of the minutes from the meeting held on August 11, 2016.**

**Consider approval of the minutes from the meeting held on August 18, 2016.**

**MOTION:** A motion was made by Councilmember Arial to approve the minutes.

**SECOND:** The motion was seconded by Councilmember Randall.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**REPORTS FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER:**

Mayor Pike thanked the Planning Commission for doing what they do.

Councilmember Arial reported on the MPO meeting that she and Councilmember Hughes attended yesterday.

**ADJOURN:**

**MOTION:** A motion was made by Councilmember Randall to adjourn.

**SECOND:** The motion was seconded by Councilmember Hughes.  
**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

---

Christina Fernandez, City Recorder