

**ST. GEORGE CITY COUNCIL MINUTES  
REGULAR MEETING  
OCTOBER 18, 2018, 5:00 PM  
CITY COUNCIL CHAMBERS**

**PRESENT:**

**Mayor Jon Pike  
Councilmember Jimmie Hughes  
Councilmember Joe Bowcutt  
Councilmember Bette Arial  
Councilmember Ed Baca  
City Attorney Shawn Guzman  
City Manager Adam Lenhard  
City Recorder Christina Fernandez**

**EXCUSED:**

**Councilmember Michele Randall**

**OPENING:**

Mayor Pike called the meeting to order and welcomed all in attendance. The invocation was offered by Laura Fairchild with the Baha'i Faith and The Pledge of Allegiance was led by Lynn Beecher.

Mayor Pike read a proclamation proclaiming October 24, 2018 as Polio Awareness Day.

Judith Bromley with the St. George Bicycle Collective provided an annual report to the Mayor and Council.

City Manager Adam Lenhard mentioned that item 4 will not be heard tonight as it has been withdrawn at the request of the applicant. If the item returns to Council for consideration, notices will be sent to the public.

**CONSENT CALENDAR:**

- a. Consider approval of Amendment 6 to the Professional Services Agreement with Aviation for Airport AIP 29.**
- b. Consider approval of a local consent for a single event permit for Habitat for Humanity of Southwest Utah's fundraiser Ball at the Mall on December 31, 2018.**
- c. Consider approval of an agreement with YESCO to manufacture and install the marquee sign at the Electric Theater, and authorize staff to move ahead with the project.**
- d. Consider award of bid for the Little Valley Pump Station Replacement project.**
- e. Consider approval of a new Airport Hangar Lease with Grindstone Properties LLC for Lot 105.**

**f. Consider approval of a new Airport Hangar Lease with SO Construction, Inc. for Lot 54B.**

City Manager Adam Lenhard stated these items are administrative in nature and have been reviewed by staff after which he asked the Council if they would like to remove any of the items from the Consent Calendar to discuss, if not he suggested making a single motion to approve all of the items. He noted the airport hangar lessees are aware of the closure taking place next year.

Councilmember Baca mentioned the Habitat for Humanity fundraiser has...

**MOTION:** A motion was made by Councilmember Arial to approve items a through f on the consent calendar.

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

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

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

The vote was unanimous and the motion carried.

**ORDINANCE:**

**Consider approval of an ordinance updating fees in Leisure Services.**

Recreation Coordinator Nikelle Pledger explained staff recommends updating the fee for tennis court and volleyball court reservations to be the same as the current fee for pickleball courts. This will be an increase from \$4 per hour to \$10 per hour. The courts will remain free or no cost for use at all times unless reserved for an event / tournament. The fee ordinance also includes the current 50% refundable deposit on large events and reservation fees for pavilion rentals that has been in place for several years. This fee is \$50 for 100 or less people, \$100 for less than 200 or less people, \$400 for more than 200 people and includes the entire park.

**MOTION:** A motion was made by Councilmember Hughes to approve the ordinance updating fees for Leisure Services.

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

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

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

The vote was unanimous and the motion carried.

**PUBLIC HEARING/AMEND PD-R FOR MASTER SIGN PLAN/ORDINANCE:**

**Public hearing and consideration of an ordinance amending the PD-C for a Master Sign Plan for a future Sun River Commons Commercial Center (to be renamed). The property, which is zoned PD-C (Planned Development Commercial) and is approximately 55 acres; is located between the I-15 Freeway, Arrowhead Canyon Drive, Sun River Parkway, and Bluegrass Road.**

Planner Ray Snyder presented the request for a zone change amendment to approve a Master Sign Plan for a large commercial center at Sun River. He provided a PowerPoint presentation covering the following topics: requested sign heights; aerial map; zoning map; general plan map; map; sign elevations; master signage plan location map; Sun River master sign plan; sign elevation; street frontage comparison; materials boards; Atkinville land use plan; Atkinville zoning. He reviewed the lighting, design, and motion of the signs.

Community Development Director John Willis outlined the Planning Commission's recommendation – one (1) 50' sign and two (2) 15' signs, one at each full access. Additionally, the Planning Commission recommended the monument signs be attached to particular buildings. Staff recommended approval of what was originally requested by the applicant – two (2) 53' signs and two (2) 30' signs. He stated the applicant has not requested any digital signs.

Scott McCall explained Sun River Commons is a very large commercial area, larger than many of the commercial areas in the City. The intent of the master sign plan is to have a consistent look.

Mayor Pike opened the public hearing.

Resident Cameron Ferguson stated mentioned Title 9, Chapter 13 of City code, which outlines signs and displays. The applicant wants to have larger signs than City code allows. Residents will have to deal with issues such as light pollution. He noted this area is not designated as a major commercial area and requested the Council deny the request.

Resident Mr. Carey commented that a lot goes into planning and ordinances; however, it seems as though developers want more. He stated the applicant wants two (2) signs although the ordinance allows for and the Planning Commission only recommended one (1) sign.

Ray Draper with Young Electric Signs noted he has installed a number of signs. The developer could divide the property and would then be allowed to have a lot more of the taller signs. He feels this will be a beautiful addition to the area.

Resident Stacy Brumfield agrees with the Planning Commission that they do not need two (2) 53' signs. Neighbors already have a hotel that most homes have a view of. They do not agree that the gas station needs two (2) signs from the freeway; one

(1) will be enough. She asked the Council to vote in favor of the people after which she noted the developer has not suggested tenants at this point. The Council is making exceptions over and over rather than changing code.

Mayor Pike noted that there will be many more buildings taller than 35' in the future.

Councilmember Hughes commented that it would be better to leave the ordinance the way it is so the Council has to approve them.

Ryan King with YESCO read portions of Title 9, Chapter 13, Section 1 of City code. He mentioned a study conducted by Penn State University to understand design characteristics of on premise signs from the prospective of the motorist and traffic safety. It is his opinion, the intent of Sun River to consolidate the taller pylon signs, is in the spirit of City code.

Mayor Pike closed the public hearing.

Deputy City Attorney Paula Houston explained the sign ordinance allows for the developer to have multiple signs at 50' if they chose to break them up into individual lots. By doing a sign plan, staff can work with the developer to come up with a better plan. If they do not follow the sign code, they can come in for approval of a master sign plan. There are no guidelines on master sign plans at this time; however, staff tries to reduce what they could have had they come in separately. They are bound by this plan unless they request to amend the plan.

After being asked by Councilmember Baca, Mr. McCall explained that they have 54 acres they are proposing to be developed on this property. He showed the two (2) requested 53' signs on a map and noted the power poles in the area which are taller than the proposed signs.

Mayor Pike commented it is nicer to deal with these types of signs as opposed to billboards.

A discussion took place regarding the fact that commercial was always proposed at this location.

Mr. Willis outlined the request and what was approved by the Planning Commission.

Mr. McCall noted with the acreage, he anticipates there will be a number of tenants.

Deputy City Attorney Paula Houston commented if they came in for each individual lot, there would be a sign on each lot. This proposal is less signs than they could potentially have.

Mr. Snyder outlined staff's recommendation – two (2) 53' signs, two (2) 30' signs, and a 28' sign for Terrible Herbst.

**MOTION:** A motion was made by Councilmember Hughes to approve the ordinance amending the PD-C to approve the Master Sign Plan as recommended by staff.

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

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

Councilmember Hughes – 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 and consideration of an ordinance changing the zone from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to PD-C (Planned Development Commercial) and per Section 10-8-4 to review the written text, and per Section 10-8-6 to review a proposed commercial centers design, site plan, elevations, landscaping, and parking for RGM Canyon View. The proposal is located on 3.02 acres at the southwest corner of Dixie Drive and Canyon View Drive Extended.**

Planner Ray Snyder presented the request to change the zone from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to PD-C (Planned Development Commercial). He provided a PowerPoint presentation covering the following topics: County ownership; aerial map; general plan map; zoning map; site plan; elevations; Chevron canopy example; proposed land use breakdown; summary of request; potential uses; phasing plan and project phasing. He outlined items such as parking, signs, and height. The Planning Commission recommended approval with the following comments:

1. Site - the site design and layout as presented
2. Design - the building and canopy design as submitted
3. Colors and materials - the colors and material as presented
4. Quarry access - the existing quarry shall have full access provided and maintained
5. Canopy lighting - the fuel canopy shall be recessed with a maximum of 25 foot-candle at ground level beneath
6. Site lighting – a photometric plan shall be provided during the site plan review process. No lighting on site shall exceed 1 foot-candle at property line. All lighting shall be 'dark sky style' lighting to prevent light pollution
7. Phase 1 - This approval is only for phase 1 commercial development as presented
8. Uses - the uses shall apply to both phases 1 and 2 of the commercial site. The Planning Commission recommends removal of all 'broad category headings'.

9. Site Plan Review - the applicant shall submit a site plan review application with the accompanying civil engineering plans
10. Future Zone Change Amendment - Phase 2 will require the submittal for a future zone change amendment
11. Shall comply with section 10-8-6 (Planned Development zone standards)

Rob Reid, representative for the applicant, explained the developer will return for requests when they are ready for phase 2. He noted the uses will carry over to that phase unless something came up they would like to add. Future buildings will share the Dixie Drive access; it will be a full access.

Mayor Pike opened the public hearing.

Resident Dick Henry stated he believe the developer and the City have to think about the impact to the neighbors. He mentioned the blind spot on Dixie Drive due to landscaping in the medians. They are opposed to the development due to increased traffic and decreasing property values.

Resident Craig Cramer supports what Mr. Henry has said. He inquired about signage.

Mayor Pike noted the development would have signage; they would have to apply for a sign permit.

Community Development Director John Willis added they would be required to follow the current City code.

Mr. Cramer commented that most of the convenient stores throughout the City are adjacent to other commercial zones; here the other three corners are residential. He stated that he is opposed to the request.

Mayor Pike noted this is a neighborhood commercial, not a major box store.

Mr. Willis explained a recent general plan amendment extends commercial down Canyon View Drive.

Mayor Pike stated Dixie Drive is not what it was 20 years ago. He noted there may be a need for a traffic signal in the future.

Resident Craig Hansen stated allowing a gas station on this corner would be a disaster. He inquired about who received notices as only those in Pelican Hills received them after which he spoke about lighting and read a letter he wrote in opposition.

After being asked by Mr. Hansen, Mr. Snyder clarified when the Planning Commission looked at the uses, they removed headings and the items are available for discussion tonight.

Councilmember Hughes added anything on the use list that does not have a strike through is included as a possible use unless the Council amends the list.

Mayor Pike closed the public hearing.

Councilmember Hughes commented anytime there is a vacant piece of land it can change. He understands the concerns being brought up tonight; however, looking at neighborhood commercial, the practice is to try and put smaller commercial projects closer to neighborhoods to reduce traffic from going to a bigger store.

Assistant Public Works Director Wes Jenkins explained staff ran some numbers with regards to traffic from the proposed development, it would require a traffic study; however, the City is in the process of doing the Traffic Master Plan update. Staff has asked the developer to provide square footage and uses on the property and give to the engineer, adding it to the traffic update rather than doing a traffic study. This would show what additional traffic the development would add and determine if a traffic signal is warranted. It could be done prior to the final plat.

**MOTION:** A motion was made by Councilmember Baca to approve the ordinance changing the zone from R-1-10 to PD-C and per Section 10-8-4 to review the written text, and per Section 10-8-6 to review a proposed commercial centers design, site plan, elevations, landscaping, and parking for RGM Canyon View with the conditions as articulated and the plan in lieu of a traffic study.

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

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

Councilmember Hughes – 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 and consideration of an ordinance amending the existing PD-C (Planned Development Commercial) zone on Parcel 4.5 of the Atkinville Master Plan to develop Papparazzi Warehouse #2. The proposal is located south of 4771 South Astragalus Drive (south of the existing warehouse).**

Planner Ray Snyder presented the request to amend the existing PD-C zone for one (1) proposed warehouse building on Parcel 4.5 of the Atkinville Master Plan. He

provided a PowerPoint presentation covering the following topics: aerial map; zoning map; general plan map; overall site plan; and overall phase 2 site plan. He outlined staff comments and noted that the Planning Commission recommended approval with the following comments:

1. Zoning – approve the PD-C zone change amendment on approximately 12.44 acres
2. Uses – the use is in harmony with the Atkinville Master Plan
3. Site plan – the conceptual layout as presented is recommended for approval
4. Colors and materials – the colors and materials are recommended for approval as presented
5. Setbacks – setbacks shall meet the zoning ordinance
6. Landscaping – the applicant shall provide landscaping in compliance with the landscape ordinance
7. Lighting – provide a photometric plan with the submittal of the site plan review and demonstrate that lighting will not exceed 1 foot-candle at property lines and not exceed 15 foot-candle on site. Dark sky style lighting fixtures shall be used to avoid a nuisance as seen from adjacent residential neighborhoods and surrounding community
8. Site plan review – Upon arrival of the zone change amendment, the applicant shall submit an application for a site plan review along with the required civil engineering plan set which may include but not be limited to: cover sheet, site plan, grading plan, erosion control plan, utility plan, landscape plan, irrigation plan, and photometric plan
9. Height – 40’
10. Lot merger – a lot merger is required for this project. Note: a ‘sky bridge’ joins warehouse 1 & 2 between current properties

Greg Mathis, representative for the applicant, asked the Council if they had any questions.

Mayor Pike opened the public hearing.

Resident Judy Bozeman inquired about what is currently on the property.

Mr. Mathis explained what has already been built and what the future plans are. The current building is not in use.

Mayor Pike closed the public hearing.

**MOTION:** A motion was made by Councilmember Baca to approve the ordinance amending the PD-C for Papparazzi Warehouse #2.

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

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

Councilmember Hughes – 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 and consideration of an ordinance changing the zone from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to OS (Open Space) on 0.318 acres for White Sands Phase 3. The proposal is located north of the White Sands Phase 3 residential subdivision.**

Community Development Director John Willis presented the request to change the zone from R-1-10 to OS in order to accommodate a future trail. He provided a PowerPoint presentation covering the following topics: map; aerial map; zoning map; general plan map; applicant's exhibit. 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 Hughes to approve the ordinance changing the zone from R-1-10 to OS for White Sands 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 Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

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

**Public hearing and consideration of an ordinance changing the zone from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to PD-R (Planned Development Residential) and per Section(s) 10-8-3, 10-8-4, and 10-8-5 to review the written text, design, site plan, elevations, landscaping, and parking for proposed apartments (new duplex and triplex buildings) to be called "Sunny Lane" and continue the nonconforming setback for the existing units. The proposal is located on 1.21 acres at 1121 West 750 North.**

Community Development Director John Willis presented the request to change the zone from R-1-10 to PD-R in order to add additional units and maintain the existing non conforming units. There are currently six (6) rental units consisting of three (3) duplex buildings. He provided a PowerPoint presentation covering the following topics: aerial map; general plan map; legal description; site plan; elevations; materials board; rendering; and landscaping plan. He outlined the ordinance regarding the nonconforming setback, landscaping plan, parking, and recreation area. The Planning Commission recommended approval with comments as follows:

Applicant Kent Frei explained the three (2) existing buildings are duplexes; they propose to build five (5) more.

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

**MOTION:** A motion was made by Councilmember Arial to approve the ordinance changing the zone from R-1-10 to PD-R for Sunny Lane and to continue the nonconforming setbacks for the existing units with the recommendations from the Planning Commission.

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

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

Councilmember Hughes – 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 and consideration of an ordinance changing the zone from OS (Open Space) to RE-20 (Residential Estate 20,000 sq. ft. minimum lot size) on 2.5 acres for Meadow Valley Farms Phase 12. The proposal is located east of the Ft. Pierce Wash and west of the existing Meadow Valley Farms subdivision; 4040 South on the extension of Quarry Ridge Drive.**

Community Development Director John Willis presented the change the zone from OS to RE-20. He provided a PowerPoint presentation covering the following topics: aerial map; zoning map; general plan map; and zone change exhibit. 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 Baca to approve the ordinance changing the zone from OS to RE-20 for Meadow Valley Farms Phase 12.
- SECOND:** The motion was seconded by Councilmember Bowcutt.
- VOTE:** Mayor Pike called for a roll call vote, as follows:

Councilmember Hughes – 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.

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

**Public hearing and consideration of an ordinance changing the zone from R-1-10, Mining and Grazing, Atkinville PD-C, and Atkinville PD-R to PD-C on approximately 190.05 acres, PD-TNZ on approximately 875.03 acres, PD-TNZ Resort on approximately 147.88 acres, PD-Agriculture on approximately 25.77 acres and Open Space on approximately 98.27 acres. The project is called Desert Color and is located at approximately north of the Utah/Arizona state line, east of the I-15 freeway, south of the Southern Parkway and west of River Road.**

**DEVELOPMENT AGREEMENT:**

**Consider approval of a Development Agreement for the Desert Color Community, between the City of St. George and Desert Color St. George, LLC.**

**PRELIMINARY PLAT:**

**Consider approval of the preliminary plat for Desert Color Neighborhood 4A.**

Mayor Pike noted this item was discussed at length at last week's work meeting; therefore, he suggested a shortened version of the presentation.

Community Development Director John Willis presented the request to change the zone for Desert Color as well as a development agreement and a preliminary plat. He provided a PowerPoint presentation covering the following topics: aerial map; Desert Color proposed zone plan density table; photos of sample buildings; sign plan; sample signs; Atkinville amendment; Desert Spanish Mission Townhomes; elevations; civic space; and site plan/preliminary plat. The Planning Commission recommended approval with conditions.

Applicant Brook Cole thanked everyone involved in this process. He spoke about how they will reduce water usage.

Deputy City Attorney Paula Houston asked the motion be subject to approval by the Legal Department.

**MOTION:** A motion was made by Councilmember Hughes to approve the development agreement for Desert Color subject to approval of the Legal Department and with the conditions of the Planning Commission.

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

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

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

The vote was unanimous and the motion carried.

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

**MOTION:** A motion was made by Councilmember Hughes to approve the ordinance changing the zone from R-1-10, Mining and Grazing, Atkinville PD-C, and Atkinville PD-R to PD-C on approximately 190.05 acres, PD-TNZ on approximately 875.03 acres, PD-TNZ Resort on approximately 147.88 acres, PD-Agriculture on approximately 25.77 acres and Open Space on approximately 98.27 acres.

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

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

Councilmember Hughes – 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 preliminary plat for Desert Color.

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

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

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

The vote was unanimous and the motion carried.

**CONDITIONAL USE PERMIT/BUILDING DESIGN CONCEPTUAL SITE PLAN:**

**Consider approval of a conditional use permit and building design conceptual site plan, to allow development of an assisted living facility with 103 units to be called The Abbington at St. George located off of Foremaster Dive at approximately 805 South and 1450 East (the site is immediately east of Meadow Creek Estates near River Road); zoning is Administrative Professional (AP).**

Planner Ray Snyder presented the request for a conditional use permit and building design conceptual site plan for The Abbington at St. George. He provided a PowerPoint presentation covering the following topics: general plan map; zoning map; recently approved zone change; aerial map; rendering; landscape plan; elevations; colors; materials board; and site plan. The Planning Commission recommended approval with findings.

**MOTION:** A motion was made by Councilmember Hughes to approve the conditional use permit to establish a convalescent home known as The Abbington at St. George located at approximately at approximately 805 South 1450 East.

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

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

Councilmember Hughes – 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 Hughes to approve the building design conceptual site plan for The Abbington at St. George.

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

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

Councilmember Hughes – 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 the Thurston-Atkin House to be operated as a vacation rental in the historic home originally built by Thomas Jefferson Thurston in the early 1880s. The home is located at 270 West 200 North in the RCC (Residential Central City) zone.**

Planner Ray Snyder presented the request for a conditional use permit to establish a vacation rental within a historic home and within an accompanying detached historic carriage house with a total of three (3) sleeping units (rooms) between the two (2) buildings. This item was tabled during the last City Council meeting, in order for staff to research other similar CUP's. The item was tabled at the October 4, 2018 City Council meeting; Planning Commission recommended approval. He summarized comparisons as asked by the Council at the previous meeting and outlined the comments from the Planning Commission.

Councilmember Bowcutt noted the comparisons are a bit different from this proposal.

Mr. Snyder mentioned there were objections received from neighbors.

A discussion took place as to why these types of requests were approved in the past.

Deputy City Attorney Paula Houston noted this is a conditional use which means this use is permitted unless there are negative impacts that cannot be eliminated. If approved, the use stays with the property. The Council will need to outline their concerns, identify the negative impacts, and why they believe they cannot be mitigated to make it acceptable for the use to be on the property.

Councilmember Baca commented that he is concerned with setting precedence for allowing vacation rentals in this area; however, he feels this particular structure is perhaps designed for it.

The Council discussed their concerns – traffic,

Applicant John Lundberg stated that he has owned the property for twenty-one (21) years. They have tried to preserve the home as long as they could. He is aware of the concerns from the neighbors and noted they plan to have barriers around the property to make it more isolated. He mentioned noise monitors and video monitors that he can use to mitigate issues. This type of home will not attract party renters; it is a pioneer home that is not too big. He intends to rent to no more than six (6) people at one time, between the two homes.

**MOTION:** A motion was made by Councilmember Hughes to approve the conditional use permit for the Thurston-Atkin House to be operated as a vacation rental with the findings and conditions of the Planning Commission.

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

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

Councilmember Hughes – aye  
Councilmember Bowcutt – aye

Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**FINAL PLAT:**

**Consider approval of the final plat for Elmwood Estates Phase 4 Subdivision.**

Assistant Public Works Director Wes Jenkins presented the final plat for Elmwood Estates Phase 4 Subdivision, a 10-lot residential subdivision located at 3350 East and 3100 South; zoning is R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size). He showed and outlined the final plat.

**MOTION:** A motion was made by Councilmember Arial to approve the final plat for Elmwood Estates Phase 4.

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

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

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

The vote was unanimous and the motion carried.

**FINAL PLAT:**

**Consider approval of the final plat for Elmwood Estates Phase 5D Subdivision.**

Assistant Public Works Director Wes Jenkins presented the final plat for Elmwood Estates Phase 5D Subdivision, a 2-lot residential subdivision located at 3430 East and 3100 South; zoning is R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size). He showed and outlined the final plat.

**MOTION:** A motion was made by Councilmember Arial to approve the final plat for Elmwood Estates Phases 5D.

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

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

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

The vote was unanimous and the motion carried.

**FINAL PLAT:**

**Consider approval of the final plat for Fossil Hills Townhomes Phase 9 & 10.**

Assistant Public Works Director Wes Jenkins presented the final plat for Fossil Hills Townhomes Phase 9 & 10, a 22-lot residential subdivision located at Fossil Hills Drive and Relic Ridge Drive; zoning is PD-R (Planned Development Residential). He showed and outlined the final plat.

**MOTION:** A motion was made by Councilmember Hughes to approve the final plat for Fossil Hills Townhomes Phase 9 & 10

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

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

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

The vote was unanimous and the motion carried.

**FINAL PLAT:**

**Consider approval of the final plat for Redwood Estates Phase 8C Subdivision.**

Assistant Public Works Director Wes Jenkins presented the final plat for Redwood Estates Phase 8C Subdivision, a 4-lot residential subdivision located at 3350 East and 3100 South; zoning is R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size). He showed and outlined the final plat.

**MOTION:** A motion was made by Councilmember Baca to approve the final plat for Redwood Estates Phase 8C.

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

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

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

The vote was unanimous and the motion carried.

**FINAL PLAT:**

**Consider approval of the final plat for The Willows Subdivision.**

Assistant Public Works Director Wes Jenkins presented the final plat for The Willows Subdivision, a 38-lot residential subdivision located along Crimson Ridge Drive at

approximately Little Valley Road; zoning is R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size). He showed and outlined the final plat.

**MOTION:** A motion was made by Councilmember Arial to approve the final plat for The Willows Subdivision.

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

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

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

The vote was unanimous and the motion carried.

**PRELIMINARY PLAT:**

**Consider approval of the preliminary plat for Twin Lakes Commercial.**

Assistant Public Works Director Wes Jenkins presented the preliminary plat for The Twin Lakes Commercial, an 8-lot commercial subdivision located northeast of the intersection of Red Hills Parkway and Cotton Springs Road; zoning is PD-C (Planned Development Commercial). He showed and outlined the preliminary plat. The following conditions are: the detention area to be dedicated to the City for maintenance and drainage for the Middletown Wash; resolving the easement with the developer; and to merge the lots prior to the final plat recording.

**MOTION:** A motion was made by Councilmember Baca to approve the preliminary plat for Twin Lake Commercial with the conditions articulated by Mr. Jenkins.

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

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

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

The vote was unanimous and the motion carried.

**PRELIMINARY PLAT:**

**Consider approval of the preliminary plat for The Vue at Green Valley.**

Assistant Public Works Director Wes Jenkins presented the preliminary plat for The Vue at Green Valley, a 35-unit residential subdivision located at 1900 West 1100 South; zoning is PD-R (Planned Development Residential). He showed and outlined

the preliminary plat. The developer is working with WorldMark to get an easement to have access from Plantations Drive.

**MOTION:** A motion was made by Councilmember Hughes to approve the preliminary plat for The Vue at Green Valley subject to working out the access easement prior to the final plat.

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

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

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

The vote was unanimous and the motion carried.

Mayor Pike mentioned that terms for some members of City Boards or Commissions may have or will soon expire. He will look at this in the near future.

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

Councilmember Hughes mentioned the SwitchPoint fundraising luncheon taking place on November 1<sup>st</sup>.

Councilmember Baca report commented that the Hillside Board recently met.

Mayor Pike mentioned the recent DTEC meeting he attended. They are still working out details for the proposed Springdale line.

**ADJOURN:**

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

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

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

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

The vote was unanimous and the motion carried.