

**NOTICE OF REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF ST. GEORGE,
WASHINGTON COUNTY, UTAH**

Public Notice

Public notice is hereby given that the City Council of the City of St. George, Washington County, Utah, will hold a regular meeting in the City Council Chambers, 175 East 200 North, St. George, Utah, on Thursday, March 21, 2019 commencing at 5:00 p.m.

The agenda for the meeting is as follows:

Call to Order
Invocation
Flag Salute

1. Consent Calendar.

a. Consider approval of a Purchase and Sale Agreement to purchase an easement at 3000 East and 2000 South.

BACKGROUND and RECOMMENDATION: Consider approval of a Purchase and Sale Agreement to purchase an easement at 3000 East and 2000 South. Staff recommends approval.

b. Consider approval to award bid to Progressive Contracting Inc, for the JC Snow Park parking lot renovation.

BACKGROUND and RECOMMENDATION: This project is for renovation of half of the asphalt parking lot at JC Snow Park. Construction includes regrading, rotomill of asphalt, repairing a low spot, concrete curb, and signing and striping. This was a formal bid and five (5) bids were received. Staff recommends approval.

2. Consider approval of a Purchase and Sale Agreement for Public Right of Way (ROW) along 500 East.

BACKGROUND and RECOMMENDATION: This is a request to purchase ROW for the Corona Flores Market. The ROW is necessary to comply with the landscape ordinance for commercial development. The area to be purchased is 3,342 square feet along 500 East. Staff recommends approval.

3. Consider approval of a resolution allowing for temporary relief or credits for various categories of airport users/leaseholders during the 2019 SGU Airport closure.

BACKGROUND and RECOMMENDATION: The SGU Airport will close for four (4) months for runway repairs. Due to the impact on site-dependent businesses, staff proposes temporary relief from specified lease or contract terms for some categories of businesses: FBOs, SASOs, private hanger lessees, and fuel station operator. Staff recommends approval.

4. **Consider approval of an ordinance amending and enacting Title 9, Chapter 14, Section 2, 3.A., 5.E., 7.B.2-5, AND 8.C.-E, of City code pertaining to Stormwater Management.**

BACKGROUND and RECOMMENDATION: The federal government has established criteria for control of the introduction of pollutants into local municipal storm sewer systems and has mandated that each municipality adopt regulations to require compliance from pre-construction operations and for the long-term maintenance of post construction Storm Water Facilities. Staff recommends approval.

5. **Consider approval of an ordinance enacting a fee schedule for civil penalties for stormwater deficiencies.**

BACKGROUND and RECOMMENDATION: The federal government has mandated that each municipality adopt regulations to require compliance from pre-construction operations and for the long-term maintenance of post construction Storm Water Facilities. This ordinance will enact a fee schedule deficiencies. Staff recommends approval.

6. **Public hearing and consideration of an ordinance amending the Amira residential planned development to create condominiums from existing rental units, to add three (3) new units, and to establish uses on 5.94 acres. This amendment will also change the zone from R-1-10 (Single Family Residential, 10,000 sq. ft. minimum lot size) to PD-R (Planned Development Residential) on approximately 0.49 acres.**

BACKGROUND and RECOMMENDATION: This requested Zone Change Amendment will be addressing several items. The items covered in this amendment will include a proposal to create condominiums from existing rental units, a proposal for three new units, and a proposed use list for the commercial building. In addition, the applicant will also be requesting to change the zone from R-1-10 (Single Family Residential, 10,000 sq. ft. minimum lot size) to PD-R (Planned Development Residential) for a separate area. The property is generally located at 1999 W. Canyon View Drive. The Planning Commission recommended approval.

7. **Public hearing and consideration of an ordinance amending the Stone Cliff PD-R (Planned Development Residential) zone to expand the overall development to allow new single family lots in the subdivision.**

BACKGROUND and RECOMMENDATION: This proposal was on the February 7th City Council agenda; however, the applicant requested to remove the item from the agenda, due to the potential of expanding the request. The applicant has returned with the same proposal as the original request and is not expanding the boundaries. The developers of the Stone Cliff Residential Planned Development would like to expand their subdivision to the east by adding 40 new single-family home lots. The proposal is located on 26.28 acres and is generally located at the southwest intersection of 1450 South and 3000 East. The Planning Commission recommended approval.

8. **Public hearing and consideration of an ordinance adjusting the boundary line with Santa Clara City.**

BACKGROUND and RECOMMENDATION: This is a public hearing to hear comments regarding the boundary line adjustment. The applicant is requesting to modify the

City's boundary between Santa Clara and St. George. A resolution declaring the intent of the City to adjust the boundary line was approved on January 17, 2109. State Law requires a public hearing not less than 60 days after the resolution is approved. The adjustment would not become effective until each municipality has adopted an ordinance accepting the proposal. Staff recommends approval.

9. Public hearing and consideration of an ordinance vacating a portion of 200 East Street and 200 North Street by narrowing the width of the right-of-way, and 300 North Street to vacate the remaining right-of-way from a portion that was vacated in the past.

BACKGROUND and RECOMMENDATION: This request is to consider narrowing the width of 200 East Street and 200 North Street from a 90.00 foot right-of-way to a 66.00 foot right-of-way. For 300 North Street it is to vacate the remaining right-of-way from a portion that was vacated in the past; zoning is C-3 (General Commercial with no minimum or maximum lot size). The Planning Commission recommended approval.

10. Public hearing and consideration of an ordinance to amend the final subdivision plat for Lot 303 & 304, Shadow Mountain Subdivision Phase 8 and to vacate the public utilities and drainage easement between said lots as well as merge the lots.

BACKGROUND and RECOMMENDATION: This request is to consider an amended final subdivision plat to merge Lot 303 & 304, Shadow Mountain Subdivision Phase 8 into one lot and vacate the public utilities and drainage easement located between said lots. This request has been approved by City staff and Joint Utilities Committee (JUC). This is located at 137 South 1160 West Circle; zoning is PD-R (Planned Development Residential 5,000 SQ/FT minimum lot size). Staff recommends approval.

11. Public Hearing and consideration of a roadway vacation plat for a portion of Tech Ridge Drive.

BACKGROUND and RECOMMENDATION: This request is to consider a roadway vacation plat that is located at approximately 400 South and 500 West (between Knowledge Way and 256 South St.; zoning is PD-C (Planned Development Commercial/Manufacturing – all building shall not exceed 50% of the net lot or parcel acreage).

12. Consider approval of a roadway dedication plat for Tech Ridge Drive and Cliff View Drive.

BACKGROUND and RECOMMENDATION: This request is to consider a roadway dedication plat that is located at approximately 400 South and 500 West (between Knowledge Way and 256 South St.; zoning is PD-C (Planned Development Commercial/Manufacturing – all building shall not exceed 50% of the net lot or parcel acreage).

13. Public hearing to consider changing the name of a portion of Tech Ridge Drive to Cliff View Drive.

BACKGROUND and RECOMMENDATION: This request is to consider a roadway name change that is located at approximately 500 West and between 400 South and 800

South; zoning is PD-C (Planned Development Commercial/Manufacturing – all building shall not exceed 50% of the net lot or parcel acreage). Staff recommends approval.

14. Consider approval of a roadway dedication plat for Cloud Drive.

BACKGROUND and RECOMMENDATION: This request is to consider a roadway dedication plat that is located between Indian Hills Drive and the old airport; zoning is R-1-10 (Single-Family Residential 10,000 SQ/FT minimum lot size).

15. Consider approval of a landmark home designation for the Henry Carlos Ferdinand Eyring home.

BACKGROUND and RECOMMENDATION: This potential Historic Landmark site is located at 143 South 200 West. The request meets all of the required criteria to become a designated landmark site in the City of St. George.

16. Consider a request for a Hillside Development Permit to allow for the installation of a water line for the Juniper Cove subdivision.

BACKGROUND and RECOMMENDATION: This Hillside Development Permit is to add an eight inch (8”) water line within the hillside overlay zone located at the proposed Juniper Cove subdivision. This water line will be installed between Banded Hills Drive and the Juniper Cove subdivision and will follow the existing disturbed trail within the hillside slope area. The Planning Commission recommended approval.

17. Consider a request for a Hillside Development Permit to allow for the development of a proposed West Access Road (Cloud Drive) for the Tech Ridge Development.

BACKGROUND and RECOMMENDATION: This is a request for a Hillside Development Permit to allow for the construction of an access road from the west side to the Tech Ridge development. This permit will allow the removal of insignificant slope areas for the proposed roadway.

18. Consider a request for a Hillside Development permit to allow additional development within the Stone Cliff subdivision.

BACKGROUND and RECOMMENDATION: The applicant seeks a Hillside Development permit to expand the Stone Cliff subdivision by adding additional single-family homes. The Planning Commission recommended approval.

19. Consider a request for a Hillside Development Permit to allow for the development of one (1) additional lot to the Banded Hills subdivision.

BACKGROUND and RECOMMENDATION: This Hillside Development Permit request will be adding one new lot (Lot 12) to a previously approved single family residential development on “Banded Hills Drive” This area is within the hillside overlay, but was not specifically looked at or considered with the previous related hillside permit. The Planning Commission recommended approval.

20. Consider approval of the amended preliminary plat for Banded Hills.

BACKGROUND and RECOMMENDATION: This request is to amend the Banded Hills

plat to add one more lot. This will allow the Banded Hills plat to go from an 11-lot subdivision to a 12-lot subdivision. The Planning Commission recommended approval.

21. Consider approval of the preliminary plat for Amira at Green Valley.

BACKGROUND and RECOMMENDATION: This proposed preliminary plat is for an existing development. The units in this development have been operating as hotel units. However, they have been built to allow them to be turned into condominiums. The applicants are proposing to condominiumize this development. The Planning Commission recommended approval.

22. Consider approval of a final subdivision plat for Crimson Meadows Phase 1 Subdivision.

BACKGROUND and RECOMMENDATION: This request is to consider a final subdivision plat for Crimson Meadows Phase 1, an 18-lot residential subdivision located at 3210 East Street and Blue Quartz Drive (1720 South); zoning is RE-20 (Residential Estates 20,000 SQ/FT minimum lot size). The Planning Commission recommended approval.

23. Consider approval of a final subdivision plat for Desert Cove Phase 3.

BACKGROUND and RECOMMENDATION: Note - this item was tabled during the February 21, 2019 meeting in order to obtain further information regarding drainage along the hillside. This request is to consider a Final Subdivision Plat for a 19 Lot residential subdivision that is located along Broken Rock Way and mesa Rock Drive; Zoning is R-1-10 (Single-Family Residential 10,000 sq. ft. lot sizes).

24. Consider approval of the final subdivision plat for Estrella Commercial Subdivision.

BACKGROUND and RECOMMENDATION: This request is to consider a final subdivision plat for Estrella Commercial Subdivision, a 2-lot commercial subdivision located at Snow Canyon Parkway and Dixie Downs Road; zoning is PD-C (Planned Development Commercial/Manufacturing – all building shall not exceed 50% of the net lot or parcel acreage). The Planning Commission recommended approval.

25. Consider approval of a final subdivision plat for The Ledges of St. George Pocket Mesa Phase 2.

BACKGROUND and RECOMMENDATION: This request is to consider a final subdivision plat for The Ledges of St. George Pocket Mesa Phase 1, a 22-lot residential subdivision located at Pocket Mesa Drive and Burning Branch Drive; zoning is PD-R (Planned Development Residential 5,000 SQ/FT minimum lot size).

26. Consider approval of a final subdivision plat for Sage Canyon Phase 4 Subdivision.

BACKGROUND and RECOMMENDATION: This request is to consider a final subdivision plat for Sage Canyon Phase 4, a 21-lot residential subdivision located at Hayrocks Drive and Honeycomb Drive; zoning is R-1-10 (Single-Family Residential 10,000 SQ/FT minimum lot size).

27. Consider approval of the amended final subdivision plat for Entrada at Snow Canyon 'Chaco West' Phase 3B Amended and Extended.

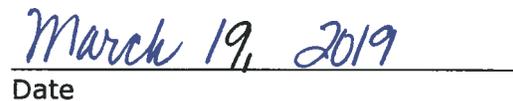
BACKGROUND and RECOMMENDATION: This request is to amend the final subdivision plat or Entrada at Snow Canyon 'Chaco West' Phase 3B Amended and Extended to merge Lot 39, Entrada of Snow Canyon 'Chaco West' Phase 3A and Lot 38, Entrada of Snow Canyon 'Chaco West' Phase 3B together into one lot. The request has been approved by City Staff and the Home Owners Association (HOA). Note: there are no public utility easements that need to be vacated. This is located at approximately 2500 North Kiva Trail; zoning is PD-R (Planned Development Residential 5,000 SQ/FT minimum lot size).

28. Appointments to Boards and Commissions of the City.

29. Reports from Mayor, Councilmembers, and City Manager.

30. Request a closed session to discuss litigation, property acquisition or sale or the character and professional competence or physical or mental health of an individual.


Christina Fernandez, City Recorder


Date

REASONABLE ACCOMMODATION: The City of St. George will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs. Please contact the City Human Resources Office, 627-4674, at least 24 hours in advance if you have special needs.

ART AROUND
THE CORNER

FOUNDATION

2019 Outdoor Sculpture Gallery

Year 15 – Marked by GROWTH



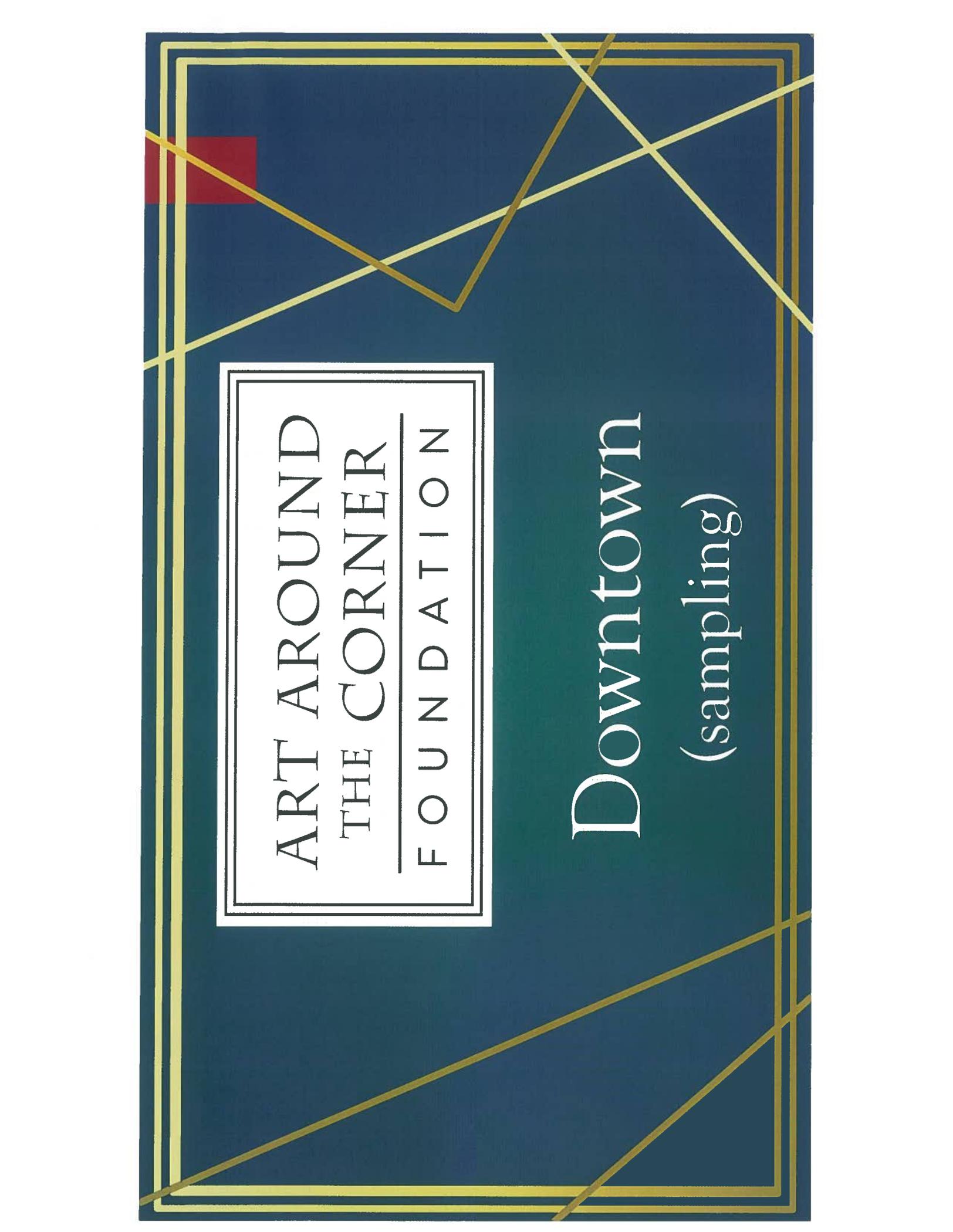
New City Locations

37 SCULPTURES

33 ARTISTS

9 NEW ARTISTS

UNLIMITED EXCITEMENT!



ART AROUND
THE CORNER

FOUNDATION

Downtown
(sampling)



Reven Swanson
**Dancing Moon
Rollers**
\$18,000

Downtown



Adam Schultz Magic Fish

\$18,000

Post Office Roundabout

Downtown



Warren Price Hands Across

Time
\$2,800

Downtown



Gary Price Synergy

(\$?)

5' h x 5' w

Downtown





Richard Pankratz Happy Dance

\$36,000

6' h

Downtown
Tabernacle Roundabout

James Moore Blue Heron Remix

\$11,500

Downtown
(Cache Valley Bank)



Kimber Fiebigler Egghead

\$25,000

Downtown





Angela De La Vega **Anika**

\$8,500

38" h x 13" w x 13" d

Downtown

ART AROUND
THE CORNER

FOUNDATION

Uptown

(Sampling)

Joshua Toone Threnody

\$5,000

Uptown





Scott Rogers Towne Ball 1890

\$3,200

Uptown
interior



Cheryl Collins Eve, Tree of Life

\$16,000

Uptown



DRAFT

Agenda Item Number : 1a

Request For Council Action

Date Submitted 03/15/2019 08:01 AM

**Proposed City Council
Date** 03/21/2019

Applicant Jay Sandberg

Subject Consider approval of a Purchase and Sale Agreement to purchase an easement at 3000 East and 2000 South.

Background This agreement is for the purchase of an easement from RLK Real Estate Holdings, LLC. The purpose of the easement is for the installation of a signal pole and appurtenances.

Proposed Resolution Recommend Approval

Cost \$1,602

**City Manager
Recommendation** NULL

Action Taken NULL

Requested by Jay Sandberg

File Attachments krompel3000e2000n031519080129.pdf

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** Yes

Approved in Budget? Yes **Amount:** 1,602

PURCHASE AND SALE AGREEMENT

THIS PURCHASE AND SALE AGREEMENT is made this ____ day of _____, 2019, (the "Effective Date"), by and between CITY OF ST. GEORGE, a Utah municipal corporation ("Buyer"), and RLK Real Estate Holdings, LLC, a limited liability company, ("Seller").

RECITALS

A. Seller is the owner of certain real property located in St. George, Washington County, State of Utah.

B. Buyer desires to purchase from Seller an easement over certain portion of the Seller's Property, more particularly described in Exhibit A, attached hereto and incorporated herein by this reference (the "Property").

C. Buyer desires to purchase from Seller, and Seller is willing to sell to Buyer, the Property.

AGREEMENT

NOW, THEREFORE, in consideration of the promises, covenants, representations and warranties hereinafter set forth, and for other valuable consideration outlined herein, the receipt and sufficiency of which are hereby acknowledged, Seller and Buyer agree as follows:

1. DEFINITIONS. The following terms shall have the following meanings when used in this Agreement:

1.1. Agreement – This Purchase and Sale Agreement, including all exhibits and schedules attached hereto.

1.2. Business Day – A day other than a Saturday, Sunday or day on which banking institutions in Utah are authorized or required by law or executive order to be closed.

1.3. Closing – The closing and consummation of the Transaction, as evidenced by the delivery of all required funds to Seller and the recording of the Public Utility Easement.

1.4. Funds – United States currency represented by certified or cashier's check, wire transfer or other readily available funds.

1.5. Hazardous Materials – Any (i) hazardous, harmful, dangerous, or toxic waste, item, substance, material, or product (including, without limitation, any and all petroleum based products) as presently defined by any federal, state, or local environmental and/or health law, act, edict, directive, decree, rule, statute, ordinance, or regulation, including without limitation, (a) the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C.A. Section 9601, et. seq., (b) the Hazardous Materials Transportation Act, 49 U.S.C.A. Section 5101, et. seq., (v) the Resource Conservation and Recovery Act, 42 U.S.C.A. Section 6901, et. seq., (d) the Toxic Substances Control Act, 15 U.S.C.A. Section 2601, et. seq., (e) the Federal Water Pollution Control Act, 33 U.S.C.A. Section 1251, et. seq., and (f) all state or local environmental laws, and (g) any and all regulations related to any of the foregoing; or (ii) other item, substance, material, or product prohibited, limited, or regulated by or under any of the laws, acts, edicts, directives, decrees, rules, statutes, ordinances, or regulations described above.

1.6. Transaction – The purchase of the Easement by Buyer and the sale of the Easement by Seller, all as contemplated by this Agreement.

2. PROPERTY. The Property is described as an easement as set forth in Exhibit A. Easement does not include water rights or water shares. Water rights and water shares are specifically reserved for Seller.

3. PURCHASE AGREEMENT. Seller hereby agrees to sell to Buyer, and Buyer hereby agrees to purchase, the Easement. The Transaction shall be completed in accordance with, and subject to, the terms, conditions, and provisions fully set forth herein.

4. PURCHASE PRICE. The purchase price and consideration (the “Purchase Price”) to be paid for the Easement shall be ONE THOUSAND SIX HUNDRED AND TWO DOLLARS (\$1,602).

5. CLOSING.

5.1. Time and Place. The Closing for the Transaction shall take place in the office of the Buyer on the ____ day of _____, 2019, the Closing Date unless otherwise agreed to by the parties.

5.2. Seller’s Closing Deliveries. At the Closing, Seller shall deliver, or cause to be delivered, to Buyer, as applicable:

5.2.1. A Public Utility Easement for the Property in the form of Exhibit B attached hereto, fully executed and properly acknowledged by Seller; and

5.2.2. Such other funds, instruments and documents as may be reasonably requested by Buyer or reasonably necessary to effect or carry out the purposes of this Agreement (which funds, instruments and documents shall be subject to Seller’s prior approval thereof, which approval shall not be unreasonably withheld).

5.3. Buyer's Closing Deliveries. At or before the Closing, Buyer shall deliver to Seller:

5.3.1. The funds set forth in Section 3 of this Agreement; and

5.3.2. Such other funds, instruments and documents as may be reasonably requested by Seller or reasonably necessary to effect or carry out the purposes of this Agreement (which funds, instruments and documents shall be subject to Buyer's prior approval thereof, which approval shall not be unreasonably withheld).

5.4. Prorations and Closing Costs.

5.4.1. Except as expressly set forth in this Agreement, each party must bear its own costs (including attorneys' fees) in connection with its negotiation, due diligence investigation and conduct of the Transaction. Closing costs shall be paid by Buyer. Buyer shall pay for the standard-coverage policy of title insurance insuring Buyer, if desired by Buyer.

5.4.2. Seller shall be responsible to pay rollback taxes for the Property, if any.

5.4.3. All prorations for this year, including, but not limited to, homeowner's association dues, property taxes for the current year, rents, and interest on assumed obligations, if any, shall be prorated between the parties as of Closing.

5.4.4. Buyer agrees to be responsible for taxes, assessments, utilities, and other services provided to the Property after Closing.

5.5. Documents. After Closing, Buyer shall record the documents referred to herein in the proper sequence.

5.6. Possession. Buyer shall be entitled to possession of the Property after all documents have been recorded as provided herein and all terms of the Agreement have been met.

5.7. Termination. If the Transaction does not close on or before the Closing Date for any reason, unless extended, this Agreement shall automatically be terminated.

6. "AS IS" PURCHASE.

6.1. Disclaimer. Seller has not made, and Buyer acknowledges that Seller has not made, any warranty, certification, or representation, express or implied, written or oral, statutory or otherwise, concerning the Property. Without limiting the generality of the foregoing, Seller has not made, and Buyer acknowledges that Seller has not made, any

warranty, certification, or representation related to: (i) the condition of title to the Property (except as set forth in the Public Utility Easement); (ii) the nature, physical condition or any other aspect of the Property; (iii) the existence of Hazardous Materials in, on, about, around, under or affecting the Property; (iv) the compliance of the Property with any federal, state or local laws, ordinances, statutes, rules, codes or regulations (including, without limitation, any environmental laws, building codes, or zoning codes), (v) the size, dimensions or square footage of the Property, (vi) the fitness of the Property for any particular purpose (including without limitation the current use thereof); (vii) any economic feasibility of the Property, or (viii) any development rights or permits (or lack thereof) associated with the Property.

6.2. Acceptance. Subject to the express terms of this agreement, Buyer acknowledges for Buyer and Buyer's successors and assigns, that Buyer will be acquiring the Property based solely upon Buyer's own investigation and inspection thereof. Seller and Buyer agree that, the Property shall be sold and Buyer shall accept title to and possession of the Property on the Closing Dates "as is, where is, with all faults" with no right of set off or reduction in the Purchase Price, and that except as set forth in the deed, such sale shall be without representation, certification or warranty of any kind, express or implied, oral or written, statutory or otherwise, and seller does hereby disclaim and renounce any such representation, certification or warranty.

7. BROKER'S COMMISSION. Buyer and Seller represent and warrant that they have not dealt with any broker or finder in connection with this Agreement or the Transaction. Buyer and Seller shall and do hereby each indemnify the other against, and agree to hold the other harmless from, any claim, demand or suit for any brokerage or real estate commission, finder's fee or similar fee or charge with respect to this Agreement or the Transaction based on any act by or agreement or contract with the indemnifying party, and for all losses, obligations, costs, expenses and fees (including reasonable attorneys' fees) incurred by the other party on account of or arising from any such claim, demand or suit.

8. ATTORNEYS' FEES. If there is any litigation between Seller and Buyer to enforce or interpret any provisions or rights under this Agreement, the unsuccessful party in such litigation, as determined by the court, shall pay to the prevailing party, as determined by the court, all costs and expenses, including but not limited to reasonable attorneys' fees, incurred by the prevailing party, such fees to be determined by the court sitting without a jury.

9. NOTICES. Except as otherwise required by law, any notice, demand or request given in connection with the Transaction and this Agreement shall be in writing and shall be given by personal delivery, overnight courier service, electronic mail, or United States certified mail, return receipt requested, postage or other delivery charge prepaid, addressed to Seller or Buyer at the following addresses (or at such other address as Seller or Buyer or the person receiving copies may designate in writing given in accordance with this Section):

SELLER: RLK Real Estate Holdings, LLC
P.O. Box 669
Price, UT 84501-0669
Attn: Rick L. Krompel

BUYER: City of St. George
175 E. 200 N.
St. George, UT 84770
Attn: Jay Sandberg
Phone: (435) 627-4122
Email: jay.sandberg@sgcity.org

Notice shall be deemed to have been given on the date on which notice is delivered, if notice is given by personal delivery or email, on the date of delivery to the overnight courier service, if such a service is used, and on the date of deposit in the mail, if mailed. Notice shall be deemed to have been received on the date on which the notice is actually received or delivery is refused.

10. ADDITIONAL ACTS. The parties agree to promptly execute and deliver such other documents and perform such other acts as may be reasonably necessary to carry out the purposes and intent of this Agreement.

11. DEFAULT. If Buyer defaults, Seller may sue Buyer to specifically enforce this Agreement or pursue other remedies available at law. If Seller defaults, Buyer may sue Seller to specifically enforce this Agreement or pursue other remedies available at law.

12. ABROGATION. The provisions of this Agreement shall apply after Closing.

13. GOVERNING LAW; JURISDICTION. This Agreement shall be governed by, and construed and enforced in accordance with, the laws of the State of Utah.

14. BUSINESS DAYS. If this Agreement requires any act to be done or action to be taken on a date which is not a Business Day, such act or action shall be deemed to have been validly done or taken if done or taken on the next succeeding Business Day.

15. WAIVER. The waiver by any party hereto of any right granted to it hereunder shall not be deemed to be a waiver of any other right granted hereunder, nor shall the same be deemed to be a waiver of a subsequent right obtained by reason of the continuation of any matter previously waived.

16. COUNTERPARTS. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, and all of which taken together shall constitute one and the same document and agreement.

17. ENTIRE AGREEMENT/AMENDMENT. This Agreement sets forth the entire understanding of the parties with respect to the matters set forth herein as of the date hereof, and supersedes all prior oral and written agreements, discussions and understandings of the parties

hereto as to the matters set forth herein, and cannot be altered or amended except pursuant to an instrument in writing signed by both Buyer and Seller.

18. CONSTRUCTION. This Agreement is the result of negotiations between the parties, neither of whom has acted under any duress or compulsion, whether legal, economic or otherwise. Accordingly, the terms and provisions hereof shall be construed in accordance with their usual and customary meanings. Seller and Buyer hereby waive the application of any rule of law which otherwise would be applicable in connection with the construction of this Agreement that provides in effect that ambiguous or conflicting terms or provisions should be construed against the party who (or whose attorney) prepared the executed Agreement or any earlier draft of the same.

19. INTERPRETATION. If there is any specific and direct conflict between, or any ambiguity resulting from, the terms and provisions of this Agreement and the terms and provisions of any document, instrument or other agreement executed in connection herewith or in furtherance hereof, including any exhibits hereto, the same shall be consistently interpreted in such manner as to give effect to the general purposes and intentions as expressed in this Agreement, which shall be deemed to prevail and control.

20. HEADINGS. The headings in this Agreement are for reference only and shall not limit or define the meaning of any provision of this Agreement.

21. NO THIRD-PARTY BENEFICIARY. No term or provision of this Agreement or the Exhibits hereto is intended to be, nor shall any such term or provision be construed to be, for the benefit of any person, firm, corporation or other entity not a party hereto (including, without limitation, any broker), and no such other person, firm, corporation or entity shall have any right or cause of action hereunder.

22. SEVERABILITY. If any provision of this Agreement or any portion of any provision of this Agreement shall be deemed to be invalid, illegal or unenforceable, such invalidity, illegality or unenforceability shall not alter the remaining portion of such provision, or any other provision hereof, as each provision of this Agreement shall be deemed severable from all other provisions hereof so long as removing the severed portion does not materially alter the overall intent of this Agreement.

23. TIME IS OF THE ESSENCE. With respect to all dates and time periods set forth in this Agreement, time is of the essence and such dates and time periods shall be strictly adhered to and enforced.

24. AUTHORITY OF SIGNERS. If Buyer or Seller is a corporation, partnership, trust, estate, limited liability company, or other entity, the person executing this Agreement on its behalf warrants his or her authority to do so and to bind Buyer or Seller.

IN WITNESS WHEREOF, Seller and Buyer have executed this Agreement as of the Effective Date.

SELLER:

RLK Real Estate Holdings, LLC
a Utah limited liability company

By: 
Name: Rick L. Krompel

BUYER:

CITY OF ST. GEORGE
a Utah municipal corporation

By: _____
Name: Jonathan T. Pike, Mayor

Approved as to form:

Paula Houston, Deputy City Attorney

ATTEST:

Christina Fernandez, City Recorder

PURCHASE AND SALE AGREEMENT
EXHIBIT A

(Legal Description of the Property)
A portion of SG-5-3-3-211

The following land situated in Washington County, State of Utah:

BEGINNING AT THE NORTH WEST CORNER OF LOT 5, BLOCK 3, R.C. LUND'S ENTRY IN SECTION 3, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 88°57'53" EAST, 16.50 FEET ALONG THE NORTH LOT LINE OF LOT 5, TO THE "TRUE" POINT OF BEGINNING, AND RUNNING THENCE SOUTH 88°57'53" EAST 40.00 FEET; THENCE SOUTH 00°41'22" WEST 23.25 FEET; THENCE NORTH 88°57'53" WEST 40.00 FEET; THENCE NORTH 00°41'22" EAST 23.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 930 SQUARE FEET OR 0.021 ACRE

the person whose name is subscribed to in this document, and acknowledged he/she executed the same voluntarily for its stated purpose.

Notary Public

EXHIBIT A

(Legal Description of the Property)
A portion of SG-5-3-3-211

The following land situated in Washington County, State of Utah:

BEGINNING AT THE NORTH WEST CORNER OF LOT 5, BLOCK 3, R.C. LUND'S ENTRY IN SECTION 3, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 88°57'53" EAST, 16.50 FEET ALONG THE NORTH LOT LINE OF LOT 5, TO THE "TRUE" POINT OF BEGINNING, AND RUNNING THENCE SOUTH 88°57'53" EAST 40.00 FEET; THENCE SOUTH 00°41'22" WEST 23.25 FEET; THENCE NORTH 88°57'53" WEST 40.00 FEET; THENCE NORTH 00°41'22" EAST 23.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 930 SQUARE FEET OR 0.021 ACRE

DRAFT

Agenda Item Number : **1b**

Request For Council Action

Date Submitted 03/12/2019 04:46 PM

**Proposed City Council
Date** 03/21/2019

Applicant Millie Cockerill

Subject Consider approval to award bid to Progressive Contracting Inc, for the JC Snow Park Parking Lot Renovation

Background This project is for renovation of half of the asphalt parking lot at JC Snow Park. Construction includes regrading, rotomill of asphalt, repairing a low spot, concrete curb, and signing and striping. This was a formal bid and 5 bids were received.

Proposed Resolution Staff Recommends Approval

Cost \$166,199.90

**City Manager
Recommendation** NULL

Action Taken NULL

Requested by Brett Whitelaw

File Attachments 3-12-2019bidtab-jcsnowparkinglotrenovation031219164652.pdf

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** Yes

Approved in Budget? Yes **Amount:** 224,456.00 (full project budget)

JC SNOW PARKING LOT RENOVATION
 BID TABULATION
 St. George City

high/low from bids

bid errors

BID TABULATION

NO.	ITEM	QTY	UNIT	Engineer's Estimate		NICHOLS BUILDING, LLC		ROYAL T ENTERPRISES		SUNROC		PROGRESSIVE CONTRACTING		WESTERN ROCK		AVERAGE	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
BASE BID ITEMS																	
1	MOBILIZATION	1	LS	\$ 14,200.00	\$ 14,200.00	\$ 10,000.00	\$ 10,000.00	\$ 18,000.00	\$ 18,000.00	\$ 8,600.00	\$ 8,600.00	\$ 7,203.60	\$ 7,203.60	\$ 6,299.90	\$ 6,299.90	\$ 10,020.70	\$ 10,020.70
2	DUST CONTROL & WATERING	1	LS	\$ 3,000.00	\$ 3,000.00	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00	\$ 4,000.00	\$ 4,000.00	\$ 3,480.00	\$ 3,480.00	\$ 6,300.00	\$ 6,300.00	\$ 5,756.00	\$ 5,756.00
3	CONSTRUCTION STAKING	1	LS	\$ 1,500.00	\$ 1,500.00	\$ 3,000.00	\$ 3,000.00	\$ 7,500.00	\$ 7,500.00	\$ 5,000.00	\$ 5,000.00	\$ 6,960.00	\$ 6,960.00	\$ 5,950.00	\$ 5,950.00	\$ 5,682.00	\$ 5,682.00
4	DEMOLITION OF EXISTING IMPROVEMENTS	1	LS	\$ 2,000.00	\$ 2,000.00	\$ 1,000.00	\$ 1,000.00	\$ 7,500.00	\$ 7,500.00	\$ 4,800.00	\$ 4,800.00	\$ 7,540.00	\$ 7,540.00	\$ 2,630.00	\$ 2,630.00	\$ 4,694.00	\$ 4,694.00
5	PULVERIZATION (6" THICK)	41346	SF	\$ 0.45	\$ 18,605.70	\$ 0.20	\$ 8,269.20	\$ 0.15	\$ 6,201.90	\$ 0.20	\$ 8,269.20	\$ 0.24	\$ 9,923.04	\$ 0.12	\$ 4,961.52	\$ 0.18	\$ 7,524.97
6	12" NATIVE SOIL EXCAVATION AND SUBGRADE PREPARATION	4594	SY	\$ 3.50	\$ 16,079.00	\$ 12.00	\$ 55,128.00	\$ 4.22	\$ 19,386.68	\$ 12.20	\$ 56,046.80	\$ 2.32	\$ 10,658.08	\$ 9.65	\$ 44,332.10	\$ 8.08	\$ 37,110.33
7	PLACE AND COMPACT PULVERIZED MATERIAL (5" THICK)	664	CY	\$ 15.00	\$ 9,960.00	\$ 20.00	\$ 13,280.00	\$ 10.00	\$ 6,640.00	\$ 4.55	\$ 3,021.20	\$ 3.71	\$ 2,463.44	\$ 14.50	\$ 9,628.00	\$ 10.55	\$ 7,006.53
8	IMPORTED STRUCTURAL FILL (10.5" THICK)	1340	CY	\$ 20.00	\$ 26,800.00	\$ 25.00	\$ 33,500.00	\$ 15.00	\$ 20,100.00	\$ 24.00	\$ 32,160.00	\$ 27.56	\$ 36,930.40	\$ 30.50	\$ 40,870.00	\$ 24.41	\$ 32,712.08
9	2.5" ASPHALT PAVEMENT	41346	SF	\$ 2.25	\$ 93,028.50	\$ 1.40	\$ 57,884.40	\$ 1.35	\$ 55,817.10	\$ 1.18	\$ 48,788.28	\$ 1.25	\$ 51,682.50	\$ 1.28	\$ 52,922.88	\$ 1.29	\$ 53,419.03
10	SOFT SPOT REPAIR WITH GEORGRID	500	SF	\$ 7.50	\$ 3,750.00	\$ 15.00	\$ 7,500.00	\$ 10.00	\$ 5,000.00	\$ 5.10	\$ 2,550.00	\$ 11.60	\$ 5,800.00	\$ 4.50	\$ 2,250.00	\$ 9.24	\$ 4,620.00
11	SIGNAGE & STRIPING	1	LS	\$ 4,000.00	\$ 4,000.00	\$ 7,500.00	\$ 7,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,700.00	\$ 2,700.00	\$ 2,495.16	\$ 2,495.16	\$ 1,300.00	\$ 1,300.00	\$ 3,299.03	\$ 3,299.03
12	CONCRETE CURBING WITH BASE	1180	LF	\$ 20.00	\$ 23,600.00	\$ 25.00	\$ 29,500.00	\$ 25.00	\$ 29,500.00	\$ 16.85	\$ 19,883.00	\$ 13.86	\$ 16,354.80	\$ 13.50	\$ 15,930.00	\$ 18.84	\$ 22,233.56
13	CONCRETE APRON WITH BASE	1	LS	\$ 1,000.00	\$ 1,000.00	\$ 5,000.00	\$ 5,000.00	\$ 2,000.00	\$ 2,000.00	\$ 1,570.00	\$ 1,570.00	\$ 583.63	\$ 583.63	\$ 635.00	\$ 635.00	\$ 1,957.73	\$ 1,957.73
14	PEDESTRIAN ACCESS RAMP	1	EA	\$ 1,000.00	\$ 1,000.00	\$ 4,000.00	\$ 4,000.00	\$ 2,500.00	\$ 2,500.00	\$ 3,250.00	\$ 3,250.00	\$ 2,704.25	\$ 2,704.25	\$ 2,200.00	\$ 2,200.00	\$ 2,930.85	\$ 2,930.85
15	CROSS GUTTER	2	EA	\$ 500.00	\$ 1,000.00	\$ 4,000.00	\$ 8,000.00	\$ 4,000.00	\$ 8,000.00	\$ 770.00	\$ 1,540.00	\$ 710.50	\$ 1,421.00	\$ 470.00	\$ 940.00	\$ 1,990.10	\$ 3,980.20
BID TOTAL					\$ 219,523.20		248,561.60		200,645.68		202,178.48		166,199.90		197,149.40		
						WRITTEN BID	250,065.20	WRITTEN BID	196,659.00	WRITTEN BID	202,178.48	WRITTEN BID	166,199.90	WRITTEN BID	197,155.00		

DRAFT

Agenda Item Number : **02**

Request For Council Action

Date Submitted 03/01/2019 12:09 PM

**Proposed City Council
Date** 03/07/2019

Applicant Corona Flores Market

Subject Consider approval of a Purchase and Sale Agreement for Public Right of Way along 500 East.

Background This is a request to purchase ROW for the Corona Flores Market. The ROW is necessary to comply with the landscape ordinance for commercial development. The area to be purchased is 3,342 square feet along 500 East.

Proposed Resolution Approval

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

Requested by Wes Jenkins

File Attachments

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** No

Approved in Budget? N/A **Amount:**

DRAFT

Agenda Item Number : **03**

Request For Council Action

Date Submitted 03/15/2019 05:26 PM

**Proposed City Council
Date** 03/21/2019

Applicant Rich Stehmeier

Subject Consider approval of a resolution allowing for temporary relief or credits for various categories of airport users/leaseholders during the 2019 SGU Airport closure.

Background The SGU Airport will close for four (4) months for runway repairs. Due to the impact on site-dependent businesses, staff proposes temporary relief from specified lease or contract terms for some categories of businesses: FBOs, SASOs, private hanger lessees, and fuel station operator.

Proposed Resolution Resolution Adopting the proposed relief for various categories of Airport users/leaseholders

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

Requested by Rich Stehmeier

File Attachments

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** NA

Approved in Budget? N/A **Amount:**

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ST. GEORGE, UTAH, AUTHORIZING
TEMPORARY RELIEF OR CREDITS FROM CONTRACT OR LEASE TERMS, FOR
CATEGORIES OF AIRPORT SITE-DEPENDENT BUSINESSES, RELATED TO THE
2019 SGU AIRPORT CLOSURE FOR RUNWAY IMPROVEMENTS**

WHEREAS, the SGU Airport in St. George, Utah, will experience a temporary shutdown of approximately four months in 2019, for the reconstruction of airport runway and drainage infrastructure;

WHEREAS, certain categories of businesses that are airport site-dependent will experience economic impacts from the temporary closure;

WHEREAS, the City of St. George has determined that the following categories of businesses that are airport site-dependent will receive the following temporary relief or credits from contract or lease terms:

1. Fixed Base Operators (FBOs) – two years base lease credit;
2. Private Hanger Lessees – four month base lease credit;
3. Specialized Aviation Service Operators (SASOs) – two years base lease credit; and
4. Overland Co., Sinclair Fuel Station – one year base lease credit.

WHEREAS, no other fees or assessments are forgiven or waived, and only the base monthly lease amount will be credited, and said credits or adjustments shall be reflected on the 2019 billings from the Airport Manager to the categories of businesses listed above;

WHEREAS, the St. George City Council determines that it is in the best interest of the citizens, and it will promote their health, safety, and welfare, to give temporary relief or credits from contract or lease terms for airport site-dependent businesses due to the impact of the temporary 2019 SGU Airport closure.

BE IT FURTHER RESOLVED that the credits will be reflected as of the January 1, 2019, billings from the Airport Manager to relevant businesses.

APPROVED AND ADOPTED this ____ day of March, 2019.

Jonathan T. Pike, Mayor

Christina Fernandez, City Recorder

DRAFT

Agenda Item Number : **04**

Request For Council Action

Date Submitted 03/15/2019 12:02 PM

**Proposed City Council
Date** 03/21/2019

Applicant Public Works

Subject Consider approval of a revised Stormwater Ordinance.

Background The revisions to the Stormwater Ordinance addresses changes in the State of Utah Division of Environmental Quality requirements.

Proposed Resolution Recommend approval

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

Requested by Jay Sandberg

File Attachments

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** NA

Approved in Budget? N/A **Amount:**

DRAFT

Agenda Item Number : **05**

Request For Council Action

Date Submitted 03/19/2019 08:16 AM

**Proposed City Council
Date** 03/21/2019

Applicant City of St. George

Subject Consider approval of an ordinance enacting a fee schedule for civil penalties for stormwater deficiencies.

Background The federal government has mandated that each municipality adopt regulations to require compliance from pre-construction operations and for the long-term maintenance of post construction Storm Water Facilities. This ordinance will enact a fee schedule deficiencies.

Proposed Resolution Recommend approval.

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

Requested by Jay Sandberg

File Attachments

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** NA

Approved in Budget? N/A **Amount:**

1
2 **ORDINANCE NO. _____**
3

4 **AN ORDINANCE ENACTING A FEE SCHEDULE FOR CIVIL PENALTIES FOR**
5 **STORMWATER DEFICIENCIES**
6

7 **WHEREAS**, the federal government has mandated that each municipality adopt regulations to
8 require compliance from pre-construction operations and for the long-term maintenance of post
9 construction Storm Water Facilities; and

10
11 **WHEREAS**, City of St. George has adopted stormwater regulations to comply with the federal
12 mandate and needs to establish a fee schedule for the civil penalties which would be ordered if
13 the person were found in violation of the regulations; and

14
15 **WHEREAS**, a reasonable penalty should be charged to discourage violations of the Stormwater
16 regulations; and

17
18 **WHEREAS**, the City Council has determined that adopting this fee schedule is in the best
19 interest of the citizens of the City of St. George and are justified at this time.

20
21 **NOW, THEREFORE, BE IT ORDAINED**, by the St. George City Council, as follows:

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

24 **Section 2. Enactment.** A following fee schedule is enacted:

25
26 See attached Exhibit A.
27

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

30 **Section 4. Effective Date.** This Ordinance shall take effect immediately upon posting in the
31 manner required by law.
32

APPROVED AND ADOPTED by the City Council of the City of St. George, this ____ day of
_____, 2019.

Jonathan T. Pike, Mayor

ATTEST:

Christina Fernandez, City Recorder

EXHIBIT A

Fine and Penalty Fee Schedule and Worksheet Deficiencies Form



St. George

Name of Operator: _____

Mailing Address of Operator: _____

Name and Address of Site: _____

UPDES/NOI Number: _____ Operator Phone Number: _____

MS4 Inspector Name: _____ Date of Inspection: _____

Control Measure Violation	Fine Amount	# of Deficiencies	Total
Working without a NOI and/or SWPPP	\$500		
Working without an updated NOI and/or SWPPP	\$250		
Inspections not being performed and/or documented	\$150		
Inspections being performed by unqualified personnel	\$150		
SWPPP sign not posted	\$150		
Construction exit track-out	\$150		
Waste control	\$150		
Improper material storage	\$150		

Illicit Discharge Violation	Fine Amount	# of Deficiencies	Total
Sediment escaping perimeter boundary	\$250		
Solid waste (litter and construction debris)	\$250		
Wash-out not contained (concrete, stucco, paint)	\$250		
Sanitary waste (portable toilet not staked, in right-of-way, improper setback)	\$250		
Fuel, oil, hydraulic spills (improper disposal or not contained)	\$250		
Fertilizer, cleanser, organics spills (improper disposal or not contained)	\$250		
Paints and solvents	\$250		

Miscellaneous Fees	Total
Administrative Fee for Appeal (code 9-14-9)	\$250

Illicit Discharges are sediment and pollutants, intentionally or unintentionally, escaping the permitted area on the surface or subsurface. The presence of BMP's do not excuse an illicit discharge.

Repeat and recurring violation by Operator may be turned over to the City of St. George Legal Department for further action.

DRAFT

Agenda Item Number : **06**

Request For Council Action

Date Submitted 03/13/2019 08:45 AM

Proposed City Council Date 03/21/2019

Applicant David Nasal

Subject Public hearing and consideration of an ordinance amending the Amira residential planned development to create condominiums from existing rental units, to add three (3) new units, and to establish uses on 5.94 acres. This amendment will also change the zone from R-1-10 (Single Family Residential, 10,000 sq ft minimum lot size) to PD-R (Planned Development Residential) on approximately .49 acres.

Background This requested Zone Change Amendment will be addressing several items. The items covered in this amendment will include a proposal to create condominiums from existing rental units, a proposal for three new units, and a proposed use list for the commercial building. In addition, the applicant will also be requesting to change the zone from R-1-10 (Single Family Residential, 10,000 sq ft minimum lot size) to PD-R (Planned Development Residential) for a separate area. The property is generally located at 1999 W. Canyon View Drive.

Proposed Resolution Planning Commission recommends approval.

Cost \$

City Manager Recommendation NULL

Action Taken NULL

Requested by John Willis

File Attachments

Approved by Legal Department? Yes

Approved by City Admin Services? NA

Approved in Budget? N/A **Amount:**

PLANNING COMMISSION AGENDA REPORT: 02/26/2019
CITY COUNCIL MEETING: 03/21/2019

Zone Change Amendment
Amira at Green Valley
Case No. 2019-ZCA-008

Request: Consider a Zone Change Amendment to the ‘Amira PD-R (Planned Development, Residential) to create condominiums from existing rental units, to add three new units, and establish uses. Also, to change the zone from R-1-10 (Single Family Residential, 10,000 sq ft minimum lot size) to PD-R (Planned Development, Residential)

Applicant: Amira Dev LLC

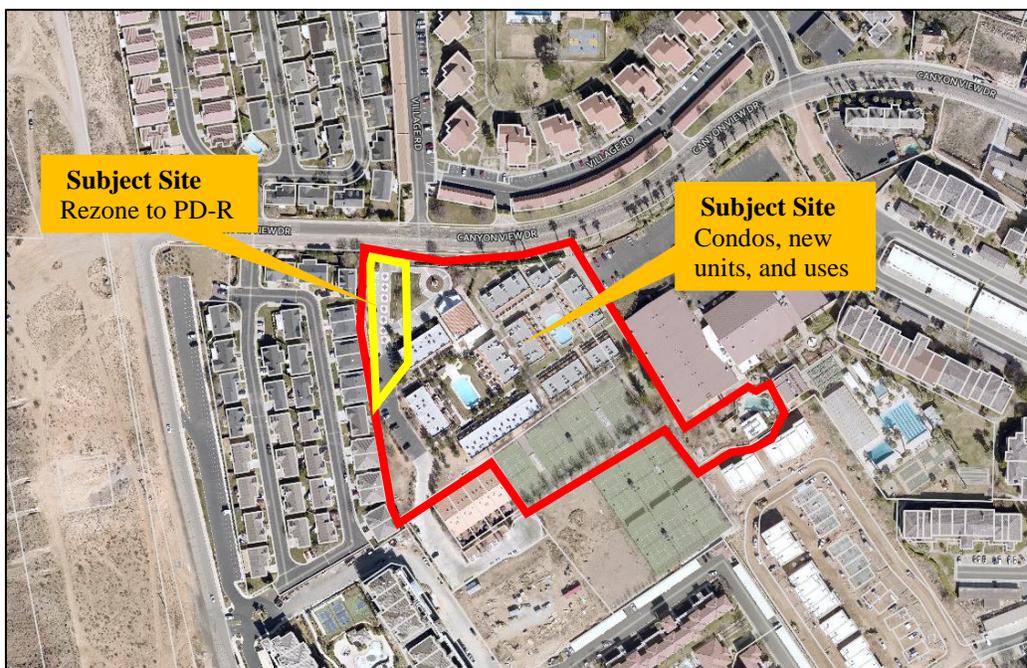
Representative: Dave Nasal

Area: 5.94 acres and .49 acres

Location: Generally located at 1999 W. Canyon View Drive

Current Zone: PD-R (Planned Development Residential)

General Plan: COM (Commercial) and MDR (Medium Density Residential)



Background

This requested Zone Change Amendment will be addressing several items. The items covered in this amendment will include a proposal to create condominiums from existing rental units, a proposal for three new units, and a proposed use list for the commercial building. In addition, the applicant will also be requesting to change the zone from R-1-10 (Single Family Residential, 10,000 sq ft minimum lot size) to PD-R (Planned Development, Residential) for a separate area. Each proposal will be further described below.

- A. First of all, the applicant would like to create condominiums from the existing rental units on this lot. There are currently 47 residential units in this development. The existing units range from 523 square feet to 1358 square feet. There are 35 studio units (523 sq ft), six 1-bedroom units, and six 2-bedroom units. The applicants would also like to designate three locations for three new units to add in the future. We don't have the layout of the three units at this time; the applicant will return with an amendment when they are ready to develop these units. Please refer to the attached image for the location of these three new units.

The three new units have been included in the totals to determine if this development meets the required development standards for a PD-R. The chart below shows that the development does meet all the development standards except for the parking standards.

AMIRA AT GREEN VALLEY DEVELOPMENT STANDARDS			
UNITS: 50		LOT SIZE: 5.94 ACRES -- 258,747 SQUARE FEET	
STANDARD	REQUIREMENT	REQUIRED	PROPOSED
Land Coverage	50% Coverage	2.97 acres 129,374 sf or less	1.08 acres 47,032 sf
Setbacks	PD-R Zoning Regulations and The Ledges Agreement	Front: 25' Side:8' 10' Rear: 10'	Front: 35'+ Side:18'+ Rear: 10'
Parking	2 spaces per unit (1 covered, 1 uncovered) plus 1 guest parking for every 3 units Plus 12 spaces for the spa	50 Covered 79 uncovered 129 Total	94 uncovered REQUESTING REDUCTION IF APPROVED, WILL NEED TO COVER 38 SPACES
Signs	Separate Sign Package Approval		
Height Regulations	35' maximum	35'	<35'
Fences	Ch 18	Solid Fence required along eastern boundary of Commercial	approve at site plan process
Landscaping	30%	1.78 acres 77,624 sf	2.01 acres 87,664 sf
Outdoor Storage	This site is not expected to have outdoor storage		
Solid Waste	In the rear or behind solid fence	Located in rear or with a solid fence	Located in rear or with a solid fence
Recreation Space	200 sf per unit	10,000 sf	37,897 sf

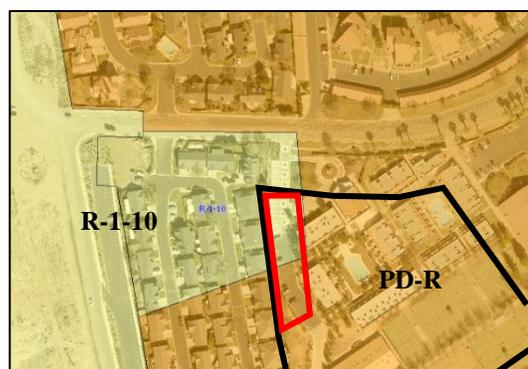
The applicants are proposing to add 45 new parking spaces to the existing 49 spaces. This totals to 94 spaces. With 50 units, the development would be required to have 117 parking spaces with 50 of those spaces covered. In addition, the spa would require an additional 10 spaces. This totals to 127 required spaces. However, the applicant is requesting a parking reduction. They would like to use the 1.5 spaces per unit ratio and reduce the guest parking spaces.

Using the 1.5 parking ratio, the development would be required to have 100 total spaces with 38 spaces being covered. With the additional 10 spaces required for the spa, the total for the development would be 110. Seventeen parking spaces out of the 110 total are required for the guest parking. The applicant is requesting to reduce this number by eight to equal a total of nine guest parking spaces.

There is one existing nonconformity on the property and that is the driveway width. The required width of the driveway is 25'. The existing driveway does not meet this requirement for the entire length of the driveway.

- B. The next proposal is to create a use list for the commercial building that is located on this lot. The applicant is proposing the following uses be added for the commercial building on the property:
1. Health club/spa, fitness center
 2. Park, playground, public open space, visitor center
 3. Massage Establishment
 4. Permanent cosmetics
 5. Museum
 6. Professional or business office
 7. Restaurant, sit down
 8. Bed and Breakfast
 9. Hotel/motel
 10. Timeshare Units
 11. Church
 12. Lodge, fraternal organization, senior center, meeting room or social hall
 13. Reception center, conference center or wedding chapel
 14. Living quarters for manager or security personnel for business which requires 24-hour **coverage**
 15. Residential units existing single family homes
 16. Barbershop/beauty shop
 17. Child nursery, daycare, preschool

- C. The final proposal is to change the zone from R-1-10 (Single Family Residential, 10,000 sq ft minimum lot size) to PD-R (Planned



Development, Residential) for a .49-acre section of this planned development as shown in the image to the right. This rezone request is a clean-up for an area that has been functioning as a PD-R zone but was not included in the rezone from R-1-10 to PD-R when the area was originally developed.

Recommendation:

Staff recommends approval of this Zone Change Amendment with the following conditions:

1. The requested parking reductions are approved.
2. The required covered parking for 50 parking spaces is installed.
3. Parking will need to be reevaluated if the use in the commercial building that houses the spa changes from the current use.
4. The driveway width will need to be extended to 25' for the entire length.

Alternatives:

1. Recommend approval as presented.
2. Recommend approval with conditions.
3. Recommend denial.
4. Table the proposed zone change amendment to a specific date.

Planning Commission Motion:

The Planning Commission recommends approval of the Zone Change Amendment to the Amira at Green Valley PD-R (Planned Development Residential) zone to with the following conditions:

1. The parking reductions request are approved, including the reduction to 1.5 parking spaces per unit and the reduction of the guest parking to 7.
2. The required covered parking for 50 parking spaces is installed.
3. Parking will need to be reevaluated if the use in the commercial building that houses the spa changes from the current use.
4. The driveway width will need to be extended to 25' for the entire length.
5. Fifty residential units are approved.
6. The fourteenth item on the requested use list for the commercial building is change to say, *Living quarters for manager or security personnel for business which requires 24-hour coverage.*

Zone Change Amendment

Amira at Green Valley

Location: Generally located at 1999 W.
Canyon View Drive

Area: 6.43 Total

Case #: 2019-ZCA-008

Amira at Green Valley Aerial



Subject Site
Rezone to PD-R

Subject Site
Condos, new
units, and
uses

Amira at Green Valley Aerial



47 Units Total

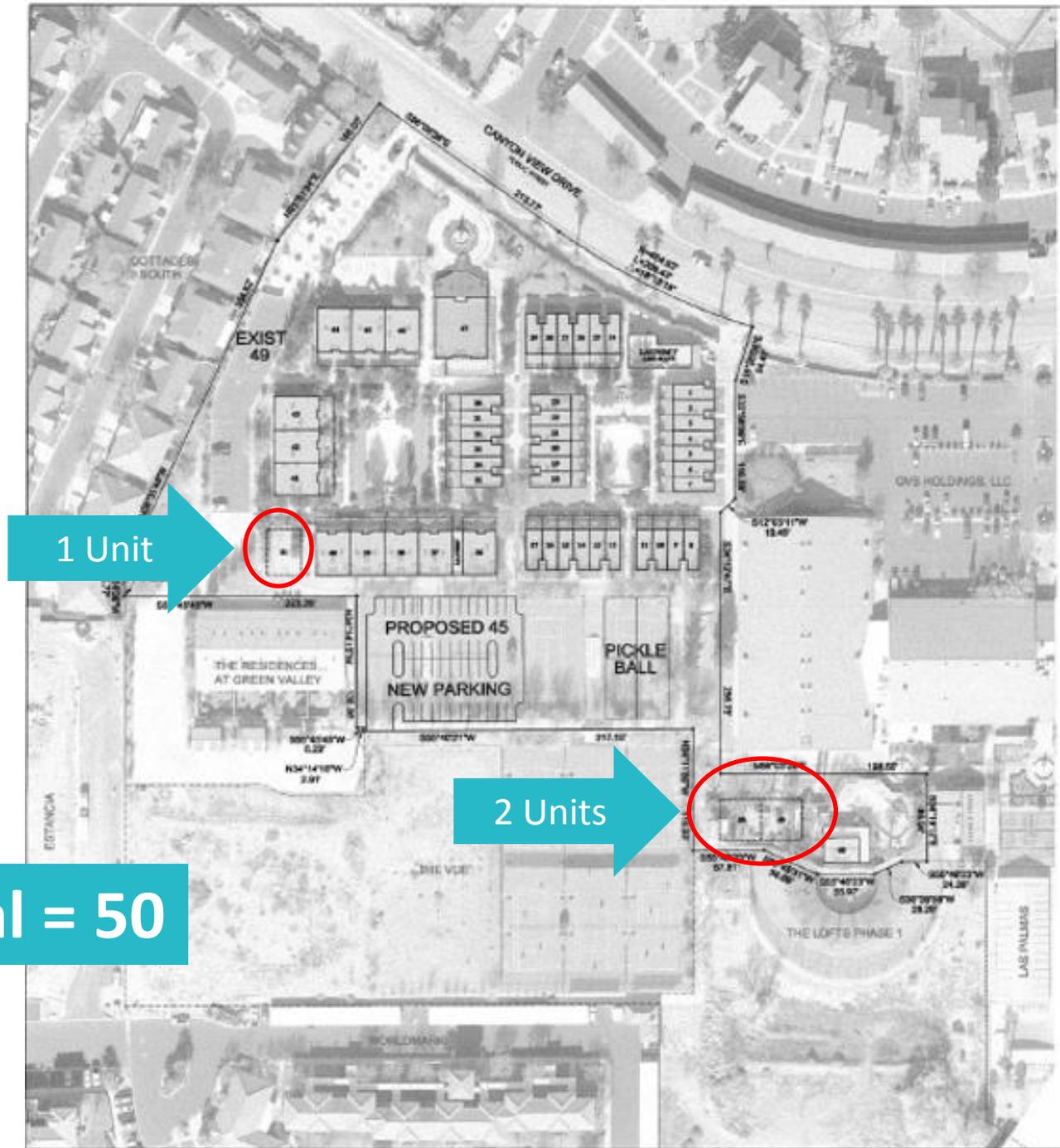
35 studio units

6 1-bedroom units

6 2-bedroom units

Amira at Green Valley

Location of 3 new units



1 Unit

2 Units

New Unit Total = 50

AMIRA AT GREEN VALLEY DEVELOPMENT STANDARDS

UNITS: 50

LOT SIZE: 5.94 ACRES -- 258,747 SQUARE FEET

STANDARD	REQUIREMENT	REQUIRED	PROPOSED
Land Coverage	50% Coverage	2.97 acres 129,374 sf or less	1.08 acres 47,032 sf
Setbacks	PD-R Zoning Regulations and The Ledges Agreement	Front: 25' Side:8' 10' Rear: 10'	Front: 35'+ Side:18'+ Rear: 10'
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Signs	Separate Sign Package Approval		
Height Regulations	35' maximum	35'	<35'
Fences	Ch 18	Solid Fence required along eastern boundary of Commercial	approve at site plan process
Landscaping	30%	1.78 acres 77,624 sf	2.01 acres 87,664 sf
Outdoor Storage	This site is not expected to have outdoor storage		
Solid Waste	In the rear or behind solid fence	Located in rear or with a solid fence	Located in rear or with a solid fence
Recreation Space	200 sf per unit	10,000 sf	37,897 sf

Amira at Green Valley With 50 Units

2 Parking Spaces per Unit vs 1.5 Parking Spaces per Unit			
	2 spaces per unit	1.5 spaces per unit	Applicant's Request
Covered Parking	50	38	38
Uncovered Parking	50	37	37
Guest Parking	17	17	7
Spa Parking	12	12	12
Totals	129	104	94

Amira



Proposed Use List for Existing Commercial Building

1. Health club/spa, fitness center
2. Park, playground, public open space, visitor center
3. Massage Establishment
4. Permanent cosmetics
5. Museum
6. Professional or business office
7. Restaurant, sit down
8. Bed and Breakfast
9. Hotel/motel
10. Timeshare Units
11. Church
12. Lodge, fraternal organization, senior center, meeting room or social hall
13. Reception center, conference center or wedding chapel
14. Living quarters for manager or security personnel for business which requires 24-hour **assistance coverage**
15. Residential units existing single family homes
16. Barbershop/beauty shop
17. Child nursery, daycare, preschool















R-1-10

R-1-10

PD-R

Recommendation

Planning Commission and Staff recommend approval of this Zone Change Amendment with the following conditions:

1. The parking reductions request is approved, including the reduction to 1.5 parking spaces per unit and the reduction of the guest parking to 7.
2. The required covered parking for 50 parking spaces is installed.
3. Parking will need to be reevaluated if the use in the commercial building that houses the spa changes from the current use.
4. The driveway width will need to be extended to 25' for the entire length.
5. Fifty residential units are approved.
6. The fourteenth item on the requested use list for the commercial building is change to say, *Living quarters for manager or security personnel for business which requires 24-hour coverage.*

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY ZONING MAP BY AMENDING THE PD-R (PLANNED DEVELOPMENT RESIDENTIAL) ZONE ON APPROXIMATELY 5.94 ACRES TO CREATE CONDOMINIUMS FROM EXISTING RENTAL UNITS, TO ADD THREE NEW UNITS, TO ESTABLISH USES FOR THE EXISTING COMMERCIAL BUILDING, AND TO EXTEND THE PD-R (PLANNED DEVELOPMENT RESIDENTIAL) ZONE ON APPROXIMATELY 0.49 ACRES, GENERALLY LOCATED AT 1900 W. CANYON VIEW DRIVE

(Amira PD-R)

WHEREAS, the property owner has requested a zone change amendment to the existing PD-R (Planned Development Residential) zone on approximately 5.94 acres, to create condominiums from existing rental units, to add three new units, to establish uses for the existing commercial building, and to extend the PD-R zone by approximately 0.49 acres. This site is generally located at 1900 W. Canyon View Drive; and

WHEREAS, the City Council held a public hearing on this request on March 21, 2019; and

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

WHEREAS, the City Council has determined that the requested change to the Zoning Map, to create condominiums from existing rental units, to add three new units, to establish uses for the existing commercial building, and to extend the PD-R (Planned Development Residential) zone by approximately 0.49 acres is justified at this time, and is in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

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

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

Section 2. Enactment. The City Zoning Map is hereby ordered to be changed, amending the existing PD-R (Planned Development Residential) zone on approximately 5.94 acres, to create condominiums from existing rental units, to add three new units, to establish uses for the existing commercial building, and to extend the PD-R (Planned Development Residential) zone by approximately 0.49 acres, generally located at 1900 W. Canyon View Drive and more specifically described on the attached property legal description and map incorporated herein as Exhibits "A" and "B." The project must comply with all conditions, requirements, and restrictions as approved by City Council.

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

Section 4. Effective Date. This Ordinance shall take effect immediately on the date executed below, and upon posting in the manner required by law.

APPROVED AND ADOPTED by the St. George City Council, this 21st day of March, 2019.

Jonathan T. Pike, Mayor

ATTEST:

Christina Fernandez, City Recorder

Exhibit "A"

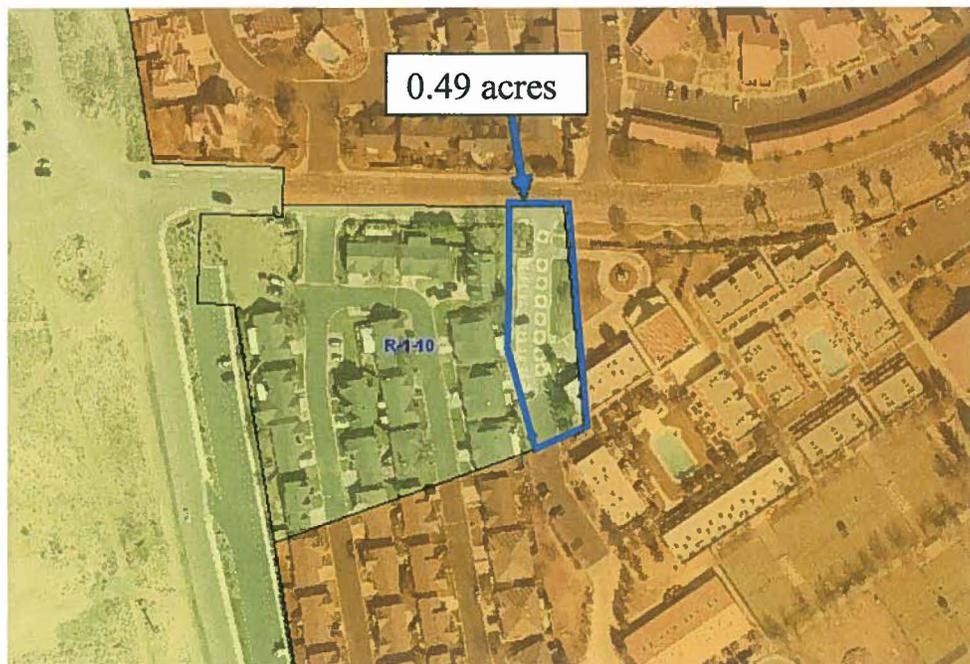
JANUARY 2, 2019

DESCRIPTION OF AMIRA CONDOMINIUMS LOCATED IN THE NORTHEAST QUARTER OF
SECTION 34, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND
MERIDIAN

BEGINNING AT A POINT ON THE EAST LINE OF THE COTTAGES SOUTH PHASE 1, SAID POINT ALSO BEING NORTH 00°48'55" EAST 804.18 FEET ALONG THE SECTION LINE AND NORTH 89°11'05" WEST 750.82 FEET FROM THE EAST QUARTER CORNER OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 34°14'36" WEST 25.77 FEET AND NORTH 09°35'49" WEST 354.92 FEET AND NORTH 01°51'24" EAST 166.03 FEET ALONG THE EAST BOUNDARY LINE OF THE COTTAGES SOUTH PHASE 1 TO THE SOUTHERLY RIGHT-OF-WAY LINE OF CANYON VIEW DRIVE THENCE SOUTH 88°08'36" EAST 213.77 FEET TO A POINT ON A 654.93 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT RADIUS POINT BEARS NORTH 01°53'34" EAST, THENCE 209.43 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 18°19'18"; THENCE LEAVING SAID RIGHT-OF-WAY LINE SOUTH 16°26'06" EAST 54.41 FEET; THENCE SOUTH 33°56'36" EAST 116.58 FEET; THENCE SOUTH 12°03'11" WEST 19.49 FEET; THENCE SOUTH 34°12'47" EAST 256.75 FEET; THENCE NORTH 56°03'24" EAST 198.50 FEET; THENCE SOUTH 34°19'12" EAST 85.94 FEET TO THE NORTH LINE OF THE LOFTS PHASE 1; THENCE SOUTH 55°46'23" WEST 24.28 FEET; THENCE SOUTH 30°39'58" WEST 28.29 FEET; THENCE SOUTH 55°46'23" WEST 55.97 FEET; THENCE SOUTH 80°49'31" WEST 56.69 FEET; THENCE SOUTH 55°46'23" WEST 67.81 FEET; THENCE LEAVING THE NORTH LINE OF THE LOFTS PHASE 1 NORTH 34°11'50" WEST 119.03 FEET; THENCE SOUTH 55°40'21" WEST 317.15 FEET; THENCE NORTH 34°14'18" WEST 2.91 FEET; THENCE SOUTH 55°45'45" WEST 6.20 FEET; THENCE NORTH 34°14'15" WEST 130.06 FEET; THENCE SOUTH 55°45'45" WEST 223.26 FEET TO THE POINT OF BEGINNING.
CONTAINS 5.94 ACRES



Exhibit "B"



DRAFT

Agenda Item Number : 07

Request For Council Action

Date Submitted 03/13/2019 09:06 AM

**Proposed City Council
Date** 03/21/2019

Applicant Mr. Gail Maxwell

Subject Public hearing and consideration of an ordinance amending the Stone Cliff PD-R (Planned Development Residential) zone to expand the overall development to allow new single family lots in the subdivision.

Background This proposal was on the February 7th City Council agenda. However, the applicant requested to remove the item from the agenda, due to the potential of expanding the request. The applicant has returned with the same proposal as the original request and is not expanding the boundaries. The developers of the Stone Cliff Residential Planned Development would like to expand their subdivision to the east by adding 40 new single-family home lots. The proposal is located on 26.28 acres and is generally located at the southwest intersection of 1450 South and 3000 East.

Proposed Resolution Planning Commission recommends approval.

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

Requested by John Willis

File Attachments

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** NA

Approved in Budget? N/A **Amount:**



PLANNING COMMISSION AGENDA REPORT: 01/22/2019
CITY COUNCIL MEETING: 03/21/2019

Zone Change
Stone Cliff Expansion
Case No. 2018-ZCA-046

Request: Consider a Zone Change Amendment to the Stone Cliff PD-R (Planned Development Residential) zone to expand the overall development and allow future new single-family lots in the subdivision.

Applicant: Traveller Stone Cliff LLC

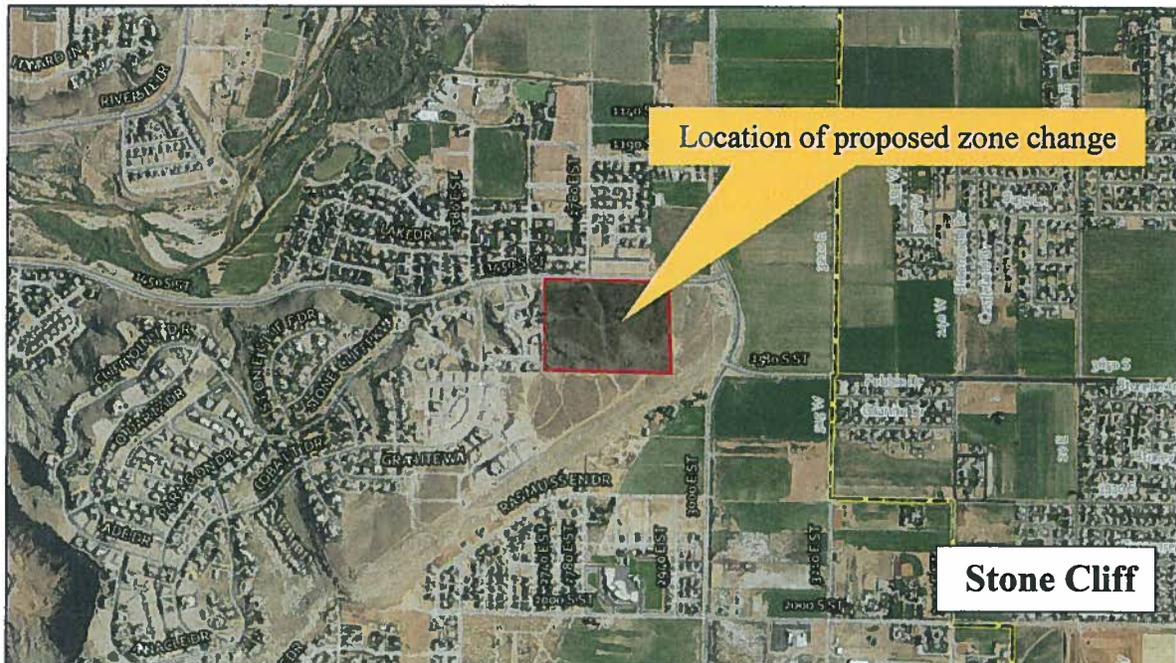
PSR: November 6, 2018, item #5

Area: 26.28 acres

Location: The new proposed single-family lots would be generally located south of 1450 South Street.

Current Zone: R-1-10

General Plan: LDR (Low Density Residential).



Background

The developers of the Stone Cliff Residential Planned Development would like to expand their subdivision to the east by adding new single-family home lots. The location does fall within the Hillside Development Zone, and the applicant has gone through the Hillside Development Permit process (Please refer to case 2018-HS-005).

This new extension of the Stone Cliff PD will contain 26.28 acres. The plan is to add approximately 40 lots. This extension will also add a new gated entrance off 1450 South Street. As a Planned Development, this new expansion will be required to adhere to the planned development regulations. The table below depicts these regulations.

STANDARD	REQUIREMENT	PROPOSAL
Density: up to 4 du/ac	No more than 105 dwelling units	40 units
Landscaping: 30% of site area	Minimum of 7.8 acres	7.8 acres
Recreation Area: 200 square feet per unit	8,000 square feet for 40 dwelling units	117,612 square feet

With 40 units, the applicant will not exceed the density requirement. For the landscaping, the developer will be landscaping along 1450 South (refer to PowerPoint) and along the new gated entrance road. There will also be landscaping that will be required for the front and rear yards of the proposed lots. The developer will be using the existing amenity area to satisfy the recreation requirement. The existing Stone Cliff development has 411 dwelling units. With the additional 40 dwelling units, the total is 451 units. 90,200 square feet of amenity area would be required for the entire development. The existing amenity area is 117,612 which exceeds this requirement.

Recommendation:

Based on the findings, staff recommends approval of this Zone Change Amendment.

Alternatives:

1. Recommend approval of this Zone Change Amendment to the Stone Cliff PD-R (Planned Development Residential) zone to expand the overall development for new single-family lots.
2. Recommend approval with conditions of this Zone Change Amendment to the Stone Cliff PD-R (Planned Development Residential) zone to expand the overall development for new single-family lots.
3. Recommend denial of this Zone Change Amendment to the Stone Cliff PD-R (Planned Development Residential) zone to expand the overall development for new single-family lots.
4. Table the proposed Zone Change Amendment to a specific date.

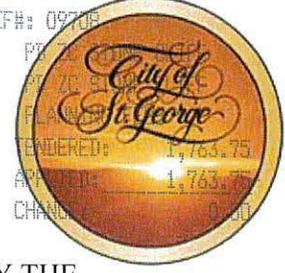
Planning Commission Motion:

The Planning Commission recommended approval of the Zone Change Amendment to the Stone Cliff PD-R (Planned Development Residential) zone to expand the development for new single-family lots with the following conditions:

1. Documents acceptable to the City are presented showing proof of access within Stone Cliff private streets to the new development.
2. Proof of perpetual access of those streets to the new development.

3. Proof of perpetual access of the new lots to the existing amenities of Stone Cliff.
4. Legal access to the public right-of-way is given to the land-locked property located at 2894 E. 1450 S. Street.
5. Placement of limitations on open space, acceptable to the City, so it can no longer be used for another hillside density transfer.

**PD ZONE CHANGE
PLANNED DEVELOPMENT (PD)
APPLICATION & CHECKLIST**



APPLICATION FOR A ZONE CHANGE AS PROVIDED BY THE
CITY OF ST. GEORGE ZONING ORDINANCE
CITY OF ST. GEORGE, UTAH

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

LEGAL OWNER(S) OF SUBJECT PROPERTY: Traveller Stone Cliff LC

MAILING ADDRESS: 912 W 1600 S Bldg B201, St. George, UT 84770

PHONE: (435) 673-4523 CELL: _____ FAX: _____

APPLICANT: Kolby Traveller

(If different than owner)
MAILING ADDRESS: 912 W 1600 S Bldg B201, St. George, UT 84770

PHONE: (435) 705-3816 CELL: _____ FAX: _____

EMAIL ADDRESS(ES): Kolbytraveller@gmail.com

CONTACT PERSON / REPRESENTATIVE: Kolby Traveller

(i.e. Developer, Civil Engineer, Architect; if different than owner)

MAILING ADDRESS: 912 W 1600 S Bldg B201, St. George, UT 84770

PHONE: (435) 705-3816 CELL: _____ FAX: _____

EMAIL ADDRESS(ES): Kolbytraveller@gmail.com

A general description of the property location is as follows: (Give approx. street address, general location etc., and attach a vicinity map or property plat showing the subject property and the surrounding areas.) Include a **colored** site plan and **colored** landscape plan, and **colored** elevation drawings (all four sides) suitable for presentations in public meetings. Sg-5-2-34-339, Sg-5-2-34-341, Sg-5-2-34-330, Sg-5-2-34-327

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

OFFICE STAFF USE ONLY
CASE #: 2010-ZCA-410 FILING DATE: 11/11/18 RECEIVED BY: [Signature] RECEIPT #: _____
*FEE: \$500 (Filing fee and 1st acre) + \$50.00 per ac for 2-100 ac and \$25 per ac 101-500 and \$10.00 per ac 501-plus

II. ADDITIONAL INFORMATION

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

1. What is the present zoning on the property? R-1-10
2. What zone or zones are requested by this application? PD-R
3. Is the zone change in harmony with the present City General Plan? Yes No
4. If no, what does the City General Plan propose for the subject property? _____
*(If the application is not in harmony with the City General Plan, a General Plan Amendment hearing will be required prior to the zone change request. General Plan Amendment hearings are held **four (4) times per year** in January, April, July, and October. A General Plan Amendment application can be obtained from the Community Development Department or online at <http://www.sgcity.org/commdev/forms.php>)*
5. Total acreage of proposed zone change: 26.79
6. Are there deed restrictions against the property that might affect the requested zone change?
Yes _____ No
A copy of the deed restrictions, if any, may be submitted in support of the application and shall be submitted if contrary to the request zone change.
7. Has a Traffic Impact Study or Traffic Analysis been completed to determine any traffic impacts?
Yes _____ No
***IF YES,** submit the Traffic Impact Study with the application for review by Traffic Engineering.
IF NO, a Traffic Impact Study will be required (if determined necessary at Planning Staff Review) to be submitted with the application and reviewed prior to approval by the City Council.*
8. Is the necessary utility capacity available (water, power, sewer and drainage) to serve the zone change parcel? Yes No _____
Please describe the projected demand for utility services: _____

III. SUBMISSION CHECKLIST FOR PD (PLANNED DEVELOPMENT) ZONE

(A COMPLETE ZONE CHANGE APPLICATION MUST BE SUBMITTED A MINIMUM OF 3 WEEKS PRIOR TO THE NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING)

Development/Project Name Stone Cliff
*(Project name **must be** previously approved by the Washington County Recorder & City Planning Department)*
Developer/Property Owner Traveller Stone Cliff Phone No. (435) 673-4523
Contact Person/Representative Kolby Traveller Phone No. (435) 705-3810
Licensed Surveyor Ried Pope Phone No. (435) 628-1070

PD ZONE CHANGE PROCEDURE

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

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

Step #2 Document Submission Checklist*

Legal Description Documents:

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

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

Other Submission Documents:

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

PROPERTY OWNERS LIST DECLARATION

City of St. George

175 East 200 North – St. George, UT 84770 – (435) 627-4000 – www.sgcity.org

The property owners listed identifies the owners of properties within a certain distance or radius of the external boundaries of a project or property. The labels may be prepared by the Washington County Recorder's Office, Title Company, or by another approved party. A complete property owners list shall consist of the following:

1. Completed and signed declaration
2. List identifying each property owners name, mailing address, and Assessor's Parcel Number (APN)
3. Typed set of mailing labels for each property owner prepared on 8-1/2"x11" sheets of self-adhesive labels in three column format, as shown on the attached sample. All type shall be in capital letters with no punctuation or APN's.
4. Property owner radius map identifying all properties within the required radius. An example radius map is attached.

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

- **Zone Change**
 - Record owner of each parcel within 500 feet of that property (2 sets)
- **Conditional Use Permit or Variance**
 - Record owner of each parcel within 300 feet of that property (1 set)
- **Amended Final Plat**
 - Record owner of each parcel within 300 feet of that property (1set)
 - if each (100%) record owner of the subdivision gives their consent to the amendment, then labels are not required
- **Vacating a Roadway or Abandoning an Easement**
 - Record owner of each parcel within 300 feet of that property (1 set)

LABELS PREPARED BY:

Organization Name

The attached list contains the names and addresses of all persons to whom all property is assessed, and as they appear on the most current County Assessment Roll. This list identifies all properties located within the required area measured from the exterior boundaries of the property legally described by Assessor's Parcel Number(s).

Legal Owner/Agent of property

Date: _____

*The list of property owners shall be submitted with the application applying for.

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

V. APPLICANT AGREEMENT

We the undersigned applicant(s) _____
(is)(are) the owner(s) _____
or (agent) of the following legally described property and **request the zone change as described above.**
(Exact legal description and surveyed site plan (Record of Survey) drawing prepared and stamped by licensed surveyor, and/or property ownership plat must accompany application and must be attached hereto along with the legal description and the surveyed site plan (Record of Survey) drawing in DWG format on CD.) The legal description, if separated from the surveyed site plan (Record of Survey) drawing, must be stamped, signed, and dated, and have a firm name or surveyor's name address and phone number. Note: Surveyed Site Plan (Record of Survey) drawing and legal description shall comply with the pertinent subdivision Final Plat Checklist requirements.

Signature

Address

Attach additional sheets if necessary for additional owners.

Z: Common Zone Changes Zone Change Applications PD Zone Change Application_REV-05-10-2012.doc

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

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

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

Step #3 Planning Commission and City Council Hearings

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

Hearing Dates:

Planning Commission _____
 City Council Set Date _____
 City Council Hearing Date _____
 Council Action _____

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

IV. COMMENTS

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

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

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

CITY OF ST GEORGE
PSR (PRELIMINARY STAFF REVIEW) COMMENTS*

Residential Commercial Industrial Other: Stone Cliff

PROJECT DESCRIPTION

Item # (5) Date: 11-6-2018

Applicant(s): Kolby Traveller/Gayle Phone No.: _____

Contact: Maxwell/Gary Phone No.: _____

Address or Location: Esplan

Note: _____

Zone: _____ General Plan: _____

Propose
= 33 units
x 200 SF
(recreation)

Detailed Site Plan required? Yes No

Correct Zone? Z (ZC red)

Staff Comments:

1. John Show public access to turn-a-round
2. Gayle by Lot 144 & 1485 emergency access (gate)
3. John 26.275 Ac; expand existing PD
4. John Overall legal (of all PD)
5. John Project Legal
6. Ray Discuss hillside permit & ZC to go together
7. John Di
8. John Provide photos of types of homes, etc.
9. John Need Landscape plan in front (1450 S)
10. Gayle rock wall, Landscaping, Landscape-terrace, etc.
11. John Why maintain L/S on 1450 (HOA)
12. Ray Provide cross sections
13. John In PD > Recreation component
14. John 200 SF per unit is req'd. (Active recreation)
15. Gary Dates of pre-existing? Recreation area > applies if built prior to ordinance
16. Gayle Lots 87 & 88 (possible area)

Target PC date: 11/27/2018 Target CC date: Jan. 3, 2019

** Note: This checklist is for initial review only and does not constitute project approval. The purpose of the meeting is to begin review, provide direction, identify issues to be addressed, and answer general questions. There may be items unique to a project not included on this checklist.*

WJ = Wes Jenkins, Asst. Public Works Director. JW = John Willis, Planning Manager. KT = Kevin Taylor, Fire Marshall. RS = Ray Snyder, Planner II. KD = Kade Bringham, Special Project Manager. GS = Genna Singh, Planning Associate. VH = Victoria Hales, Civil Attorney

John 17. Follow-up Residential ZC w/ commit ZC (New residents will know com.)

Phase 17

Zone change request

Written Text

A. Use of Land: The land will be used for residential homes, following the pattern of the established Stone Cliff community.

There is 26.27 acres in the proposed zone change, with the number of lots to be determined with the preliminary plat, landscaping will be along 1450 South and along the main entrance, individual homes will comply with the Stone Cliff Architectural Control Committee guidelines.

B. Building heights will be determined by the fall of the property, generally between 16 and 25 feet, there will be single level and walkout basements, with the possibility of some two story homes were the need arises.

C. In gross area the number of homes and the density will be determined with the preliminary plats.

D. There are no plans for space for schools, churches, parks, etc.

E. Phasing plan: The area will be built in phases, which will be brought fourth with preliminary Plats.

F. Topography will not be needed, roads and lots will meet the St George City standards and the Ordinances, all areas will be subject to roads, buildings or landscaping, there will be unfinished areas.

G. Landscaping Plan: the Major landscaping will be done by individual home owners, which will meet the Stone Cliff Standards as established by the Architectural Control Committee.

H. Area reserved for landscaping, The area along 1450 south and along the entrance will be landscaped.

I. Utilities: the installation of the utilities will be done in accordance with the standard installation procedures.

J. Refuse Storage Areas: There will not be any.

K. Lighting Plan. There will be no street lights.

L. Turning Space: All cul-de-sacs will have standard radius for convenient turning

for all traffic.

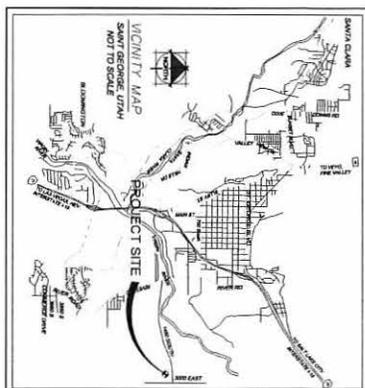
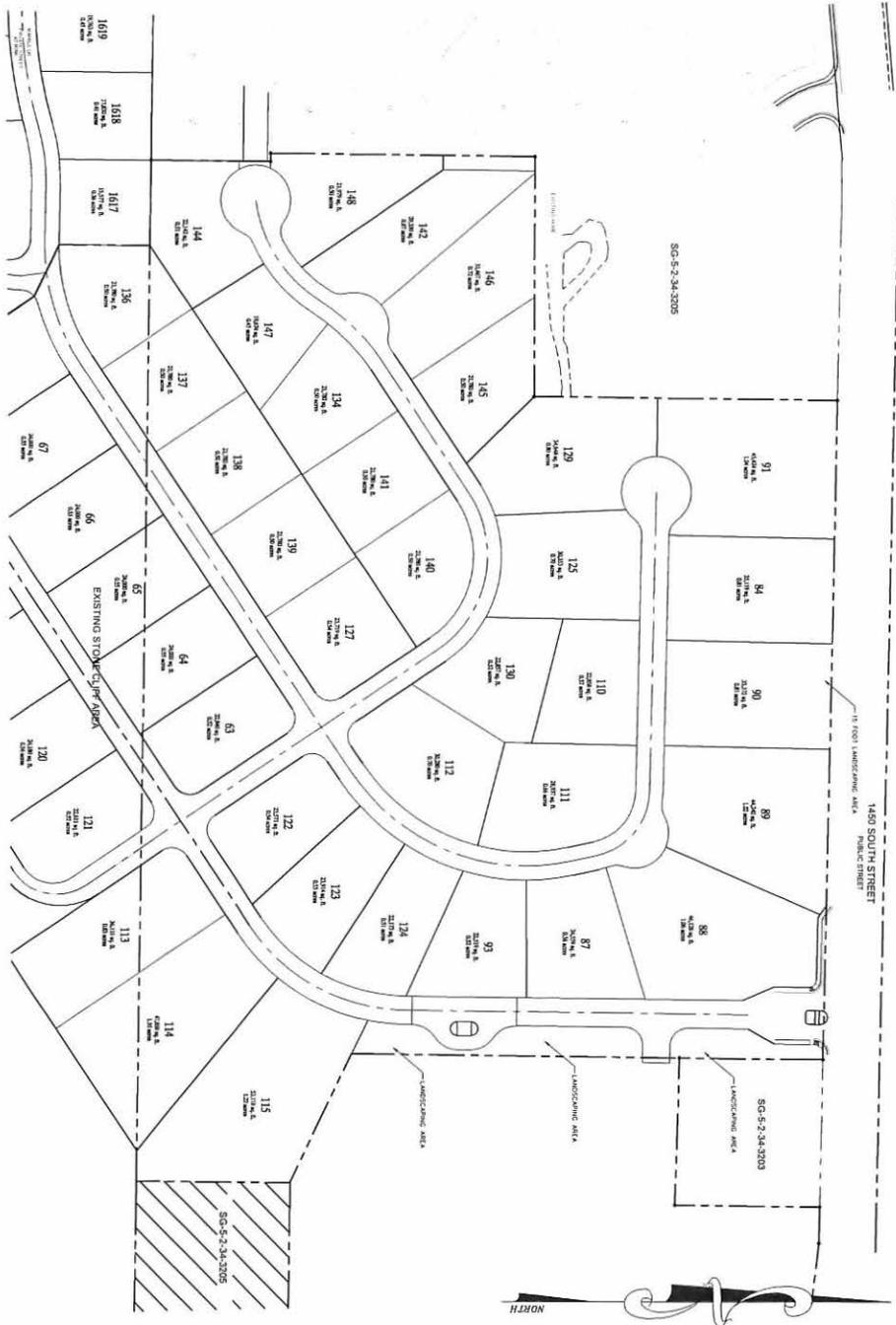
M. The project will have no permanent signage except those designated by city and government officials. (such as SWPPP , Permit purposes and sales information).

ADDITIONAL TEXT FOR STONECLIFF PD-R ZONE CHANGE
Recreational areas

Recreational area in the present area of Stone Cliff is determined to be about 350,000 sq feet.

The area around the pool has been estimated to be about 117,000, and the area at the entrance which is all grass and shrubbery has been estimated to be at 126,00 sq ft.

There are several other areas of grass vegetation, benches and walkways that are of substantial size



CONTACT INFO
DAN MARVELL
1421 16th Street
87-4423

OWNER/DEVELOPER
STONECLIFF DEVELOPMENT
KAY TRAVELLER #12 W. 1400 S.
EAST ST. GEORGE, UT 84301
87-4423

SCALE: 1" = 80'
SHEET
C1.00

**K.H. TRAVELLER - STONE CLIFF
PROPOSED ZONE CHANGE LAYOUT
SITE PLAN**
LOCATED IN SECTION 34, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SLB&M

LRP
L. R. POPE ENGINEERING INC.
STRUCTURAL, MECHANICAL, CIVIL, ELECTRICAL & SURVEYING
1421 16th Street
PO BOX 100
EAST ST. GEORGE, UT 84301
87-4423



NO.	DATE	BY	APPVD	REVISION DESCRIPTION

L.R. POPE ENGINEERING INC.
1240 E 100 S #15B
ST. GEORGE, UTAH 84790
1-435-628-1676
email lrpope@lrpope.com

DESCRIPTION OF PROPOSED PUD RESIDENTIAL ZONING

BEGINNING AT THE SOUTHEAST CORNER OF THE VIEWS AT STONE MOUNTAIN AS RECORDED IN THE OFFICIAL RECORDERS OF THE WASHINGTON COUNTY RECORDER'S OFFICE, SAID POINT BEING SOUTH 89°21'05" EAST 813.39 FEET ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG THE EAST BOUNDARY OF SAID VIEWS AT STONE MOUNTAIN FOR THE FOLLOWING THREE COURSES: NORTH 0°38'50" EAST 169.98 FEET; THENCE NORTH 89°21'10" WEST 11.85 FEET; THENCE NORTH 0°36'55" EAST 376.53 FEET; THENCE SOUTH 89°53'05" EAST 340.01 FEET; THENCE NORTH 0°36'55" EAST 432.62 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE FOR 1450 SOUTH STREET; THENCE SOUTH 88°48'10" EAST 933.30 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH 0°40'55" WEST 670.05 FEET; THENCE SOUTH 64°44'07" EAST 202.53 FEET; THENCE SOUTH 0°30'55" WEST 218.95 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 34; THENCE NORTH 89°21'05" WEST 1445.17 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING.

CONTAINING 26.275 ACRES

By L. Ried Pope, PE, PLS



SUNWEST TRUST INC CUSTODIAN FBO PAPAN:KC
SG-VSM-6
660 W CENTER
IVINS, UT 84738

SMITH BENSON E & CHRISTINA E
SG-RHW-1-33
2705 E 1400 S
SAINT GEORGE, UT 84790

WOOD B TAD & S RENEE
SG-AST-2-12
1357 S 2780 E
SAINT GEORGE, UT 84790

HUMPHRIES OWEN GUY & LAUREL F
SG-AST-2-19
2866 E 1350 S
SAINT GEORGE, UT 84790

DOCKSTADER BRANDON B
SG-5-2-34-3203
PO BOX 1071
ENTERPRISE, UT 84725-1071

PROPERTY RESERVE INC
SG-6495-A-4
PO BOX 511196
SALT LAKE CITY, UT 84151-1196

WEDIG RYAN G
SG-VSM-16
2611 E 1540 SOUTH CIR
SAINT GEORGE, UT 84790

DEL TORO ARTURO & DIANE TRS
SG-5-2-34-331
365 W 670 NORTH CIR
SAINT GEORGE, UT 84770

HUDSON MICHAEL C & MARINA
SG-VSM-19
2630 E 1540 SOUTH CIR
SAINT GEORGE, UT 84790

QUILTER RONALD C & LYNNETTE
SG-VSM-5
1474 S 2670 E
SAINT GEORGE, UT 84790

BEDDES SCOTT & SANDRA
SG-VSM-22
2875 N 3500 W
VERNAL, UT 84078

ANDERSON PAUL M & TRACY A TRS
SG-RHW-1-30
2759 E 1400 S
SAINT GEORGE, UT 84790

MCDUGAL MARK R TR
SG-5-2-34-328
2352 OLD ROSEBUD LN
SOUTH JORDAN, UT 84095

DEL TORO ARTURO & DIANE TRS
SG-5-2-34-333
365 W 670 NORTH CIR
SAINT GEORGE, UT 84770

SCHROEDER QUINT D & TRACI B
SG-RHW-1-23
2726 E 1400 S
SAINT GEORGE, UT 84790

SCHMUTZ CATHY A
SG-5-2-34-3302
PO BOX 357
OAK CITY, UT 84649-0357

BKM INV LLC
SG-RHW-1-29
3310 TWIN PEAKS DR
LAYTON, UT 84040-4403

WINTCH JOHN MATTHEW & LINDSEY M
SG-AST-2-20
2848 E 1350 S
SAINT GEORGE, UT 84790

COX SUE S TR
SG-RHW-1-21
1132 S 2670 E
SAINT GEORGE, UT 84790

JONES MICHAEL TODD & PATRICIA MICHELLE TR
SG-RHW-1-32
2723 E 1400 S
SAINT GEORGE, UT 84790

MILLGATE MICHAEL B & SHELLY A
SG-AST-2-18
2890 E 1350 S
SAINT GEORGE, UT 84790

LEE RALPH C
SG-5-3-3-4101
653 N 2100 E
SAINT GEORGE, UT 84790

IHC HEALTH SERVICES INC
SG-5-2-34-310011
4766 S HOLLADAY BLVD
HOLLADAY, UT 84117

ERICSON STEVEN TR
SG-VSM-8
2755 BONNEVILLE TERRACE
OGDEN, UT 84403

CARLEN GREG L & LORI A TRS
SG-VSM-3
1489 S 2670 E
SAINT GEORGE, UT 84790

FRAZIER WILLIAM E & BRENDA TRS
SG-VSM-10
2685 E 1500 S
SAINT GEORGE, UT 84790

DOWNEY JAMES D & TAMARA
SG-VSM-13
1620 E 1450 S # 15
SAINT GEORGE, UT 84790

MC CULLOUGH JAMES RAND & SHAUNA M TRS
SG-VSM-11
2678 E 1500 S
SAINT GEORGE, UT 84790

SCHWARZ MARY
SG-VSM-2
2691 E 1500 S
SAINT GEORGE, UT 84790

TERRY JACOB A & MELISSA A
SG-RHW-1-25
2762 E 1400 S
SAINT GEORGE, UT 84790-6125



WEDIG RYAN G
SG-VSM-17
2611 E 1540 SOUTH CIR
SAINT GEORGE, UT 84790

FICKLIN GEORGE R & BRENDA S TRS
SG-VSM-7
1486 S 2670 E
SAINT GEORGE, UT 84790

SHATTUCK HEATHER S
SG-VSM-20
1833 CELESTIAL LN
LONGMONT, CO 80504-2227

SPAFFORD ALAN M & DOROTHEA M
SG-VSM-21
2376 E STONE CREST CIR
SAINT GEORGE, UT 84790

ANDERSON CARL J & LISA RAE
SG-VSM-14
1526 S 2672 E
SAINT GEORGE, UT 84790

DEL TORO ARTURO & DIANE TRS
SG-5-2-34-332
365 W 670 NORTH CIR
SAINT GEORGE, UT 84770

NOT TU-WEAP LLC
SG-VSM-1
2765 COTTONWOOD RD
WANSHIP, UT 84017

PATTERSON PARMER P & PATRICIA
SG-VSM-23
2684 E 1540 S
SAINT GEORGE, UT 84790

HOLLINGSHEAD JEREMY & TALEA
SG-RHW-1-34
2687 E 1400 SOUTH CIRCLE
SAINT GEORGE, UT 84790

HENDERSHOT BRENDA M ODGEN TR, ET AL
SG-RHW-1-22
2708 E 1400 S
SAINT GEORGE, UT 84790

KOSCHEL MARY BETH TR
SG-RHW-1-24
2744 E 1400 S
SAINT GEORGE, UT 84790

TRAVELLER/STONE CLIFF L C
SG-5-2-34-3411
PO BOX 592
SAINT GEORGE, UT 84771-0592

TRAVELLER/STONE CLIFF L C
SG-5-2-34-3361
PO BOX 592
SAINT GEORGE, UT 84771-0592

SCHOPEN RICK, ET AL
SG-5-2-34-3205
1070 N 1700 E
SAINT GEORGE, UT 84770-8633

TRAVELLER STONE CLIFF LC
SG-5-2-34-3261
750 W RIDGE VIEW DR
SAINT GEORGE, UT 84770

ATKINSON ROBERT B & FRANCES M
SG-VSM-15
2625 E 1540 SOUTH CIR
SAINT GEORGE, UT 84790

WOOD SCOTT R
SG-VSM-12
3658 PRICE HILLS DR
SAINT GEORGE, UT 84790-6291

TRAVELLER/STONE CLIFF L C
SG-5-2-34-3411
PO BOX 592
SAINT GEORGE, UT 84771-0592

STEWART RUSSELL M & NANETTE
SG-AST-2-13
1360 S 2830 E
SAINT GEORGE, UT 84790

TRAVELLER/STONE CLIFF L C
SG-5-2-34-327
PO BOX 592
SAINT GEORGE, UT 84771-0592

YOUNG MARY ANN
SG-5-3-3-4102
1634 S 3000 E
SAINT GEORGE, UT 84790-8507

TRAVELLER/STONE CLIFF L C
SG-5-3-3-440
PO BOX 592
SAINT GEORGE, UT 84771-0592

DIXIE ESCALANTE RURAL ELECTRIC ASSN
SG-6495-B-SA
71 E HIGHWAY 56
BERYL, UT 84714-5197

ANDERSON ROBERT J & LINDA K
SG-VSM-18
2618 E 1540 SOUTH CIR
SAINT GEORGE, UT 84790

CAMPBELL CHARLES VICTOR & VICKY LYNNE
SG-VSM-4
1477 S 2670 E
SAINT GEORGE, UT 84790

MKV VENTURES LLC
SG-RHW-1-20
2511 S 500 WEST CIR
WASHINGTON, UT 84780-2271

HOGGARD CAL & SHAWNA
SG-VSM-9
1495 S 2670 E
SAINT GEORGE, UT 84770

TRAVELLER/STONE CLIFF L C
SG-5-2-34-3411
PO BOX 592
SAINT GEORGE, UT 84771-0592

GARDNER BLAKE & AMY
SG-RHW-1-31
2741 E 1400 S
SAINT GEORGE, UT 84790

TRAVELLER/STONE CLIFF L C
SG-5-2-34-339
PO BOX 592
SAINT GEORGE, UT 84771-0592

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chargement

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révéler le rebord Pop-Up™

YOUNG DAVID M & MARY ANN
SG-5-3-3-4109
1634 S 3000 E
SAINT GEORGE, UT 84790-8507

www.avery.com
1-800-GO-AVERY

Zone Change Tracking Sheet

Date Submitted: 11/9/18

Case No.: 2018-ZCA-044

Applicant: Kolby Traveller

Phone No.: 705-3816

Contact Person:

Phone No.:

Project Name: Stone Cliff

GENERAL LOCATION:

Current Zone: R-1-10

Total Acreage: 26.79

Requested Zone: PD-P

STEP 1: LEGAL DESCRIPTION REVIEW

- Transmitted to Janet/GIS
Result

Date: 11/9/18

[Empty rectangular box for legal description review]

- Returned to Planning Department

Date:

STEP 2: PLANNING COMMISSION

DATE

- Notices sent to property owners within 500' ft.
Posted (Spectrum, State Website, City Hall)

Date:
Date:

STEP 3: PUBLIC HEARING SET

DATE

- Transmitted legal description to City Recorder

Date:

STEP 4: CITY COUNCIL (PUBLIC HEARING)

DATE

- Notices sent to property owners within 500' ft.
Posted (Spectrum, State Website, City Hall)

Date:
Date:

ACTION

- Approved Denied Tabled Continued Withdrawn

STEP 5: PUBLIC NOTICE AND LEGAL DESCRIPTION

- E-Mail to Janet
File

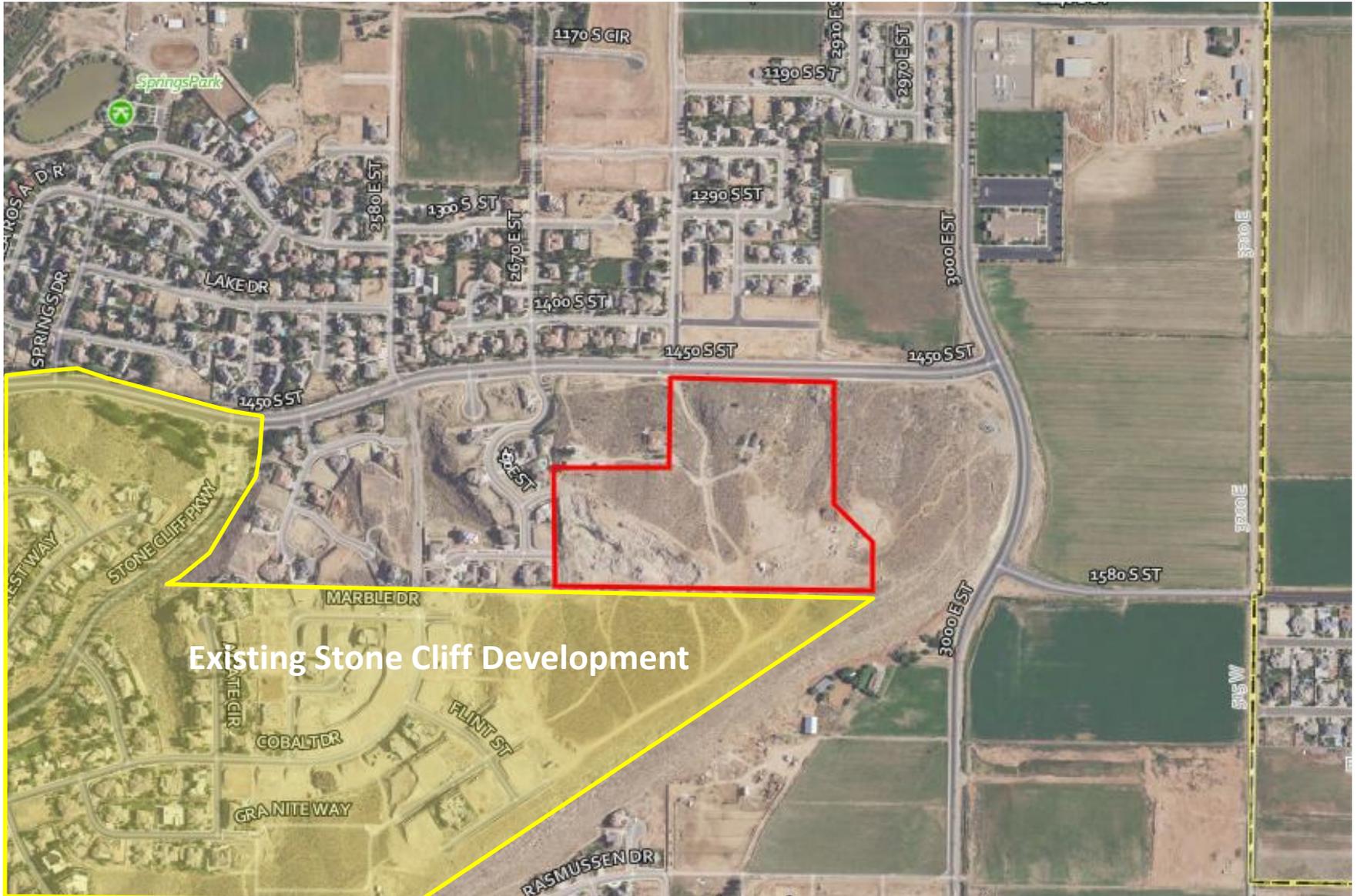
Date:
Date:

Zone Change Amendment

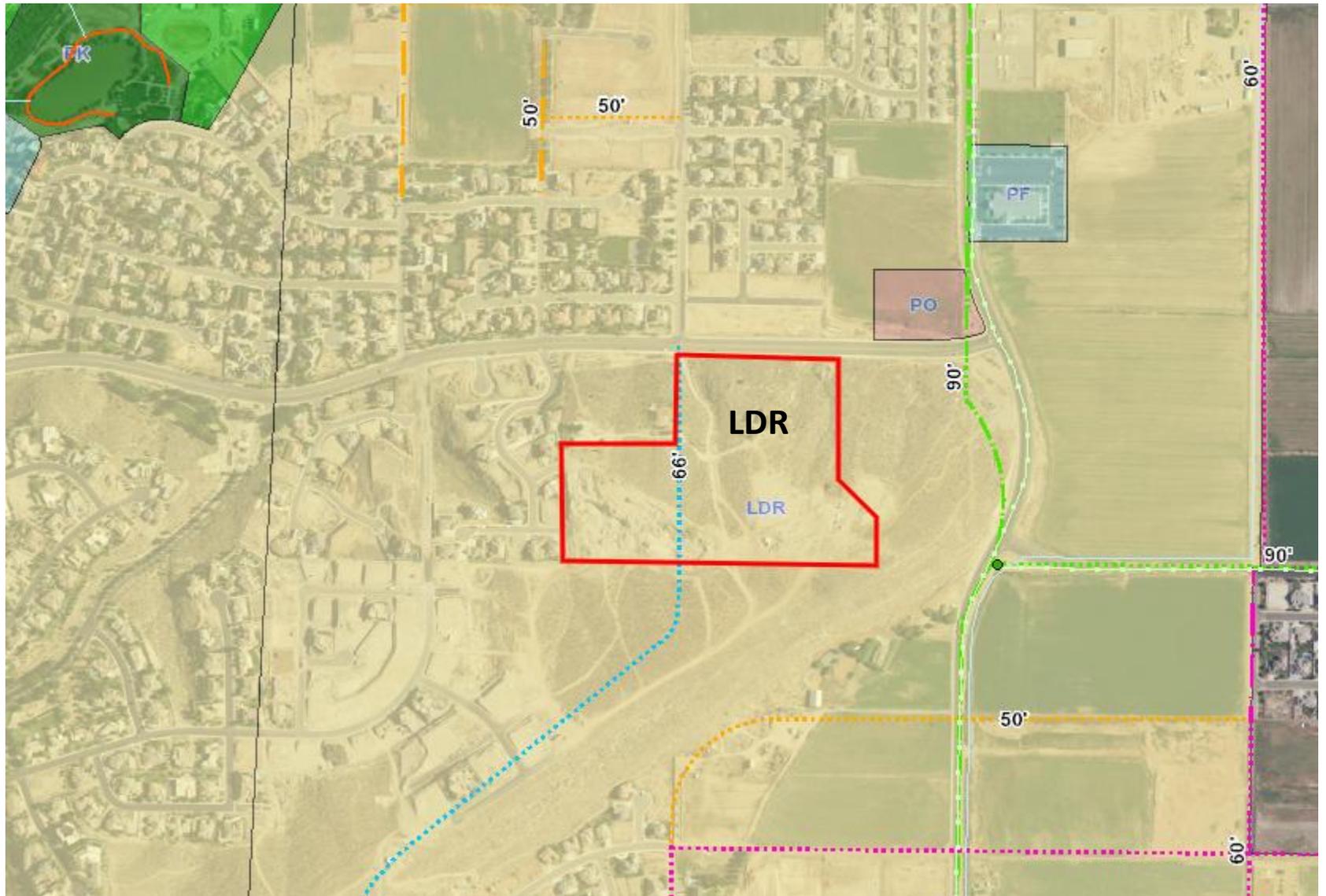
STONECLIFF PD-R EXPANSION

Request: Add 40 new lots (26.28acres)
Location: South of 1450 South St.
Applicant: Traveller Stone Cliff LC
Case #: 2018-ZCA-045

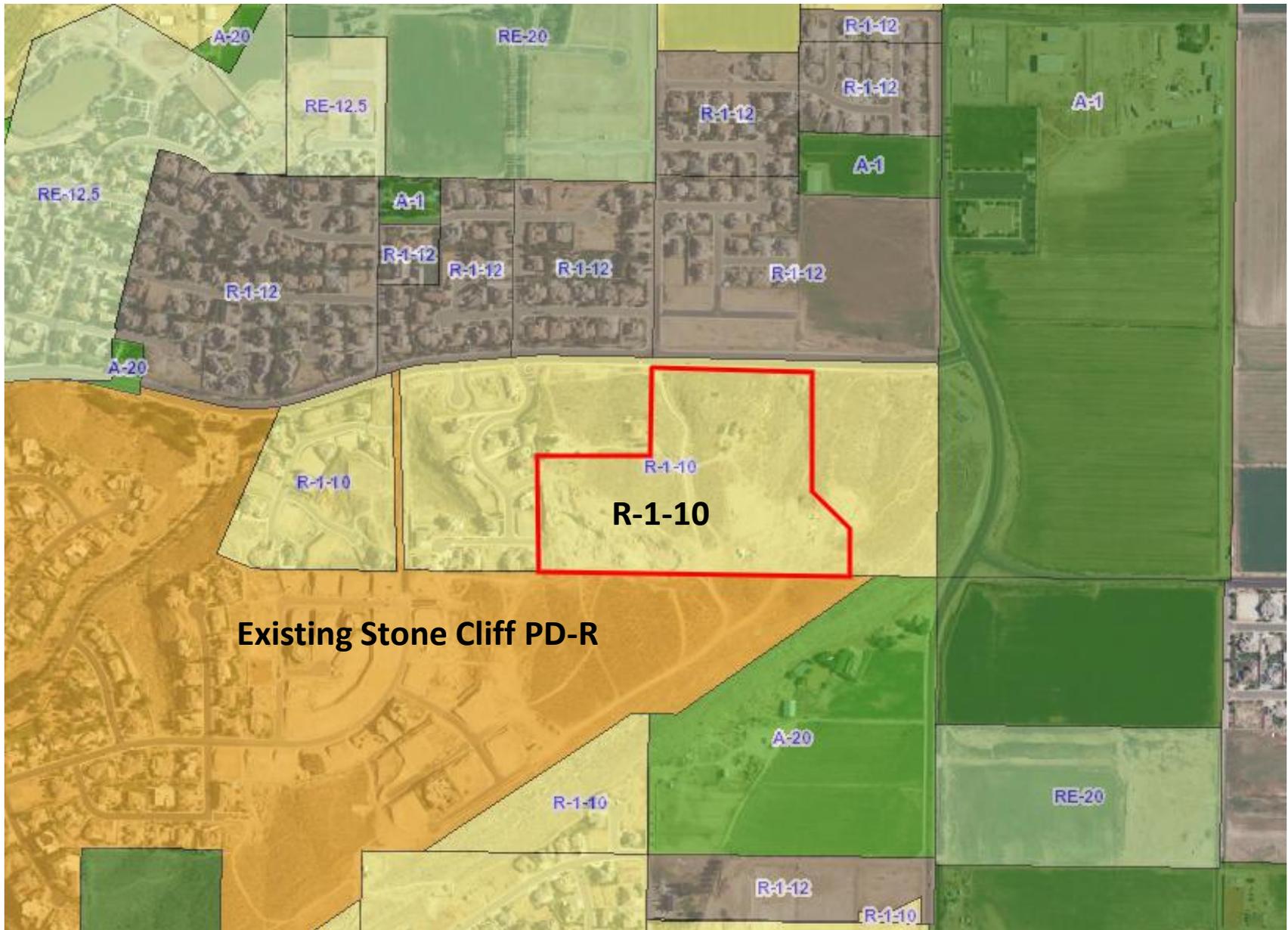
Stone Cliff Expansion - Aerial



Stone Cliff – General Plan

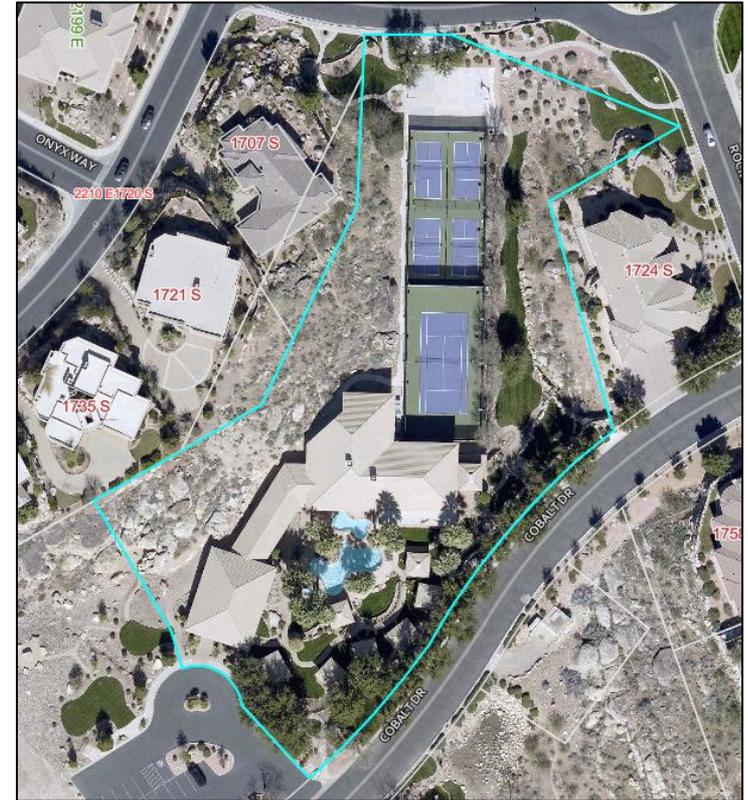


Stone Cliff – Zoning



STONE CLIFF SUBDIVISION LAND-USE SUMMARY TABLE

STANDARD	REQUIREMENT	PROPOSAL
Density: up to 4 du/ac	26.28 total acres = no more than 105 dwelling units	40 units
Landscaping: 30% of site area	Minimum of 7.8 acres	7.8 acres
Recreation Area: 200 square feet per unit	8,000 square feet for 40 dwelling units	117,612 square feet



The existing Stone Cliff development has 411 dwelling units. With the additional 40 dwelling units, the total is 451 units. 90,200 square feet of amenity area would be required for the entire development.

New Entrance
Existing Curb Cut

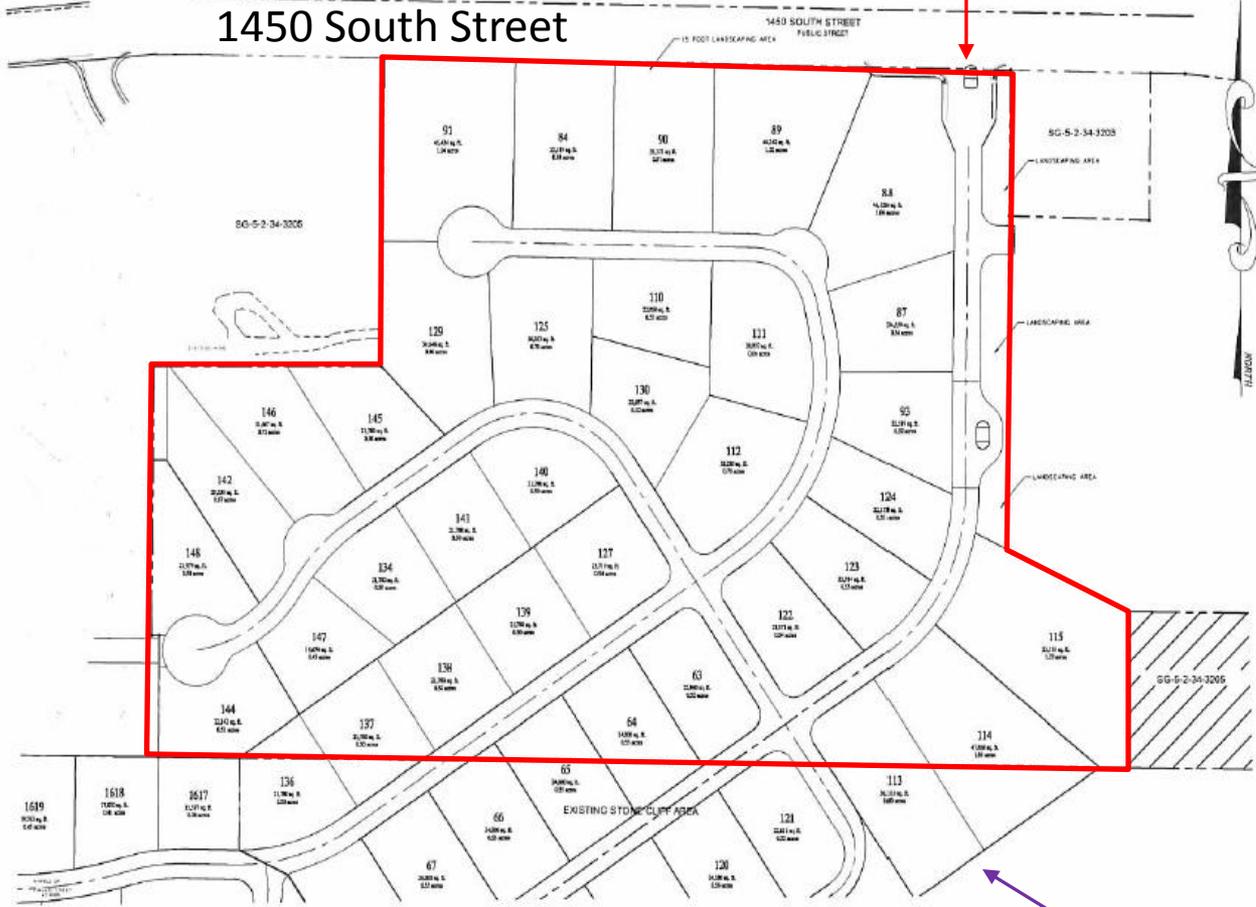
CONTACT INFO.

643 WARRIEL
402.899.4122

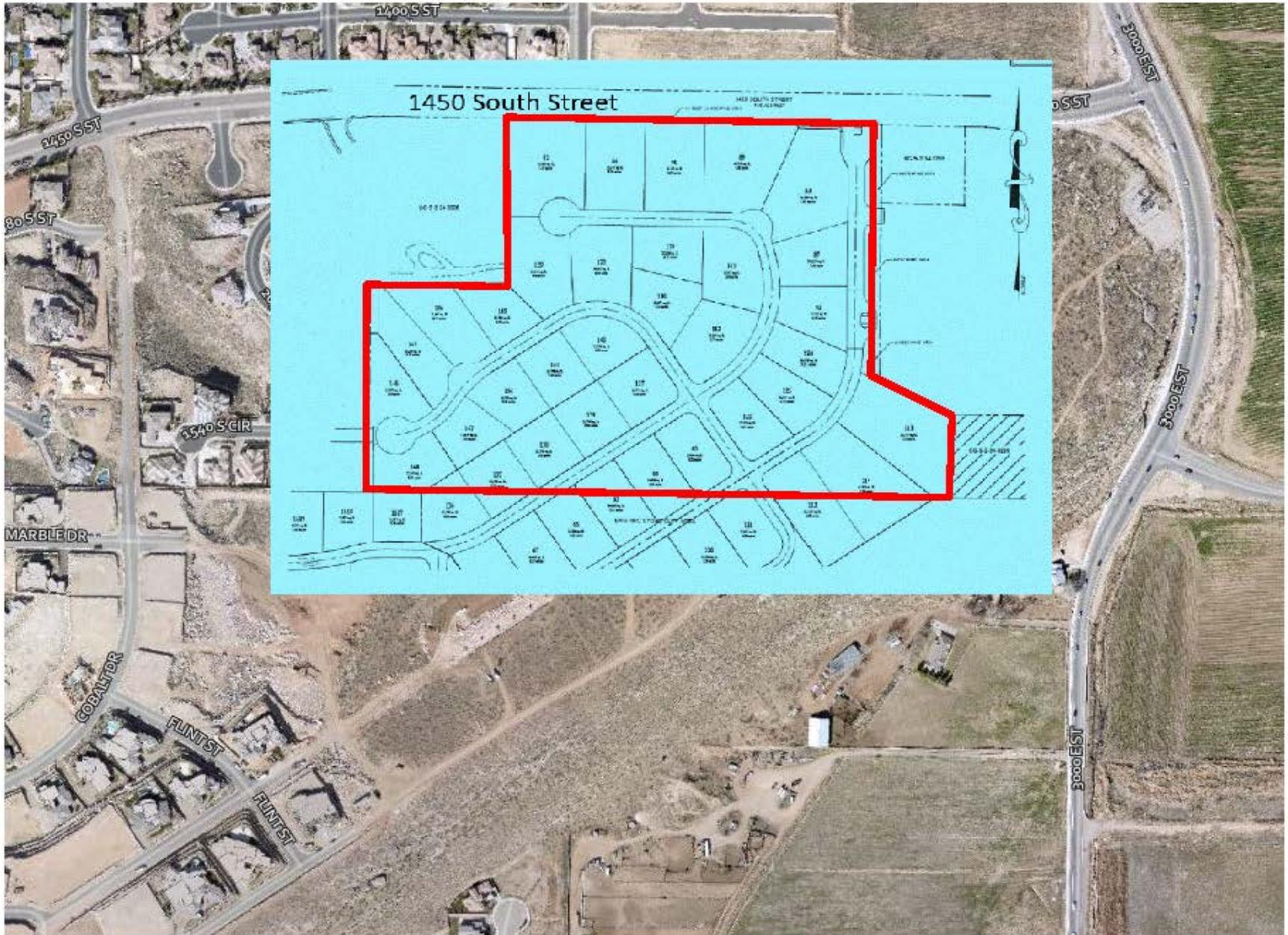
OWNER/DEVELOPER

STONECLIFF DEVELOPMENT
KAY TRAVELLER #12 W. 1600 S.
2001 ST. GEORGE, UT, (430)
873-4529

1450 South Street



Stone Cliff Expansion - Aerial



Stone Cliff – 1450 South Street View



Stone Cliff – 1450 South Street View



Stone Cliff – Landscaping

1450 South Street View



CLIFF • FUTURE PHASE

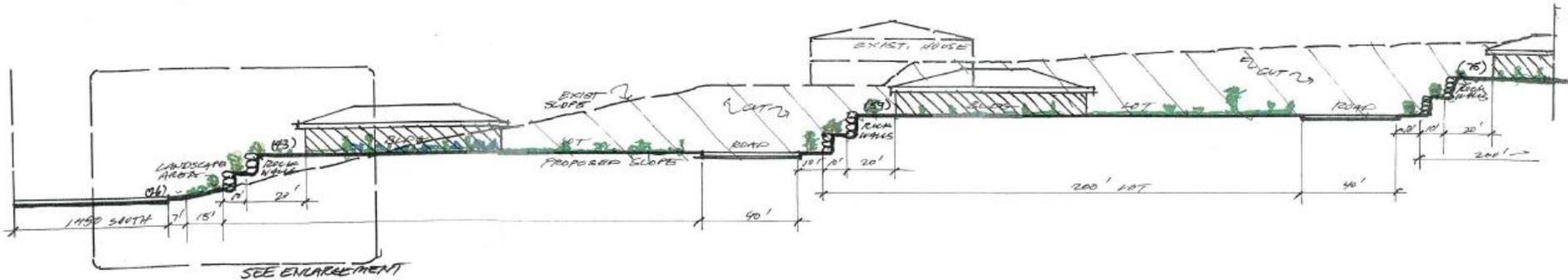
ELEVATION PROPOSAL

DATE: 6
SCALE: 1"

Stone Cliff – Landscaping

1450 South Street Profile View

3

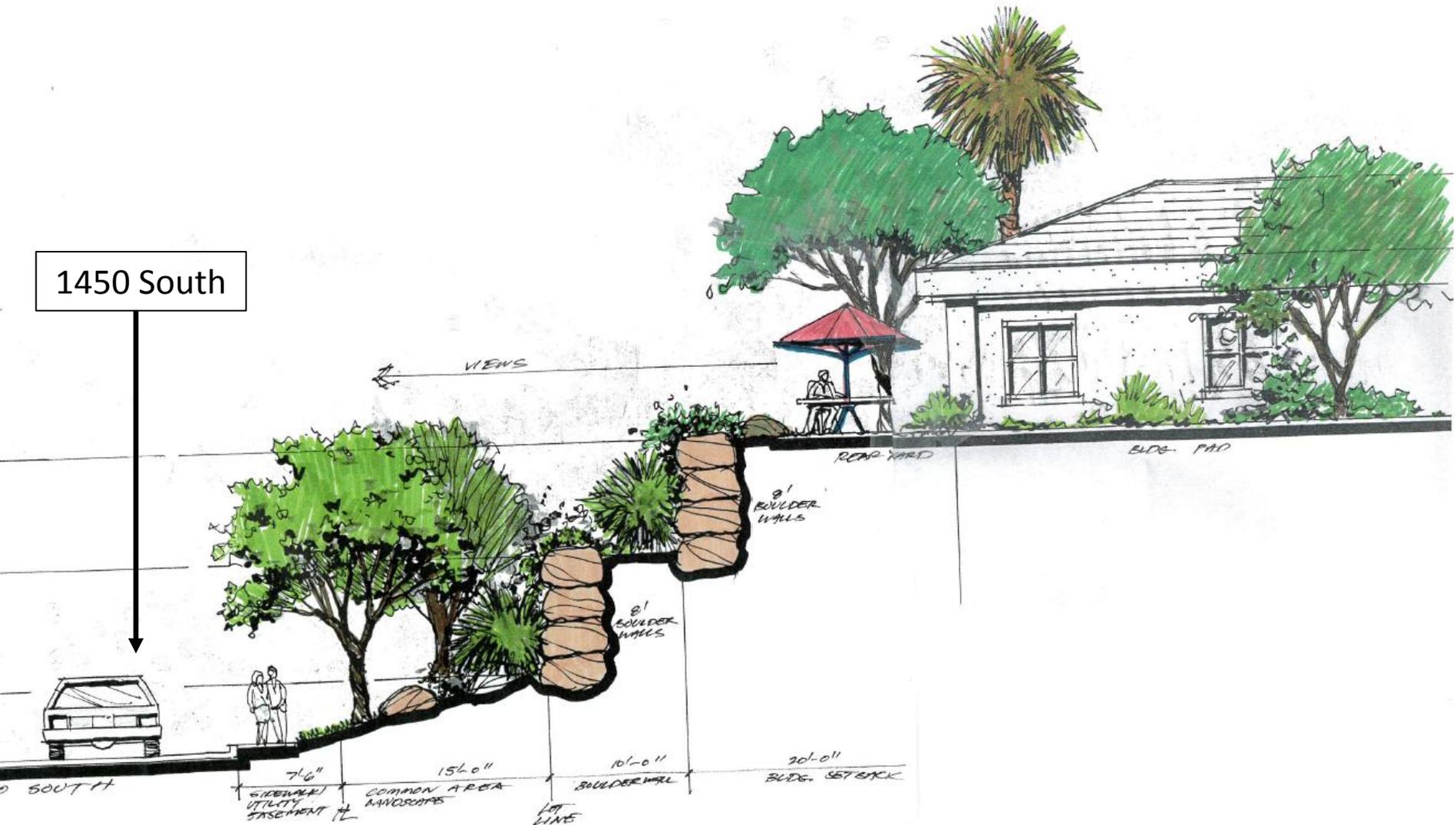


• STONECLIFF • FUTURE PHASE

TYPICAL SECTION

DATE: 8-26-18
SCALE: 1" = 30'-0"

Stone Cliff – Landscaping



Stone Cliff – Typical Home Design



Stone Cliff - Zoning Change Amendment

11/27/2018 Planning Commission Recommendation:

1. The new land will be annexed into the existing Stone Cliff Home Owners Association.
2. The existing Stone Cliff amenities will be accessible and usable to the additional property to the City's satisfaction.

Stone Cliff - Zoning Change Amendment 1/22/2019 Planning Commission Recommendation

APPROVAL with conditions:

1. Documents acceptable to the City are presented showing proof of access within Stone Cliff private streets to the new development.
2. Proof of perpetual access of those streets to the new development.
3. Proof of perpetual access of the new lots to the existing amenities of Stone Cliff.
4. Legal access to the public right-of-way is given to the land-locked property located at 2894 E. 1450 S. Street.
5. The Hillside Permit is approved.
6. Placement of limitations on open space, acceptable to the City, so it can no longer be used for another hillside density transfer.

PCUD
1/2/19
[Signature]

Thomas L. Blasdel



January 2, 2019

St. George City Council
c/o Ms. Genna Singh
Development Office Supervisor
175 E. 200 N.
Saint George, UT 84770

Hand Delivered

Re: 1/3/19 City Council hearing; Item C

Dear St. George City Council Members,

I am a resident of the Stone Cliff Planned Unit Development (the "Stone Cliff PUD"), and I am submitting these comments in connection with the currently pending application to amend the zoning of a 26.28 acre parcel (the "Parcel") near the corner of 1450 South and 3000 East, now scheduled for public hearing on January 3, 2019. I request that this letter and the accompanying enclosures be made part of the evidentiary record of the January 3, 2019 City Council hearing regarding re-zoning of the Parcel.

As explained in more detail below, (1) the public November 27, 2018 Planning Commission hearing on the pending application was seriously flawed, (2) the City failed to give the legally required amount of advance public notice of the current City Council hearing, (3) the now concurrently pending developer's application for a hillside development permit is premised upon the developer's current ability to relinquish the right to develop other slopes, when the developer has already designated a portion of such other slopes as "permanent open space," and (4) the zone change application and accompanying text submitted by the developer ignore written promises that the developer previously made to the Stone Cliff HOA.

The City Council should (1) send the application back to the Planning Commission for a renewed hearing there, (2) thereafter schedule a City Council hearing on the application with 14 days advance notice, (3) factor the developer's prior designation of certain slopes as "permanent open space" into the City's decision about the amount of the Parcel that may be developed, and (4) condition any approval of the pending rezoning application upon the Stone Cliff development plan being amended to include certain recreational amenities that the developer previously promised HOA members in writing that it would provide at the developer's expense,

The reasons why the City Council should take such action are explained below.

I. Relevant Stone Cliff PUD History

The original Master Plan for the Stone Cliff PUD was filed with the City in approximately 1994. It did not include the Parcel. The original Master Plan was amended in approximately 2001. I have not seen the amended Master Plan, but as far as I know, the 2001 version of the Amended Master Plan still did not include the Parcel as part of the Stone Cliff PUD.

From its inception though the end of 2013, the Declaration of CC&Rs for the Stone Cliff Owners Association, Inc. (the Stone Cliff HOA"), despite being amended several times, never included any portion of the Parcel as part of the Additional Land that the Declaration gave the developer the right to annex into the Stone Cliff PUD, at the developer's option. So around the end of 2013, the developer

sought to expand the area that the developer would have the right to later include in the Stone Cliff PUD. It did so by soliciting the members of the Stone Cliff HOA to amend the then-current version of the Declaration of CC&Rs so that the definition of Additional Land (i.e. the land which the developer would have the right to annex into the Stone Cliff PUD) included a 35 acre tract, of which the Parcel is a part.

Presumably in recognition of the fact that expanding the size of the Stone Cliff PUD would increase the burden on existing recreational facilities, and in order to induce the Stone Cliff HOA members to vote in favor of amending the Declaration to make the 35 acre tract (which included the Parcel) annexable, the developer distributed a memorandum to all HOA members to answer various questions about how the proposed amendment to the Declaration of CC&Rs would affect the Stone Cliff HOA. A copy of that January 10, 2014 memo, which is from "Board of Directors/KH Traveller Development/F1 Property Management" to "Stone Cliff Owners Association Members" regarding "Property Annexation Meeting" is enclosed with this letter as Exhibit "A." Kay Traveller was a member of the Stone Cliff HOA Board of Directors during all of 2013 and 2014.

Please note that in item #6 of the list of questions and answers, entitled "Common Areas," the developer promised that if the homeowners approved the proposed amendment to the CC&Rs, the developer would, among other things, include a swimming pool and pickleball courts, at the developer's cost, in the general area of the 35 acre tract. Moreover, the developer also represented in the January 10, 2014 memo that if the proposal was approved, the density of houses built in the 35 acre tract would be the same as the housing density of the existing Stone Cliff HOA.

After receiving the January 10, 2014 memo, a majority of the members of the Stone Cliff HOA voted on January 16, 2014 to amend the Declaration of CC&Rs as the developer had requested.

II. Procedural And Substantive Problems With The Re-Zoning Application

There are procedural and substantive problems with the developer's currently pending application to re-zone the Parcel. Both types of problems are separately explained below.

A. The Procedural Problems

The City's staff made procedural mistakes in processing this re-zoning application, at both the Planning Commission and City Council levels.

1. Procedural Mistakes at the Planning Commission

On November 16, 2018, 11 days before the November 27, 2018 Planning Commission hearing, I submitted a formal written "GRAMA" request for a copy of the re-zoning application that the developer had already filed with the City. A copy of that original GRAMA request is enclosed as Exhibit "B."

Inexplicably, I was notified by telephone by city employee Karen Roundy on November 19, 2018 that my request was denied on the grounds that GRAMA does not require the City to provide copies of draft documents, and "City policy" considered the requested application to be a confidential draft until 24 hours before the Planning Commission hearing. I replied to Ms. Roundy that such a policy was nonsensical because it would be impossible to have a full and fair Planning Commission hearing to consider the pros and cons of the application if the public was not given sufficient time to review it.

Ms. Roundy called me back a few minutes later, and informed me that she had spoken with her supervisor about my concerns, and although I would still not be allowed to copy or see the developer's application because the City's policy considered it a draft, I could come to the City's offices and view (but not copy) the city staff's report to the Planning Commission summarizing portions of and commenting on the developer's application.

On November 20, 2018 another Stone Cliff resident and I, with assistance from Ms. Roundy, viewed the city staff's report on a city computer monitor. With Ms. Roundy's assistance, I supplemented my existing written GRAMA request to also include a written request for a copy of the city staff's report, handed the supplemented GRAMA request back to Ms. Roundy, and orally requested that both documents be provided to me at the earliest possible time that the City would allow them to be released. Ms. Roundy verbally assured me that she would do so, and I gave her my email address to allow speedier transmission whenever the City allowed the documents to be released.

Neither document was provided to me in advance of the November 27th Planning Commission hearing, even though section 10-9a-202(1)(b) of the Utah Municipal Land Use, Development, And Management Act (the "Act") required the same staff report to be provided to the developer three business days before the November 27th public hearing. I do not know if the City staff complied with the notice requirement imposed by section 10-9a-202(1)(b) of the Act, but I assume that it did. If so, the City provided the staff report to the developer no later than Wednesday, November 21, 2018 (assuming that the day after Thanksgiving was a "business day").

I submitted written comments to the Planning Commission the day before the hearing, and also appeared and made oral comments at the public hearing, all based on the limited information available to me at the time.

On November 30, 2018, when I had still not received either specifically requested document, I went to the City offices to inquire about the status of my still pending GRAMA request. Ms. Roundy informed me that she was then already in the process of making copies for me, and after a few minutes finishing the copying job, handed them to me. A short time later the same day, she also sent me a copy of both documents by email.

The developer's application contained certain information that I did not know when I participated in the November 27th Planning Commission hearing because such information was not included in the City staff's report summarizing and commenting on various parts of that application,.

First, the developer's application (copy enclosed as Exhibit "C") was file stamped by the City as received on November 9, 2018. When I personally delivered my written GRAMA request for a copy of it to City staff on November 16, 2018, it had already been on file with the City for a week. It was not amended in any way during the 18 days between the day it was filed and the November 27th Planning Commission hearing. The idea that the application was somehow merely a draft until the day before the hearing is not supported by the undisputed facts concerning its filing.

Second, the developer's application contains signature blanks in section V, entitled "Applicant Agreement," for the owner(s), or the agent of the owner(s), to sign the application. No owner or representative of the owner(s) signed section V of the enclosed Exhibit "C" application.

Third, the developer's application contained an entirely blank "Property Owners List Declaration," that was neither filled out, nor signed, by anyone.

Fourth, Section III of the pre-printed text of the City's standard application form and check list for a planned development zone change states, in bold-faced text - - "**A COMPLETE ZONE CHANGE APPLICATION MUST BE SUBMITTED A MINIMUM OF 3 WEEKS PRIOR TO THE NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING**" (emphasis in original). But here, it is undisputed that developer filed the incomplete application for the zone change on such a form on November 9, 2018, only 18 days before the November 27th Planning Commission hearing.

The City's staff clearly failed to follow the procedure that the City established for all developers to follow, and by refusing to provide a copy of the application to me in advance of the November 27th hearing, prevented me from discovering those errors and bringing them to the Planning Commission's attention.

Whether or not the pending rezoning application should ultimately be granted by the City Council on its merits, the application should be sent back to the Planning Commission for a more thorough and fair Planning Commission hearing. The City Council should not consider the merits of the pending application based on the current Planning Commission recommendation that is the result of a seriously flawed public hearing process.

2. Procedural Mistakes at the City Council

The developer's pending re-zoning application seeks to re-zone the Parcel so that it can be annexed into the existing Stone Cliff Planned Unit Development. Because the Stone Cliff Declaration of CC&Rs was not amended to make the Parcel annexable into the Stone Cliff HOA until 2014, it seems highly unlikely that the 2001 amendment to the original 1994 master development plan expanded the geographic boundaries of the original development plan to include any portion of the Parcel. I concede, however, that one would need to review the 2001 version of the development plan to be sure. I have searched the online minutes of City Council meetings, and was not able to find any reference to any further amendments to the Stone Cliff development plan after 2001.

Although the City may have complied with the minimum advance public notice requirements for City Council hearings mandated by the State of Utah in the Act, Section 10-9a-201(2) of the Act specifically allows the City to require greater notice by municipal ordinance than what the Act itself requires.

Section 10-8-10 of the municipal Zoning Ordinance Of The City Of St. George, Utah (the "Ordinance") governs the mandatory procedure by which an existing development plan for a planned unit development located within the City can be amended. It states:

"Any amendments to the development plan **shall** be accomplished in the same manner as any other amendment to this title. Revised text and/or plans **shall** be submitted, along with a zone change request, to the planning commission and shall be reviewed in the same manner as the initial zone change request. The plan as approved by the city council constitutes the zone, and any significant change in the plan shall be processed as an amendment to the zone. (Ord. 2014-11-002, 11-6-2014)"(all emphasis added)

Here, the developer submitted the pending zone change request, together with revised text for the existing 2001 version of the Stone Cliff development plan. That 2001 development plan, however, can only legally be amended, in the words of the Ordinance, "in the same manner as any other amendment to this title," (i.e., in the same manner that the Ordinance specifies that the Ordinance itself may be amended).

Section 10-1-11 of the Ordinance states - - "This title, including the maps, may be amended from time to time by the city council after fourteen (14) days notice and public hearing."

Here, the City staff provided less than 14 days advance public notice of the present January 3, 2019 City Council hearing on the developer's application. According to the City's own website (see the Exhibit "D" printout), notice of the present hearing was first published in the Spectrum on December 22, 2018. That was only 12 days before the present hearing - - 2 days less than what the City's own Ordinance requires.

B. The Substantive Problems

If the City Council proceeds to consider the merits of the developer's pending rezoning application despite the procedural problems at both the Planning Commission and City Council levels described above, there are two separate substantive problems with that rezoning application.

1. The Planning Commission's Analysis Of The Concurrently Pending Application For A Hillside Development Permit Is Flawed

Some portions of the Parcel contain slopes that are steep enough to require the issuance of a hillside development permit. In order to get the City's permission to disturb a higher percentage of the sloped area of the Parcel than what the City's hillside development ordinance would otherwise allow, the developer offered to relinquish its right to disturb an offsetting amount of the slopes of three other currently undeveloped tracts within the Stone Cliff PUD. The developer's application for a hillside development permit is also on the agenda for the City Council's January 3, 2019 meeting.

The Planning Commission has recommended approval of the offered exchange, but its analysis is flawed. The problem with the offered exchange is that the developer already relinquished the right to develop one of the three tracts involved in its offer, and this was not brought to the Planning Commission's attention. The tract identified as parcel # 3 in the developer's pending hillside application permit was previously designated as "Permanent Open Space" in the Map (Conveying Property) that Kay Traveller signed on June 3, 2003, and which the developer filed at the County Recorder's office as Document No. 00899101 on September 7, 2004. See the area west of Lots 801 through 810 on the enclosed Exhibit "E," which is a certified copy of that recorded document. Note that the Planning Commission's approval of that document is indicated by the signature of its then Chairman on October 22, 2002.

When parcel # 3 is eliminated from the offered exchange, the hillside area of the Parcel that the developer may disturb is reduced. That has a significant impact on the pending application to rezone the Parcel, because the Planning Commission's recommendation to approve the rezoning application is based on faulty assumptions about the amount of land that can legally be disturbed in order to build "approximately 40" homes on the Parcel.

The reduction in buildable area of the Parcel caused by the elimination of Parcel 3 from the offered exchange makes it even less likely that the developer will be able to build approximately 40 homes on the Parcel and still keep its written promise to provide a swimming pool and 4-6 pickleball courts in the same general area, as explained in part II(B)(2) below.

2. The Application Ignores Written Promises Made By The Developer In 2014

After the developer made the promises and representations described in Part I above to induce the Stone Cliff HOA members to vote in favor of an amendment to the Stone Cliff Declaration of CC&Rs that made a 35 acre tract (including but not limited to the 26.28 acre Parcel) annexable into the Stone Cliff HOA, things went awry. Despite its written representation about keeping the housing density unchanged, and at a time when Kay Traveller was still on the Stone Cliff HOA's Board of Directors, the developer filed an application seeking to amend the City's general land use plan to allow higher housing density on the 35 acre tract. The City Council rejected the developer's application.

Moreover, at a time when Kay Traveller was still on the Stone Cliff HOA's Board of Directors, he was asked about the status of the promised recreational facilities at a membership meeting. He responded by "taking the Fifth." While that may not be an explicit rejection of the developer's earlier promises, it does not inspire confidence that the developer plans to keep them.

Now, in my opinion, the developer is again seeking to act inconsistently with the promises and representations it made in January, 2014. I have reviewed the staff report concerning the developer's application to change the zoning of the Parcel, and the associated application for the hillside development permit, and see no indication that the developer plans to include either a swimming pool or pickleball courts in the Parcel. Given the restrictions that the hillside development approval process places on the developer's ability to build things in the vicinity of the Parcel, I do not see how the developer can keep its promise to include pickleball courts and a swimming pool in the general area of the 35 acre tract (which includes the entire 26.28 acre Parcel), if the City approves the proposed zoning change to allow roughly 40 homes to be built on the Parcel. The "Proposed Zone Change Layout Site

Plan” submitted by the developer in the Exhibit “C” application does not appear to reserve any portion of the Parcel for the promised swimming pool and pickleball courts.

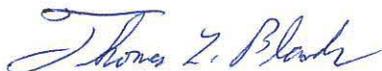
In light of the developer's prior attempt to get City approval for higher density housing, in violation of its written 2014 representation that it planned to keep housing density unchanged, any change to the zoning of the Parcel should be explicitly conditioned on the development plan for Stone Cliff being amended to include the provision of a swimming pool and 4-6 pickleball courts at the developer's expense. The developer should not be allowed to promise such recreational facilities when soliciting the HOA to approve a future expansion of the HOA, and then ignore such promises during the process of getting the City approvals necessary to allow it to actually develop the land.

III. Conclusions

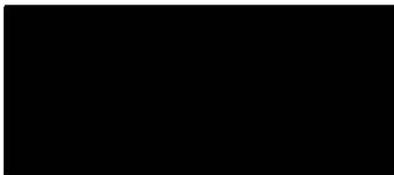
1. The Planning Commission hearing conducted on November 27, 2018 was so seriously flawed that the pending rezoning application should be returned to the Planning Commission and publicly noticed for consideration anew at a renewed public hearing;
2. If the City Council decides that the November 27th Planning Commission hearing was fairly conducted despite the procedural problems described above, the present City Council hearing should be postponed until 14 days advance notice can be provided to the public, as required by Sections 10-8-10 and 10-1-11 of the municipal Zoning Ordinance Of The City Of St. George, Utah;
3. If the City Council decides that the November 27th Planning Commission hearing was fairly conducted despite the procedural problems described above, and also decides that legally sufficient advance public notice of the current hearing was given, the City should factor the developer's prior designation of certain slopes as "permanent open space" into the City's decision about the amount of the Parcel that may be developed; and
4. If the City Council decides that the November 27th Planning Commission hearing was fairly conducted despite the procedural problems described above, and also decides that legally sufficient advance public notice of the current hearing was given, the City should explicitly condition approval of the pending rezoning application upon the development plan for Stone Cliff being amended to include the provision of a swimming pool and 4-6 pickleball courts at the developer's expense.

I plan to attend the January 3, 2019 City Council hearing, and would be happy to answer any questions you may have about these matters at that time.

Very truly yours,



Thomas L. Blasdell





MEMORANDUM

TO: Stone Cliff Owners Association Members
 FROM: Board of Directors / KH Traveller Development / F1 Property Management
 DATE: January 10, 2014
 SUBJECT: PROPERTY ANNEXATION MEETING

We are sending this special mailing in preparation for the upcoming special meeting of all owners in Stone Cliff. This is an important meeting and we need your participation. In order to answer additional questions from owners, the attached list of questions and answers has been prepared. We ask that you read through these for clarification on certain issues related to the annexation proposal. The Board has met again to discuss these questions and again asks for your support in this proposal. They feel that the better traffic flow, not allowing public access in to Stone Cliff (see enclosed map showing approximate public access road in to Stone Cliff if annexation not approved), and being able to control what goes in these areas make it vital for this area to be annexed in to Stone Cliff. The questions have mainly been answered by the developer with Board approval.

Additionally, the developer will have someone at the clubhouse during the following hours to answer questions related to this annexation proposal. Please stop by if you would like to see a large map or discuss this with someone.

Clubhouse hours:	Saturday, January 11	2-5pm
	Monday-Wednesday, January 13-15	8-10am and 4-6pm
	Thursday, January 16	8-10am

Again, the special meeting of all owners will be held Thursday, January 16, 2014 at 6:00 p.m. at the Stone Cliff Clubhouse. Refreshments will be served. It has been very difficult to even get a quorum of owners to attend the meetings in the past, so we urge you to participate by either attending or sending in your proxy prior to the meeting. Enclosed please find a proxy for your use if you will be unable to attend (if we have not received yours). You may sign & email the proxy to f1property@infowest.com, fax to 800-817-3730, or take a picture of your signed proxy and text it to 435-705-3298. You can also drop it at the guard house, sales office, or F1 Property Management.

If you are planning to attend, please RSVP to f1property@infowest.com.

Also, as we have tried contacting everyone during this process, we have found that much of our information is outdated. Please send your updated contact information, including billing address, email address, and phone numbers, to f1property@infowest.com or fill out and return the attached information slip.

We ask that you please participate in this important process by sending in your proxy or attending the January 16th meeting. Thank you!

QUESTIONS FROM OWNERS

1. APPROVAL

Q: What happens if the owners approve this but I don't like certain aspects?

A: There are still two chances to protest as each plat will have to be put before the City Planning Commission and City Council for approval.

Q: What will happen to this area if the annexation is not approved?

A: The HOA will have no control over what type of development goes in these areas.

Q: How will the 11 acre parcel be accessed if the annexation is not approved?

A: The City will require a public street going through Stone Cliff to access this parcel of land. See enclosed map showing the public street access if the annexation is not approved.

2. CC&R's

Q: Although briefly mentioned in the Jan 16 proposed meeting memorandum, would the developer confirm that the CC&R's and Guidelines currently in effect would apply to the new development area? Are there any exceptions?

A: Yes, the existing CC&Rs would apply to the new area. There are no exceptions.

3. RESERVES

Q: Will the Stone Cliff Reserve Fund be accessed for any work in the new area or for any improvements required in the existing areas, as a result of the expansion?

E.g., any expansion or changes to the existing clubhouse that may be required to accommodate the extra population.

A: The developer has no say in the use of the reserve account- it's up to the Board. The Board has already discussed expanding the clubhouse in to the patio area and may use reserve funds to do so regardless of the outcome of this vote.

Q: Will the developer, having a significant number of new votes, have decision power on using Reserve Funds for improvements or financing of new structures?

A: No, the reserve funds are accessed by the Board and in some cases need HOA approval.

Q: Will the developer be requesting any Special Dispensation for the new lots, which may affect the income into our current reserves?

A: The developer will not be asking for any special dispensation for the new lots.

4. DUES

Q: What affect will this area have on monthly dues?

A: It is anticipated there will be no effect on the monthly dues since the existing dues and addition of new lot owners paying dues should be able to cover the new amenities. But the amount of the dues is ultimately under the control of the Board and owners.

5. HOMES

Q: What size, type and density of homes are planned for the new areas?

A: The same as the existing homes/plan. The existing CC&Rs will still apply to the homes in these areas. If not approved, the HOA will have no control over what type of homes are put in.

Q: What impact does the developer believe this will have on the value of the existing homes?

A: No negative impact. If not approved the impact could be negative as owners will have no control over what will be built in these areas.

Q: How many total homes will there be in Stone Cliff if this is approved?

A: The current approved plan allows for 573 total homes and with the additional property that may only increase to about 625, if that.

6. COMMON AREAS

Q: What common areas will be incorporated into the new development?

E.g., parks, pool, clubhouse, exercise room, tennis courts.

A: An outdoor pool, exercise room, 4-6 pickleball courts, and a lot designated for the maintenance building. There will also be open areas and landscaping similar to the existing areas.

Q: What are the details of these facilities? Where will they be located?

A: There are no details for these facilities. The developer does not want to spend a lot of time and money developing them until they are approved. The City will also have to approve everything. The general location can be shown at the meeting; it is in the red area near 1450 South on the map sent with the previous mailing.

Q: Will these facilities cost anything to the existing homeowners?

A: The developer will install the common areas and facilities in the proposed areas at no cost to the HOA. Once complete the maintenance would be the responsibility of the HOA.

Q: What is the timeline for completion of these facilities?

A: This will depend on the market, lot sales, the City, etc.

7. TRAFFIC FLOW, ENTRANCES & EXITS

Q: How will the annexation affect traffic flow, entrances and exits to Stone Cliff?

A: It should only help traffic flow. The road off 1450 South would be a residents entrance and would help the flow of traffic not only from the area being developed now and the proposed area, but also with the increased traffic that will be coming from the east once the new road over the river is complete. In addition there would be 2 emergency exits.

8. STAFFING

Q: Will additional gardeners be required to support any additional common areas?

A: Most likely, yes. The new lots should be able to absorb this cost.

Q: How will the new gates be staffed and will additional security guards be required?

A: The new entrance would be equipped with a small guard house but the developer's intention is that it would not be manned; there would be an arm gate accessible by resident sticker. It is ultimately up to the Board if the gate will be manned.

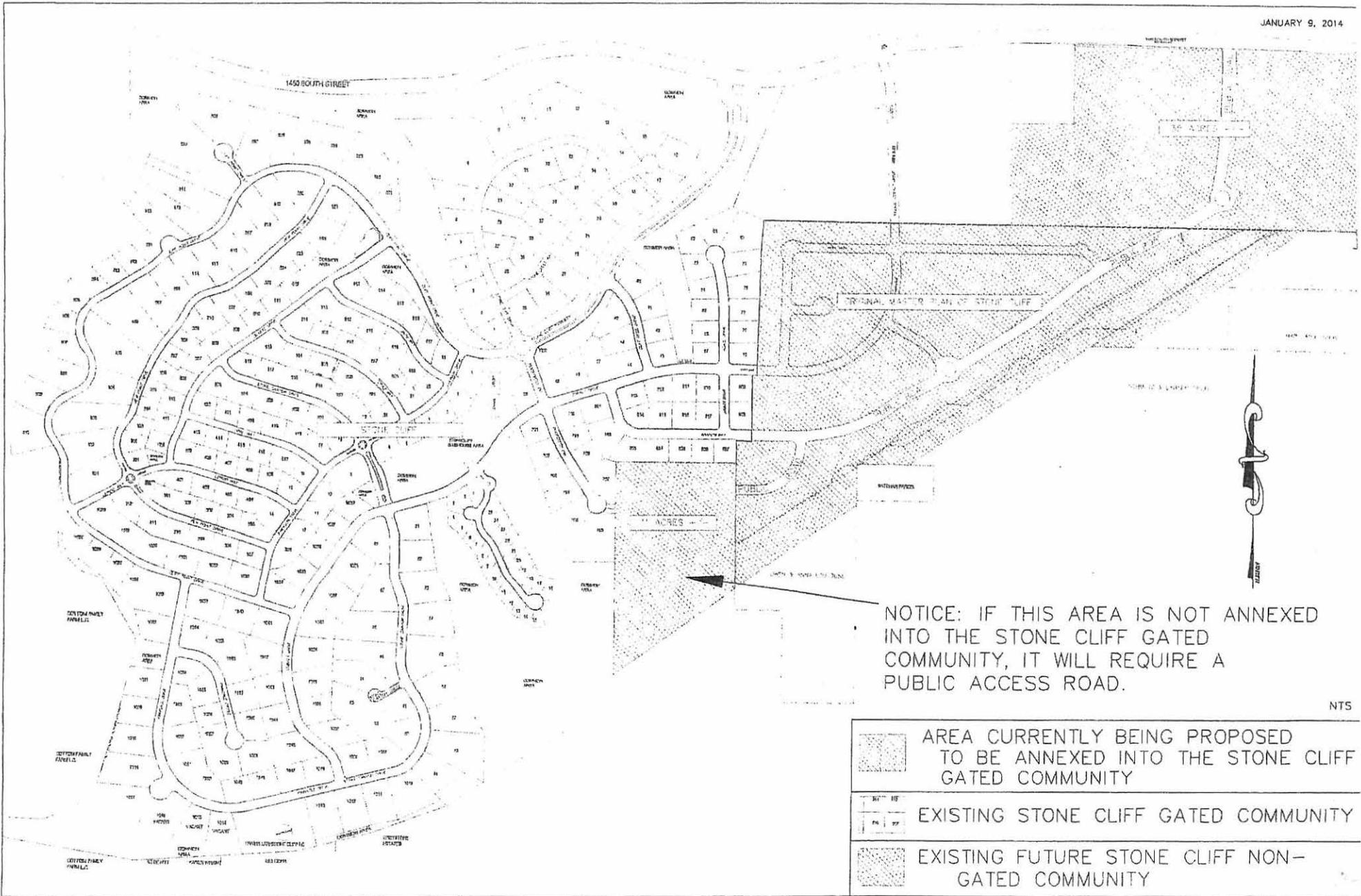
9. BOARD

Q: As a result of the new properties within Stone Cliff, will the developer support the enlargement of the Board of Directors from 5 to 7?

A: This is up to the owners and the developer supports what the owners want. At this time the developer has no problem with the Board increasing to 7 members.

Q: What is the status of the time remaining for the developer and landowner to remain on the board and will this annexation of more property change those rules or extend their participation on the board?

A: The two developer-appointed board positions expire at the annual meeting in 2015. This new area has no effect on this stipulation in the Bylaws.



NOTICE: IF THIS AREA IS NOT ANNEXED INTO THE STONE CLIFF GATED COMMUNITY, IT WILL REQUIRE A PUBLIC ACCESS ROAD.

NTS

	AREA CURRENTLY BEING PROPOSED TO BE ANNEXED INTO THE STONE CLIFF GATED COMMUNITY
	EXISTING STONE CLIFF GATED COMMUNITY
	EXISTING FUTURE STONE CLIFF NON-GATED COMMUNITY

OWNER PROXY
STONE CLIFF OWNERS ASSOCIATION, INC.

Member Owning Lot No(s). SC/PC/HC _____

(Note: Circle Stone Cliff, Paragon Cove, or Hidden Canyon and list all lots for which you separately pay dues.)

Print Name(s): _____

(First Name/Middle Initial/Last Name)

To the Secretary of the Stone Cliff Owners Association, Inc.:

I, the undersigned Member of the Stone Cliff Owners Association, Inc. ("HOA"), do hereby appoint:

The Board of Directors of the Stone Cliff Owners Association, Inc. (the "Board");

OR

_____ *(write in alternative proxy if desired);*

as my true and lawful attorney-in-fact, with power of substitution, for me and in my name to vote at the special meeting of the Members of the HOA scheduled for January 16, 2014, at the hour of 6:00 pm, at the Stone Cliff Clubhouse, 2241 E. Cobalt Drive, St. George, UT, or at any adjournment thereof, with all the powers I would possess if personally present, hereby revoking all previous proxies.

The sole and limited purpose of this proxy is for the vote scheduled at the above meeting, for the purpose of considering adding certain land to the "Additional Land" described in the CC&Rs, and for no other purpose or vote. If no box is checked above, this proxy will be deemed to appoint the Board as noted. The Board has by resolution determined to vote all proxies in favor of adding certain real property to the "Additional Land" described in the CC&Rs. It is understood that if I am able to attend any Meeting, this proxy can be revoked and I may vote in person.

Signature of Member

Signature of Member

Date Signed

Date Signed

GRAMA Request Form

Note: Utah Code § 63G-2-204 (GRAMA) requires a person making a records request furnish the governmental entity with a written request containing the requester's name, mailing address, daytime telephone number (if available); and a description of the record requested that identifies the record with reasonable specificity.

Requester's information

(11/16/18)

Name: Thomas BlasdellAddress: 2546 E. Marble Dr.City/State/zip: St. George, UT 84790Daytime telephone number: (818) 524-9398

Request made to

Government agency or office: Development branch of St. George Public Works Dept.Address: 175 East 200 NorthCity/State/zip: St. George, UT 84770

Records requested

Note: The more specific and narrow the request, the easier it will be for an agency or office to respond to the request. If you are unsure about the records' description, contact the agency or office records officer.

Note: Government keeps records in "series" or groups of records. To find out what series an agency or office maintains, visit the Archives' website, <http://archives.utah.gov>. The record series retention schedules on the Archives' website include relevant descriptions.

Title or series number of records (if known): _____

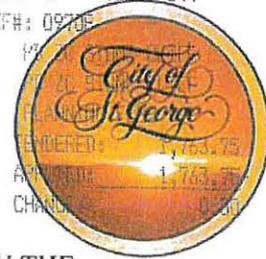
Description of records including all relevant information—location of event(s) described in records, city, county, address; date range of the records; names of the person(s); and subject of the request.

A complete copy of the pending application to change the zoning of a 26.28 acre parcel "immediately adjacent to 1450 South" that is now set for a public hearing before the Planning Commission on 11/27/18

Exhibit C

CITY OF ST GEORGE

REC#: 02218299 11/09/2018 1:39 PM
TRAN: 150.0000 PLANNING FEES
OPER: BP TERM: 044
REF#: 09705



1,760.7500
CHECK(S)

**PD ZONE CHANGE
PLANNED DEVELOPMENT (PD)
APPLICATION & CHECKLIST**

APPLICATION FOR A ZONE CHANGE AS PROVIDED BY THE
CITY OF ST. GEORGE ZONING ORDINANCE
CITY OF ST. GEORGE, UTAH

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

LEGAL OWNER(S) OF SUBJECT PROPERTY: Traveller Stone Cliff LC

MAILING ADDRESS: 912 W 1600 S Bldg B201, St. George, UT 84770

PHONE: (435) 673-4523 CELL: _____ FAX: _____

APPLICANT: Kolby Traveller

(If different than owner)
MAILING ADDRESS: 912 W 1600 S Bldg B201, St. George, UT 84770

PHONE: _____ CELL: _____ FAX: _____

EMAIL ADDRESS(ES): Kolbytraveller@gmail.com

CONTACT PERSON / REPRESENTATIVE: Kolby Traveller

(i.e. Developer, Civil Engineer, Architect; if different than owner)
MAILING ADDRESS: 912 W 1600 S Bldg B201, St. George, UT 84770

PHONE: _____ CELL: _____ FAX: _____

EMAIL ADDRESS(ES): Kolbytraveller@gmail.com

A general description of the property location is as follows: (Give approx. street address, general location etc., and attach a vicinity map or property plat showing the subject property and the surrounding areas.) Include a **colored** site plan and **colored** landscape plan, and **colored** elevation drawings (all four sides) suitable for presentations in public meetings. sq-6-2-34-339, sq-6-2-34-341, sq-6-2-34-3301, sq-6-2-34-327

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

OFFICE STAFF USE ONLY

CASE #: 2010-ZCA-414 FILING DATE: 11/9/18 RECEIVED BY: [Signature] RECIEPT #: _____

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

II. ADDITIONAL INFORMATION

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

1. What is the present zoning on the property? R-1-10
2. What zone or zones are requested by this application? PD-R
3. Is the zone change in harmony with the present City General Plan? Yes No
4. If no, what does the City General Plan propose for the subject property? _____
*(If the application is not in harmony with the City General Plan, a General Plan Amendment hearing will be required prior to the zone change request. General Plan Amendment hearings are held **four (4) times per year** in January, April, July, and October. A General Plan Amendment application can be obtained from the Community Development Department or online at <http://www.sgcity.org/commdev/forms.php>)*
5. Total acreage of proposed zone change: 26.79
6. Are there deed restrictions against the property that might affect the requested zone change?
Yes _____ No
A copy of the deed restrictions, if any, may be submitted in support of the application and shall be submitted if contrary to the request zone change.
7. Has a Traffic Impact Study or Traffic Analysis been completed to determine any traffic impacts?
Yes _____ No
***IF YES,** submit the Traffic Impact Study with the application for review by Traffic Engineering.
IF NO, a Traffic Impact Study will be required (if determined necessary at Planning Staff Review) to be submitted with the application and reviewed prior to approval by the City Council.*
8. Is the necessary utility capacity available (water, power, sewer and drainage) to serve the zone change parcel? Yes No
Please describe the projected demand for utility services: _____

III. SUBMISSION CHECKLIST FOR PD (PLANNED DEVELOPMENT) ZONE

(A COMPLETE ZONE CHANGE APPLICATION MUST BE SUBMITTED A MINIMUM OF 3 WEEKS PRIOR TO THE NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING)

Development/Project Name Stone Cliff
(Project name must be previously approved by the Washington County Recorder & City Planning Department)
Developer/Property Owner Traveller Stone Cliff Phone No. (435) 673-4623
Contact Person/Representative Koiby Traveller Phone No. [REDACTED]
Licensed Surveyor Ried Pope Phone No. (435) 628-1076

PD ZONE CHANGE PROCEDURE

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

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

Step #2 Document Submission Checklist*

Legal Description Documents:

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

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

Other Submission Documents:

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

PROPERTY OWNERS LIST DECLARATION

City of St. George

175 East 200 North – St. George, UT 84770 – (435) 627-4000 – www.sgcity.org

The property owners listed identifies the owners of properties within a certain distance or radius of the external boundaries of a project or property. The labels may be prepared by the Washington County Recorder's Office, Title Company, or by another approved party. A complete property owners list shall consist of the following:

1. Completed and signed declaration
2. List identifying each property owners name, mailing address, and Assessor's Parcel Number (APN)
3. Typed set of mailing labels for each property owner prepared on 8-1/2"x11" sheets of self-adhesive labels in three column format, as shown on the attached sample. All type shall be in capital letters with no punctuation or APN's.
4. Property owner radius map identifying all properties within the required radius. An example radius map is attached.

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

- **Zone Change**
 - Record owner of each parcel within 500 feet of that property (2 sets)
- **Conditional Use Permit or Variance**
 - Record owner of each parcel within 300 feet of that property (1 set)
- **Amended Final Plat**
 - Record owner of each parcel within 300 feet of that property (1set)
 - if each (100%) record owner of the subdivision gives their consent to the amendment, then labels are not required
- **Vacating a Roadway or Abandoning an Easement**
 - Record owner of each parcel within 300 feet of that property (1 set)

LABELS PREPARED BY:

Organization Name

The attached list contains the names and addresses of all persons to whom all property is assessed, and as they appear on the most current County Assessment Roll. This list identifies all properties located within the required area measured from the exterior boundaries of the property legally described by Assessor's Parcel Number(s).

Legal Owner/Agent of property

Date: _____

*The list of property owners shall be submitted with the application applying for.

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

V. APPLICANT AGREEMENT

We the undersigned applicant(s) _____
(is)(are) the owner(s) _____
or (agent) of the following legally described property and **request the zone change as described above.**
(Exact legal description and surveyed site plan (Record of Survey) drawing prepared and stamped by licensed surveyor, and/or property ownership plat must accompany application and must be attached hereto along with the legal description and the surveyed site plan (Record of Survey) drawing in DWG format on CD.) The legal description, if separated from the surveyed site plan (Record of Survey) drawing, must be stamped, signed, and dated, and have a firm name or surveyor's name address and phone number. **Note:** Surveyed Site Plan (Record of Survey) drawing and legal description shall comply with the pertinent subdivision Final Plat Checklist requirements.

Signature

Address

Attach additional sheets if necessary for additional owners.

Z: Common Zone Changes Zone Change Applications PD Zone Change Application REV-05-10-2012.doc

CITY OF ST GEORGE
PSR (PRELIMINARY STAFF REVIEW) COMMENTS*

Residential Commercial Industrial Other: _____

PROJECT DESCRIPTION: Stone Cliff

Item # (5) Date: 11-6-2018

Applicant(s): _____ Phone No.: _____

Contact: Kathy Traveller/Gayle Phone No.: _____

Address or Location: Maxwell/Gary

Note: _____

Zone: _____ General Plan: _____

Detailed Site Plan required? Yes No

Correct Zone? ZC (recre)

Staff Comments:

propose
= 33 units
x 200 SF
(recreative)

1. Show public access to turn-a-round
2. by Lot 144 & 148 & emergency access (gate)
3. 26.275 Ac; expand existing PD
4. Overall legal (of all PD)
5. Project Legal
6. Discuss hillside permit & ZC to go together
7. Di
8. Provide photos of type of homes, etc.
9. Need Landscape plan in front (1450 S)
10. rock wall, Landscaping, Landscape-terrace, Plan
11. Why maintain LIS on 1450 (HOA)
12. Provide cross sections
13. to PD > recreation component
14. 200 SF per unit is reqd. (Active recreation)
15. Dates; pre-existing? Recreation area > applies if built prior to ordinance
16. Lots 87 & 88 (possible area)

Target PC date: 11/27/2018 Target CC date: Jan. 3, 2019

** Note: This checklist is for initial review only and does not constitute project approval. The purpose of the meeting is to begin review, provide direction, identify issues to be addressed, and answer general questions. There may be items unique to a project not included on this checklist.*

WJ = Wes Jenkins, Asst. Public Works Director. JW = John Willis, Planning Manager. KT = Kevin Taylor, Fire Marshall. RS = Ray Snyder, Planner II. KD = Kade Bringhurst, Special Project Manager. GS = Genna Singh, Planning Associate. VH = Victoria Hales, Civil Attorney

John 17. Follow-up Residential ZC w/ comm'l ZC (New residents will know cons.)

Phase 17
Zone change request
Written Text

A. Use of Land: The land will be used for residential homes, following the pattern of the established Stone Cliff community.

There is 26.27 acres in the proposed zone change, with the number of lots to be determined with the preliminary plat, landscaping will be along 1450 South and along the main entrance, individual homes will comply with the Stone Cliff Architectural Control Committee guidelines.

B. Building heights will be determined by the fall of the property, generally between 16 and 25 feet, there will be single level and walkout basements, with the possibility of some two story homes were the need arises.

C. In gross area the number of homes and the density will be determined with the preliminary plats.

D. There are no plans for space for schools, churches, parks, etc.

E. Phasing plan: The area will be built in phases, which will be brought fourth with preliminary Plats.

F. Topography will not be needed, roads and lots will meet the St George City standards and the Ordinances, all areas will be subject to roads, buildings or landscaping, there will be unfinished areas.

G. Landscaping Plan: the Major landscaping will be done by individual home owners, which will meet the Stone Cliff Standards as established by the Architectural Control Committee.

H. Area reserved for landscaping, The area along 1450 south and along the entrance will be landscaped.

I. Utilities: the installation of the utilities will be done in accordance with the standard installation procedures.

J. Refuse Storage Areas: There will not be any.

K. Lighting Plan. There will be no street lights.

L. Turning Space: All cul-de-sacs will have standard radius for convenient turning

for all traffic.

M. The project will have no permanent signage except those designated by city and government officials. (such as SWPPP , Permit purposes and sales information).

ADDITIONAL TEXT FOR STONECLIFF PD-R ZONE CHANGE
Recreational areas

Recreational area in the present area of Stone Cliff is determined to be about 350,000 sq feet.

The area around the pool has been estimated to be about 117,000, and the area at the entrance which is all grass and shrubbery has been estimated to be at 126,00 sq ft.

There are several other areas of grass vegetation, benches and walkways that are of substantial size

SURVEYOR'S CERTIFICATE

I, LLOYD REED POPE, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL ENGINEER AND REGISTERED LAND SURVEYOR AND THAT I HOLD LICENSE OF REGISTRATION # 151099 IN ACCORDANCE WITH TITLE 58 CHAPTER 32 PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT UNDER THE LAWS OF THE STATE OF WYOMING. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY AND PREPARED THE ZONING DESCRIPTIONS.



LLOYD REED POPE, PROFESSIONAL ENGINEER & REGISTERED LAND SURVEYOR NO. 151099

DESCRIPTION OF PROPOSED PUD RESIDENTIAL ZONING

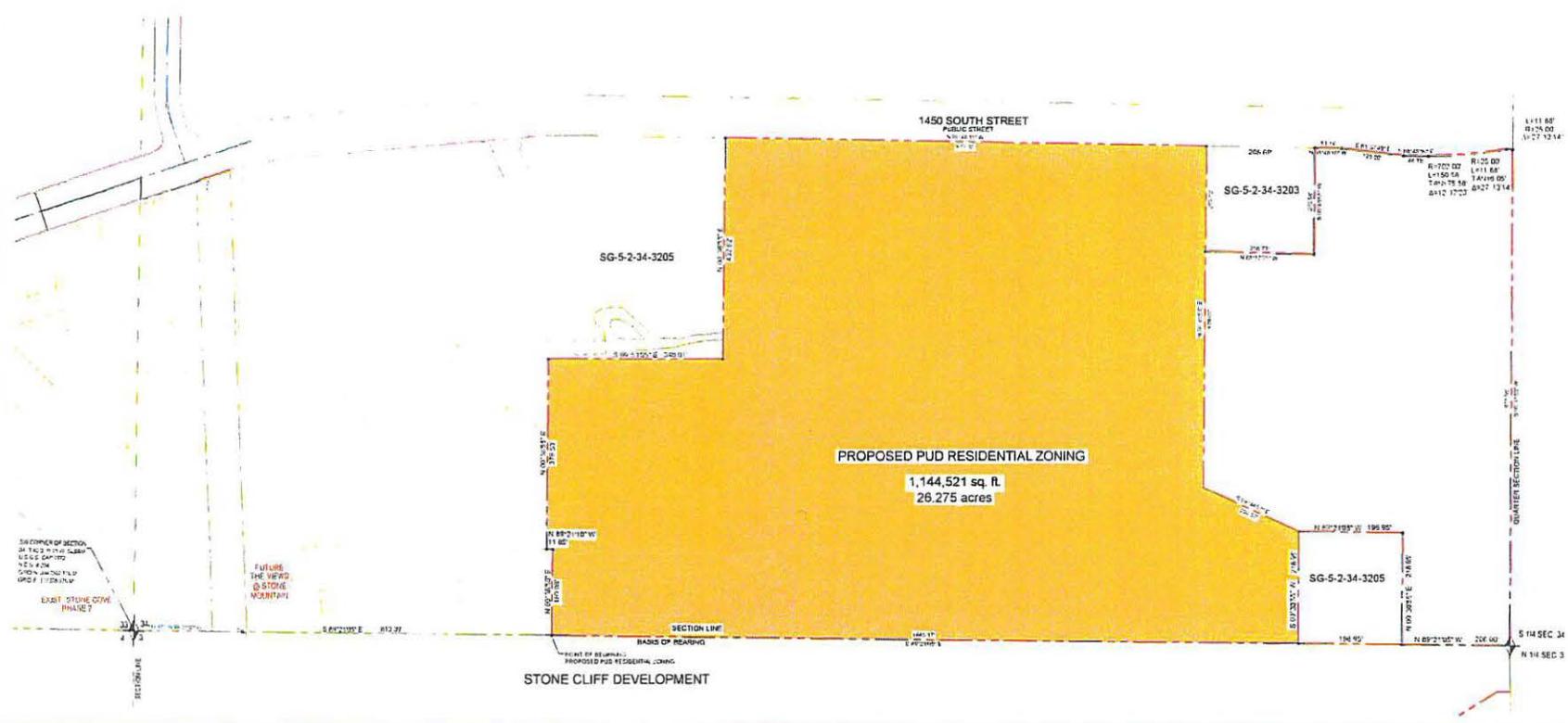
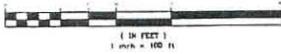
BEGINNING AT THE SOUTHEAST CORNER OF THE VIEWS AT STONE MOUNTAIN AS RECORDED IN THE OFFICIAL RECORDS OF THE WASHINGTON COUNTY RECORDERS OFFICE SAID POINT BEING SOUTH 89°21'00" EAST 811.38 FEET ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 45 SOUTH RANGE 15 WEST SALT LANE BAGE AND MENEMAN AND RUNNING THENCE ALONG THE EAST BOUNDARY OF SAID VIEWS AT STONE MOUNTAIN FOR THE FOLLOWING THREE COURSES: NORTH 0°30'00" EAST 148.88 FEET THENCE NORTH 89°21'00" WEST 11.85 FEET THENCE NORTH 0°30'00" EAST 318.83 FEET THENCE NORTH 0°30'00" EAST 421.60 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE FOR 1420 SOUTH STREET THENCE SOUTH 88°43'10" EAST 833.30 FEET ALONG SAID RIGHT OF WAY LINE THENCE SOUTH 0°40'50" WEST 470.00 FEET THENCE SOUTH 88°44'00" EAST 252.55 FEET THENCE SOUTH 0°30'00" WEST 218.95 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 34 THENCE NORTH 89°21'00" WEST 1445.17 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING

CONTAINING 26.275 ACRES.

NARRATIVE

THE BANS OF REARING IS 89°21'00" E ALONG THE SECTION LINE BETWEEN THE SOUTHERN AND THE SOUTHWEST CORNERS OF SECTION 34, T.45S. R.15W. S.34.

GRAPHIC SCALE



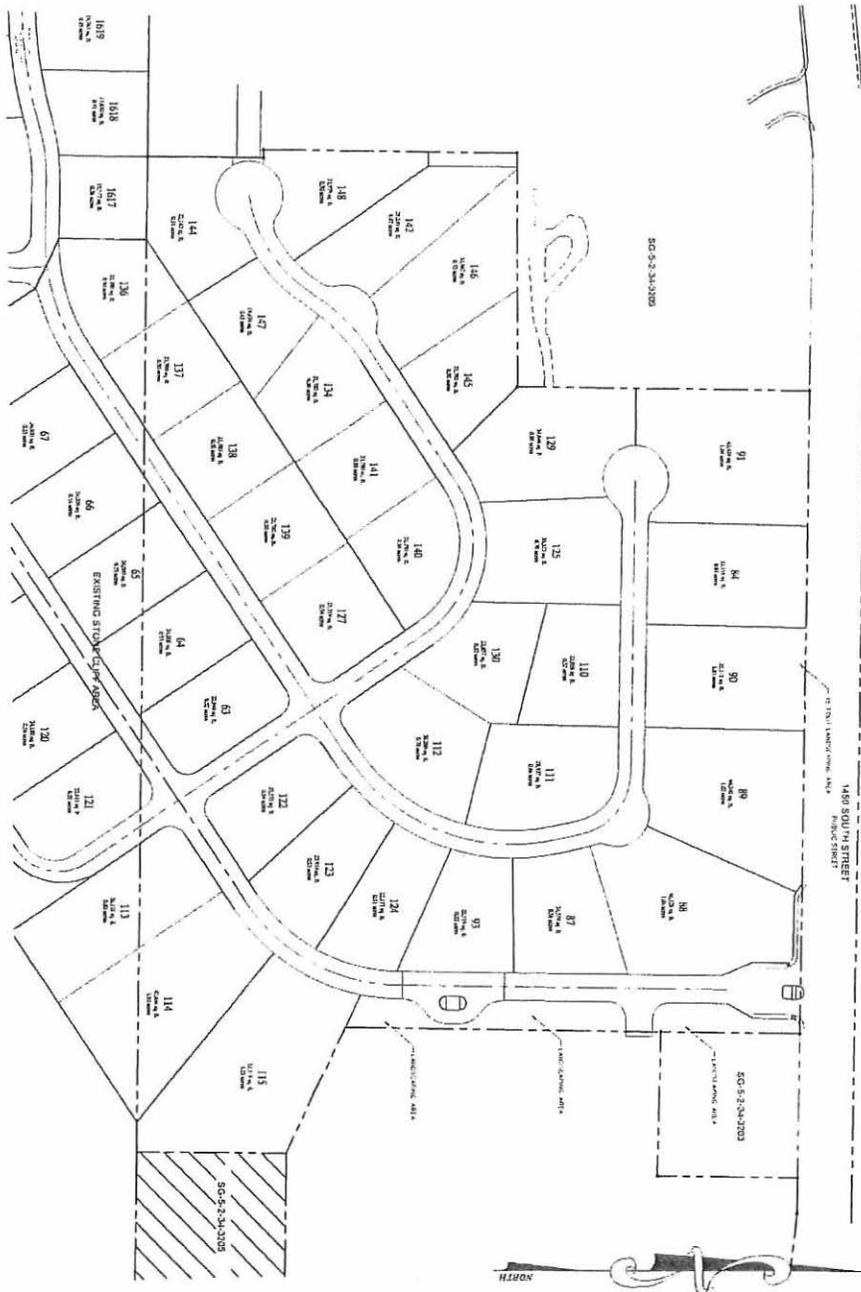
DATE	BY	REV.	REVISION



K.H. TRAVELLER ENGINEERING INC.
 1000 N. WYOMING STREET, SUITE 100
 CHEYENNE, WYOMING 82001
 (307) 632-1111
 www.khtraveller.com

K.H. TRAVELLER
EAST OF STONE CLIFF GENERAL PLAN AMENDMENT
 LOCATED IN SECTION 34, TOWNSHIP 45 SOUTH RANGE 15 WEST, S14W

DATE: 4-12-17
 SCALE: 1" = 100'
 SHEET:
 1 of 1



CONTACT INFO
 DON WALKER
 1450 SOUTH STREET
 30070

OWNER/DEVELOPER
 STONECLIFF DEVELOPMENT
 KAY TRAVELLER #17 W. 1600 S.
 8001 ST. GEORGE, UT 84202
 801-735-2529

DESIGNER: LRP
 DATE: JAN 12, 2010
 SCALE: 1" = 80'
 SHEET
 C1.00

**K.H. TRAVELLER - STONE CLIFF
 PROPOSED ZONE CHANGE LAYOUT
 SITE PLAN**
 LOCATED IN SECTION 34, TOWNSHIP 22 SOUTH, RANGE 15 WEST, S138M

LRP
L. R. POPE ENGINEERING INC.
 REGISTERED PROFESSIONAL ENGINEER
 STATE OF UTAH LICENSE NO. 3281



NO.	DATE	BY	APPROV.	REVISION DESCRIPTION

SG-RHW-1-21, SG-RHW-1-24
SG-RHW-1-23
SG-RHW-1-22

SG-5-2-34-328

SG-5-2-34-310011

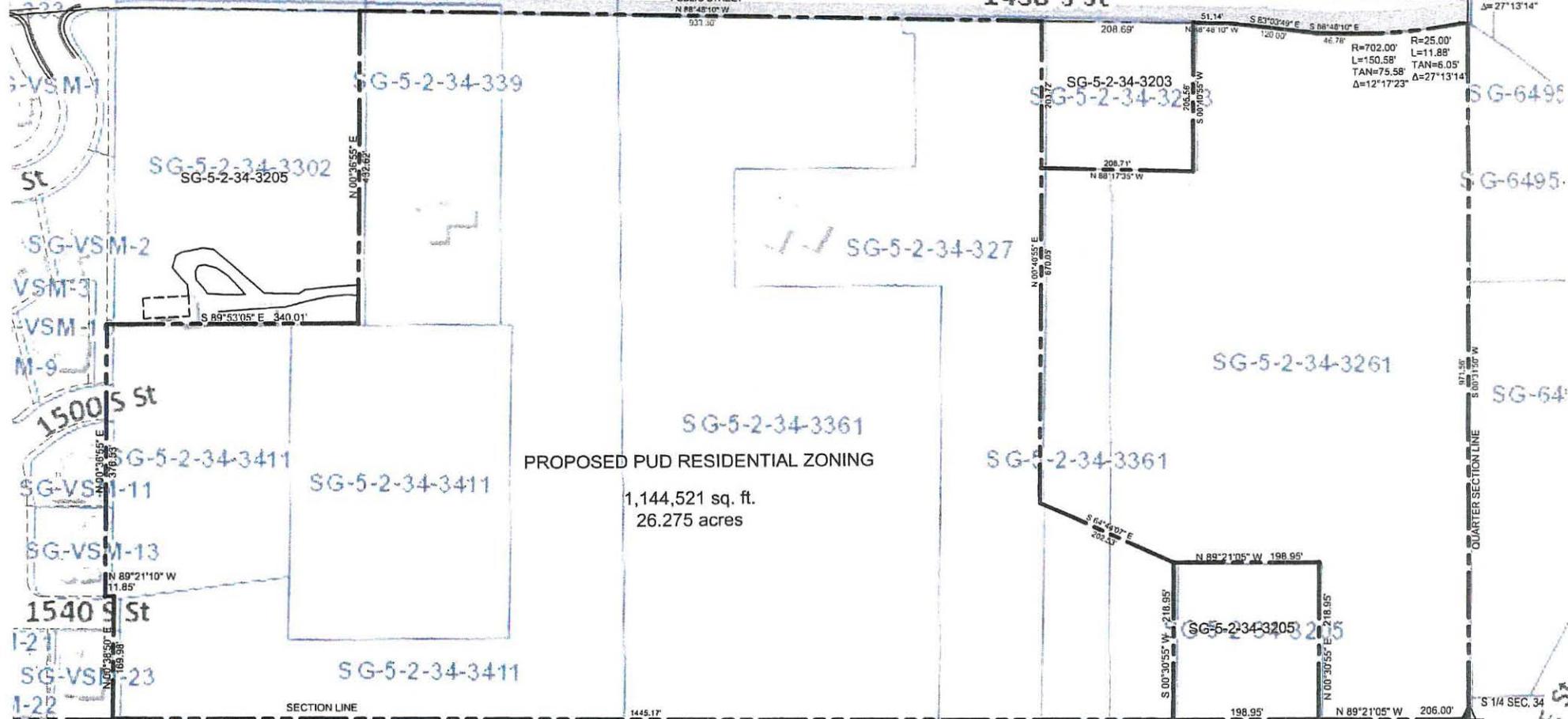
2780 E St

1450 SOUTH STREET

PUBLIC STREET

1450 S St

L=11.88'
R=25.00'
Δ=27°13'14"



R=702.00'
L=150.58'
TAN=75.58'
Δ=12°17'23"

R=25.00'
L=11.88'
TAN=6.05'
Δ=27°13'14"

QUARTER SECTION LINE

S 1/4 SEC. 34

N 1/4 SEC. 34

3000 E St

SG-5-3-3-1.

L.R. POPE ENGINEERING INC.
1240 E 100 S #15B
ST. GEORGE, UTAH 84790
1-435-628-1676
email lrpope@lrpope.com

DESCRIPTION OF PROPOSED PUD RESIDENTIAL ZONING

BEGINNING AT THE SOUTHEAST CORNER OF THE VIEWS AT STONE MOUNTAIN AS RECORDED IN THE OFFICIAL RECORDERS OF THE WASHINGTON COUNTY RECORDER'S OFFICE, SAID POINT BEING SOUTH 89°21'05" EAST 813.39 FEET ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG THE EAST BOUNDARY OF SAID VIEWS AT STONE MOUNTAIN FOR THE FOLLOWING THREE COURSES: NORTH 0°38'50" EAST 169.98 FEET; THENCE NORTH 89°21'10" WEST 11.85 FEET; THENCE NORTH 0°36'55" EAST 376.53 FEET; THENCE SOUTH 89°53'05" EAST 340.01 FEET; THENCE NORTH 0°36'55" EAST 432.62 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE FOR 1450 SOUTH STREET; THENCE SOUTH 88°48'10" EAST 933.30 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH 0°40'55" WEST 670.05 FEET; THENCE SOUTH 64°44'07" EAST 202.53 FEET; THENCE SOUTH 0°30'55" WEST 218.95 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 34; THENCE NORTH 89°21'05" WEST 1445.17 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING.

CONTAINING 26.275 ACRES

By L. Ried Pope, PE, PLS



SUNWEST TRUST INC CUSTODIAN FBO PAPANIK
SG-VSM-6
660 W CENTER
IVINS, UT 84738

SMITH BENSON E & CHRISTINA E
SG-RHW-1-33
2705 E 1400 S
SAINT GEORGE, UT 84790

WOOD B TAD & S RENEE
SG-AST-2-12
1357 S 2780 E
SAINT GEORGE, UT 84790

HUMPHRIES OWEN GUY & LAUREL F
SG-AST-2-19
2866 E 1350 S
SAINT GEORGE, UT 84790

DOCKSTADER BRANDON B
SG-5-2-34-3203
PO BOX 1071
ENTERPRISE, UT 84725-1071

PROPERTY RESERVE INC
SG-6495-A-4
PO BOX 511196
SALT LAKE CITY, UT 84151-1196

WEDIG RYAN G
SG-VSM-16
2611 E 1540 SOUTH CIR
SAINT GEORGE, UT 84790

DEL TORO ARTURO & DIANE TRS
SG-5-2-34-331
365 W 670 NORTH CIR
SAINT GEORGE, UT 84770

HUDSON MICHAEL C & MARINA
SG-VSM-19
2630 E 1540 SOUTH CIR
SAINT GEORGE, UT 84790

QUILTER RONALD C & LYNNETTE
SG-VSM-5
1474 S 2670 E
SAINT GEORGE, UT 84790

BEDDES SCOTT & SANDRA
SG-VSM-22
2875 N 3500 W
VERNAL, UT 84078

ANDERSON PAUL M & TRACY A TRS
SG-RHW-1-30
2759 E 1400 S
SAINT GEORGE, UT 84790

MCDUGAL MARK R TR
SG-5-2-34-328
2352 OLD ROSEBUD LN
SOUTH JORDAN, UT 84095

DEL TORO ARTURO & DIANE TRS
SG-5-2-34-333
365 W 670 NORTH CIR
SAINT GEORGE, UT 84770

SCHROEDER QUINT D & TRACI B
SG-RHW-1-23
2726 E 1400 S
SAINT GEORGE, UT 84790

SCHMUTZ CATHY A
SG-5-2-34-3302
PO BOX 357
OAK CITY, UT 84649-0357

BKM INV LLC
SG-RHW-1-29
3310 TWIN PEAKS DR
LAYTON, UT 84040-4403

WINTCH JOHN MATTHEW & LINDSEY M
SG-AST-2-20
2848 E 1350 S
SAINT GEORGE, UT 84790

COX SUE S TR
SG-RHW-1-21
1132 S 2670 E
SAINT GEORGE, UT 84790

JONES MICHAEL TODD & PATRICIA MICHELLE TR
SG-RHW-1-32
2723 E 1400 S
SAINT GEORGE, UT 84790

MILLGATE MICHAEL B & SHELLY A
SG-AST-2-18
2890 E 1350 S
SAINT GEORGE, UT 84790

LEE RALPH C
SG-5-3-3-4101
653 N 2100 E
SAINT GEORGE, UT 84790

IHC HEALTH SERVICES INC
SG-5-2-34-310011
4766 S HOLLADAY BLVD
HOLLADAY, UT 84117

ERICSON STEVEN TR
SG-VSM-8
2755 BONNEVILLE TERRACE
OGDEN, UT 84403

CARLEN GREG L & LORI A TRS
SG-VSM-3
1489 S 2670 E
SAINT GEORGE, UT 84790

FRAZIER WILLIAM E & BRENDA TRS
SG-VSM-10
2685 E 1500 S
SAINT GEORGE, UT 84790

DOWNEY JAMES D & TAMARA
SG-VSM-13
1620 E 1450 S # 15
SAINT GEORGE, UT 84790

MC CULLOUGH JAMES RAND & SHAUNA M TRS
SG-VSM-11
2678 E 1500 S
SAINT GEORGE, UT 84790

SCHWARZ MARY
SG-VSM-2
2691 E 1500 S
SAINT GEORGE, UT 84790

TERRY JACOB A & MELISSA A
SG-RHW-1-25
2762 E 1400 S
SAINT GEORGE, UT 84790-6125



WEDIG RYAN G
SG-VSM-17
2611 E 1540 SOUTH CIR
SAINT GEORGE, UT 84790

FICKLIN GEORGE R & BRENDA S TRS
SG-VSM-7
1486 S 2670 E
SAINT GEORGE, UT 84790

SHATTUCK HEATHER S
SG-VSM-20
1833 CELESTIAL LN
LONGMONT, CO 80504-2227

SPAFFORD ALAN M & DOROTHEA M
SG-VSM-21
2376 E STONE CREST CIR
SAINT GEORGE, UT 84790

ANDERSON CARL J & LISA RAE
SG-VSM-14
1526 S 2672 E
SAINT GEORGE, UT 84790

DEL TORO ARTURO & DIANE TRS
SG-5-2-34-332
365 W 670 NORTH CIR
SAINT GEORGE, UT 84770

NOT TU-WEAP LLC
SG-VSM-1
2765 COTTONWOOD RD
WANSHIP, UT 84017

PATTERSON PARMER P & PATRICIA
SG-VSM-23
2684 E 1540 S
SAINT GEORGE, UT 84790

HOLLINGSHEAD JEREMY & TALEA
SG-RHW-1-34
2687 E 1400 SOUTH CIRCLE
SAINT GEORGE, UT 84790

HENDERSHOT BRENDA M ODGEN TR, ET AL
SG-RHW-1-22
2708 E 1400 S
SAINT GEORGE, UT 84790

KOSCHEL MARY BETH TR
SG-RHW-1-24
2744 E 1400 S
SAINT GEORGE, UT 84790

TRAVELLER/STONE CLIFF L C
SG-5-2-34-3411
PO BOX 592
SAINT GEORGE, UT 84771-0592

TRAVELLER/STONE CLIFF L C
SG-5-2-34-3361
PO BOX 592
SAINT GEORGE, UT 84771-0592

SCHOPEN RICK, ET AL
SG-5-2-34-3205
1070 N 1700 E
SAINT GEORGE, UT 84770-8633

TRAVELLER STONE CLIFF LC
SG-5-2-34-3261
750 W RIDGE VIEW DR
SAINT GEORGE, UT 84770

ATKINSON ROBERT B & FRANCES M
SG-VSM-15
2625 E 1540 SOUTH CIR
SAINT GEORGE, UT 84790

WOOD SCOTT R
SG-VSM-12
3658 PRICE HILLS DR
SAINT GEORGE, UT 84790-6291

TRAVELLER/STONE CLIFF L C
SG-5-2-34-3411
PO BOX 592
SAINT GEORGE, UT 84771-0592

STEWART RUSSELL M & NANETTE
SG-AST-2-13
1360 S 2830 E
SAINT GEORGE, UT 84790

TRAVELLER/STONE CLIFF L C
SG-5-2-34-327
PO BOX 592
SAINT GEORGE, UT 84771-0592

YOUNG MARY ANN
SG-5-3-3-4102
1634 S 3000 E
SAINT GEORGE, UT 84790-8507

TRAVELLER/STONE CLIFF L C
SG-5-3-3-440
PO BOX 592
SAINT GEORGE, UT 84771-0592

DIXIE ESCALANTE RURAL ELECTRIC ASSN
SG-6495-B-SA
71 E HIGHWAY 56
BERYL, UT 84714-5197

ANDERSON ROBERT J & LINDA K
SG-VSM-18
2618 E 1540 SOUTH CIR
SAINT GEORGE, UT 84790

CAMPBELL CHARLES VICTOR & VICKY LYNNE
SG-VSM-4
1477 S 2670 E
SAINT GEORGE, UT 84790

MKV VENTURES LLC
SG-RHW-1-20
2511 S 500 WEST CIR
WASHINGTON, UT 84780-2271

HOGGARD CAL & SHAWNA
SG-VSM-9
1495 S 2670 E
SAINT GEORGE, UT 84770

TRAVELLER/STONE CLIFF L C
SG-5-2-34-3411
PO BOX 592
SAINT GEORGE, UT 84771-0592

GARDNER BLAKE & AMY
SG-RHW-1-31
2741 E 1400 S
SAINT GEORGE, UT 84790

TRAVELLER/STONE CLIFF L C
SG-5-2-34-339
PO BOX 592
SAINT GEORGE, UT 84771-0592

Easy Peel® Labels
Use Avery® Template 5160®



▲
Feed Paper

Bend along line to
expose Pop-Up Edge™



▲
AVERY® 8460™

Étiquettes faciles à peler
Utilisez le gabarit AVERY® 5160®



▲
Sens de
chargement

Repliez à la hachure afin de
révéler le rebord Pop-Up™



YOUNG DAVID M & MARY ANN
SG-5-3-3-4109
1634 S 3000 E
SAINT GEORGE, UT 84790-8507

www.avery.com
1-800-GO-AVERY



Zone Change Tracking Sheet

Date Submitted: 11/9/18

Case No.: 2018-ZCA-044

Applicant: Kathy Traveiler
Contact Person: _____

Phone No.: 
Phone No.: _____

Project Name: Stone Cliff
GENERAL LOCATION: _____

Current Zone: R-1-10
Requested Zone: PD-P

Total Acreage: 26.79

STEP 1: LEGAL DESCRIPTION REVIEW

Transmitted to Janet/GIS _____ Date: 11/9/18
 Result _____

Returned to Planning Department _____ Date: _____

STEP 2: PLANNING COMMISSION DATE

Notices sent to property owners within 500' ft. _____ Date: _____
 Posted (Spectrum, State Website, City Hall) _____ Date: _____

STEP 3: PUBLIC HEARING SET DATE

Transmitted legal description to City Recorder _____ Date: _____

STEP 4: CITY COUNCIL (PUBLIC HEARING) DATE

Notices sent to property owners within 500' ft. _____ Date: _____
 Posted (Spectrum, State Website, City Hall) _____ Date: _____

ACTION

Approved Denied Tabled Continued Withdrawn

STEP 5: PUBLIC NOTICE AND LEGAL DESCRIPTION

E-Mail to Janet _____ Date: _____
 File _____ Date: _____

Exhibit D



CITY COUNCIL PUBLIC NOTICE

PUBLIC NOTICE CITY COUNCIL 01/03/2019

THURSDAY, JANUARY 3, 2019

PUBLIC NOTICE

Notice is hereby given that the St. George City Council will hold public hearings on Thursday, January 03, 2019 at 5:00 PM to consider the following:

A. Consider amending the Final Plat of Coral Desert Subdivision Phase 2 Amended and Extended by decreasing the size of Lot 2 and add Lots 3 and 4. Also to realign the public roadway.

B. Consider vacating portions of a public roadway for Banded Hills Drive as future development has changed the location of stub roads.

C. Zone change amendment to the Stone Cliff PD-R (Planned Development Residential) zone to expand the overall development and allow future new single family lots in the subdivision. Located on 26.28 acres and is immediately adjacent to 1450 South Street.

D. Zone change amendment for "Pad 'G' in the Dino Crossing Commercial Center (Smith's shopping center)" to develop a multi-tenant commercial retail building in the PD-C (Planned Development Commercial) zone on approximately 0.74 acres. The property is generally located on Mall Drive (between Riverside Drive and Dinosaur Crossing Drive).

E. Zone change amendment for "Desert Color Town Center" PD-C (Planned Development Commercial) zone to amend the current Desert Color Zone Plan to include the Sullivan Homes Office Building that is an approved use under the zone plan. Located on Black Mountain Drive next to Interstate 15 on 1.07 acres.

F. Zone change from OS (Open Space) to R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) for "Maple Estates Phase 6" on 0.16 acres. Generally located adjacent to Banded Hills Drive and south of Copper Cliff Drive.

Interested persons are encouraged to attend these public hearings to be held in the City Hall Council Chambers at 175 East and 200 North, or present their views in writing at least one day prior to the meeting.

Reasonable Accommodation: The City of St George will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs. Please contact the City Human Resources Office, 627-4671, at least 24 hours in advance if you have special needs.

Genna Singh
Development Services

Spectrum Publication: December 22, 2018

📍 175 East 200 North

(/SITEGUIDE/)

(HTTP://WWW.VISITSTGEORGE.COM/CALENDAR/)

(https://www.google.com/maps/place/St+George+Development+Services+Department+Request+Information/@37.2348517,-113.5796763,15z/data=!4m2!3e1!4s1) (http://www.visitstgeorge.com/)

St. George, Ut 84770

(/CONTACT/)

NEWS & EVENTS (/NEWS-

George (/).

✉ Contact Us

(HTTPS://JOBS.SGCITY.ORG/)

EVENTS/)

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(mailto:info@sgcity.org)

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(/FORMSANDAPPLICATIONS/)

(HTTP://WWW.STGEORGECHAMBER.COM/)

Report Website

NOTICES

REQUEST INFORMATION

MSOs (/contact/)

(/PUBLICMEETINGSANDNOTICES/)

(/CONTACT/)

Employee Login ➔
(http://enet.sgcity.org)

SETBACK REQUIREMENTS

FRONT SETBACKS 25 FOOT
SIDE SETBACKS 10 FOOT
REAR SETBACKS 10 FOOT

LEGEND

- BOUNDARY CORNERS TO BE SET WITH 5/8" REBAR & PLASTIC CAP-LS #153069
BOUNDARY CORNER NOT SET
ACCEPTED SECTION CORNERS
CLASS I MONUMENT (RING & LID) TO BE SET
CLASS III - SPIKE MONUMENT-EXISTING
CLASS II-MON TO BE SET
[100.00'] GRID DISTANCE
[N 75°35'20" E] GRID BEARINGS

NOTE:

ALL REAR LOT CORNERS TO BE SET WITH 5/8" REBAR WITH PLASTIC CAP STAMPED LRP ENGINEERING # 153069
ALL FRONT LOT OFFSET CORNERS TO BE SET WITH PK NAIL IN TOP BACK OF CURB ON A 0.25' OFFSET.

ALL BEARINGS ON PLAT OR ST. GEORGE CITY H.C.N. BEARINGS, ALL DISTANCES ARE GROUND DISTANCES

PERMANENT OPEN SPACE

STONE CLIFF PHASE 6

L=284.87'
R=167.50'
T=190.81
D=97°26'33"

L=214.87'
R=132.50'
T=139.42
D=92°54'59"

STONE CLIFF PHASE 6

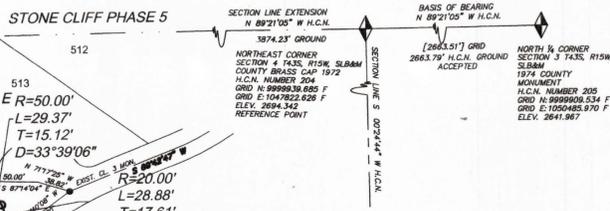
L=98.32'
R=175.25'
T=50.49
D=32°08'45"

L=140.25'
R=53.28'
T=26.97'
D=21°46'02"

R=317.50'
L=175.86'
T=90.25'
D=31°44'05"

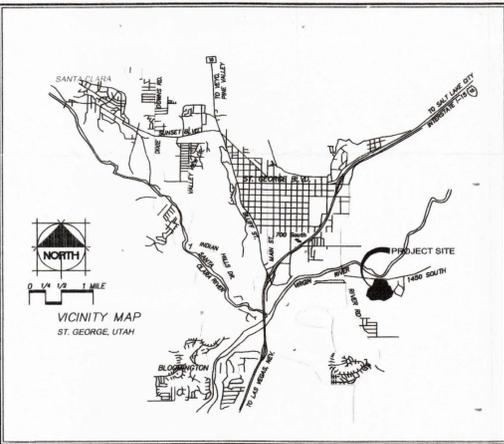
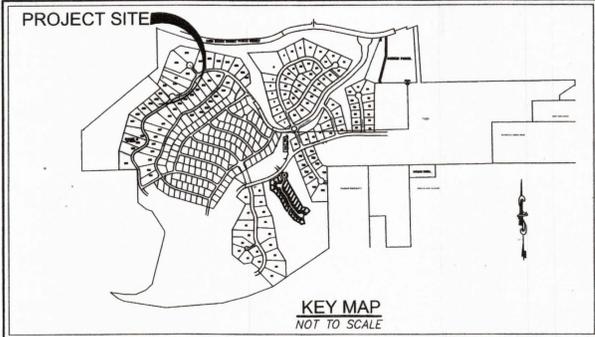
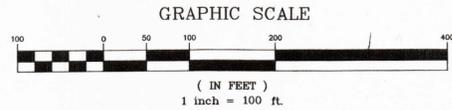
FUTURE DEVELOPMENT

CENTER LINE TABLE with columns for LINE, LENGTH, BEARING, and specific curve data for lines 1 through 11.



GEOTECHNICAL NOTE:

A GEOTECHNICAL INVESTIGATION WAS PERFORMED BY KLEINFELDER, INC. THE INVESTIGATION RESULTS AND SPECIFIC RECOMMENDATIONS FOR CONSTRUCTION OF FOUNDATIONS, FLOOR SLABS, AND EXTERIOR FLAT WORK ARE COMPILED IN A REPORT DATED JULY 22, 1999, PROJECT #35-301301.



GENERAL NOTES AND RESTRICTIONS

- 1. THIS SUBDIVISION CONTAINS PRIVATE STREETS AS LABELED. PRIVATE STREETS ARE NOT OWNED, MAINTAINED, OR REPAIRED BY THE CITY OF SAINT GEORGE.
2. ALL SEWER AND DRAINAGE IMPROVEMENTS WITHIN THE SUBDIVISION ARE PRIVATE AND ARE NOT OWNED, MAINTAINED, OR REPAIRED BY THE CITY OF SAINT GEORGE.
3. ALL POWER AND WATER IMPROVEMENTS ARE PUBLIC AND MAINTAINED BY THE DIXIE REA AND THE CITY OF SAINT GEORGE, RESPECTIVELY, UP TO AND INCLUDING THE METERS.
4. THE ASSOCIATION SHALL BE RESPONSIBLE FOR REPAIRING, RESTORING, OR REPLACING PRIVATE STREETS, LANDSCAPING, OR OTHER PRIVATE IMPROVEMENTS WITHIN THIS SUBDIVISION RESULTING FROM DAMAGE OR DISRUPTION CAUSED BY THE DIXIE REA AND/OR THE CITY OF SAINT GEORGE IN INSTALLING, MAINTAINING, REPAIRING, OR REPLACING PUBLIC POWER, WATER, SEWER, AND DRAINAGE IMPROVEMENTS.

SURVEYOR'S CERTIFICATE

I, LLOYD RIED POPE, HEREBY CERTIFY THAT I AM A PROFESSIONAL ENGINEER AND REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE OF REGISTRATION # 153069 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, COMMON AREAS, PRIVATE STREETS TO BE KNOWN AS:

BOUNDARY DESCRIPTION

BEGINNING AT A POINT N 89°21'05" W 3874.23 FEET ON AN EXTENSION OF THE SECTION LINE BETWEEN THE N 1/4 CORNER OF SECTION 3 AND THE NORTHEAST CORNER OF SECTION 4 AND S 0°00'00" W 103.02 FEET FROM THE NORTHEAST CORNER OF SECTION 4, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE S 51°30'24" E 109.05' TO THE SOUTHWEST CORNER OF LOT 513 OF STONE CLIFF PHASE 5, SAID POINT BEING ON A 50.00 RADIUS CURVE TO THE LEFT (BEARING TO RADIUS POINT IS S 87°4'04" E), THENCE SOUTHEASTERLY ALONG SAID BOUNDARY THROUGH A CENTRAL ANGLE OF 3°33'06" AND ALONG THE ARC OF SAID CURVE 29.37 FEET TO THE POINT OF A 20.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG SAID BOUNDARY THROUGH A CENTRAL ANGLE OF 82°43'22" AND ALONG THE ARC OF SAID CURVE 28.88 FEET; THENCE S 72°43'34" E 43.26 FEET ALONG SAID BOUNDARY TO A POINT ON A 482.50 FOOT RADIUS CURVE TO THE LEFT (BEARING TO RADIUS POINT IS S 35°14'52" E); THENCE LEAVING STONE CLIFF PHASE 5 AND RUNNING ALONG THE STONE CLIFF PHASE 6 BOUNDARY FOR THE FOLLOWING 13 COURSES: SOUTHWESTERLY THROUGH A CENTRAL ANGLE OF 8°33'51" AND ALONG THE ARC OF SAID CURVE 72.32 FEET TO THE POINT OF A 300.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT; THENCE SOUTHWESTERLY THROUGH A CENTRAL ANGLE OF 13°38'51" AND ALONG THE ARC OF SAID CURVE 71.46 FEET TO A POINT OF TANGENCY; THENCE S 59°48'44" W 303.99 FEET TO THE POINT OF A 182.50 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHWESTERLY THROUGH A CENTRAL ANGLE OF 92°58'47" AND ALONG THE ARC OF SAID CURVE 305.72 FEET TO THE POINT OF A 167.50 FOOT RADIUS REVERSE CURVE TO THE RIGHT; THENCE SOUTHWESTERLY THROUGH A CENTRAL ANGLE OF 97°26'33" AND ALONG THE ARC OF SAID CURVE 284.87 FEET TO A POINT OF TANGENCY; THENCE S 61°16'30" W 82.10 FEET TO THE POINT OF A 452.50 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHWESTERLY THROUGH A CENTRAL ANGLE OF 92°54'59" AND ALONG THE ARC OF SAID CURVE 214.87 FEET TO A POINT OF TANGENCY; THENCE S 31°38'29" E 80.45 FEET TO THE POINT OF A 175.25 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHWESTERLY THROUGH A CENTRAL ANGLE OF 32°08'45" AND ALONG THE ARC OF SAID CURVE 98.32 FEET TO A POINT OF TANGENCY; THENCE S 0°30'16" W 102.43 FEET TO THE POINT OF A 282.50 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY THROUGH A CENTRAL ANGLE OF 20°08'48" AND ALONG THE ARC OF SAID CURVE 99.33 FEET TO THE POINT OF A 20.00 FOOT RADIUS COMPOUND CURVE TO THE LEFT; THENCE SOUTHWESTERLY THROUGH A CENTRAL ANGLE OF 92°54'59" AND ALONG THE ARC OF SAID CURVE 34.70 FEET TO A POINT OF TANGENCY; THENCE N 60°57'46" W 242.67 FEET; THENCE S 29°02'14" E 35.00 FEET; THENCE S 60°57'46" W 300.96 FEET TO A POINT ON A 317.50 FOOT RADIUS CURVE TO THE RIGHT (BEARING TO RADIUS POINT IS N 58°46'11" E); THENCE NORTHWESTERLY THROUGH A CENTRAL ANGLE OF 31°44'05" AND ALONG THE ARC OF SAID CURVE 175.86 FEET TO A POINT OF TANGENCY; THENCE N 0°30'16" W 102.43 FEET TO THE POINT OF A 440.25 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY THROUGH A CENTRAL ANGLE OF 21°46'02" AND ALONG THE ARC OF SAID CURVE 53.28 FEET; THENCE N 89°29'44" W 261.56 FEET; THENCE N 12°13'36" W 218.24 FEET; THENCE N 24°53'03" E 237.42 FEET; THENCE N 44°57'38" E 156.06 FEET; THENCE N 10°23'03" W 151.99 FEET; THENCE N 22°36'51" E 159.46 FEET; THENCE N 32°15'01" E 144.79 FEET; THENCE N 60°02'48" E 370.54 FEET; THENCE N 47°28'11" E 106.57 FEET TO THE POINT OF BEGINNING.

CONSENT OF MORTGAGEE TO RECORD

THE UNDERSIGNED STONE CLIFF L.C., MORTGAGEE OF RECORD OF THE "STONE CLIFF - PHASE 8" DOES HEREBY CONSENT TO THE RECORDATION OF THE HEREON ENTITLED PROJECT.

MORTGAGEE ACKNOWLEDGEMENT

STATE OF UTAH COUNTY OF WASHINGTON } S.S.
ON THIS 1 DAY OF July, 2003, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, LON E. HENDERSON, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE PRESIDENT OF STONE CLIFF L.C., A UTAH CORPORATION, SOLE MANAGER OF STONE CLIFF L.C. AND THAT HE EXECUTED THE FOREGOING CONSENT OF MORTGAGEE IN BEHALF OF SAID LIMITED LIABILITY COMPANY BEING AUTHORIZED AND EMPOWERED TO DO SO BY THE OPERATING AGREEMENT OF STONE CLIFF L.C., AND HE DID DULY ACKNOWLEDGE TO ME THAT SUCH LIMITED LIABILITY COMPANY EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, COMMON AREAS, PRIVATE STREETS TO BE HEREAFTER KNOWN AS:
STONE CLIFF - PHASE 8
DO HEREBY DEDICATE TO THE COMMON USE OF THE PROPERTY OWNER, BUT NOT TO THE USE OF THE GENERAL PUBLIC, ALL COMMON AREAS (INCLUDING PRIVATE STREETS) SHOWN ON THIS PLAT IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF DEDICATION OF SAID COMMON AND LIMITED COMMON AREAS AS MORE FULLY PROVIDED IN THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS APPLICABLE TO THE STONE CLIFF DEVELOPMENT DATED MARCH 23, 1995, AND RECORDED CONCURRENTLY WITH THE PLAT OF STONE CLIFF PHASE 1, SAID DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS IS HEREBY INCORPORATED AND MADE A PART OF THIS PLAT. REFERENCE IS MADE TO SAID DECLARATION FOR DETAILS CONSIDERING THE RIGHTS AND OBLIGATIONS OF PARTIES HAVING OR ACQUIRING AN INTEREST IN THIS DEVELOPMENT. FOR GOOD AND VALUABLE CONSIDERATION RECEIVED, THE UNDERSIGNED OWNERS HEREBY DEDICATE AND CONVEY TO THE CITY OF ST. GEORGE, EASEMENTS OVER ON, UNDER, AND ACROSS ALL COMMON AND PRIVATE STREETS FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES AND DRAINAGE, AND THE UNDERSIGNED OWNERS DO HEREBY WARRANT TO THE CITY OF ST. GEORGE AND ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO USE ALL EASEMENTS GRANTED HEREIN AGAINST THE CLAIMS OF ALL PERSONS.

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH COUNTY OF WASHINGTON } S.S.
ON THIS 3 DAY OF July, 2003, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, KAY H. TRAVELLER, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE PRESIDENT OF STONE CLIFF DEVELOPMENT INC., MANAGING MEMBER OF TRAVELLER/STONE CLIFF L.C. AND THAT HE EXECUTED THE FOREGOING OWNERS DEDICATION IN BEHALF OF SAID LIMITED LIABILITY COMPANY BEING AUTHORIZED AND EMPOWERED TO DO SO BY THE OPERATING AGREEMENT OF TRAVELLER/STONE CLIFF L.C., AND HE DID DULY ACKNOWLEDGE TO ME THAT SUCH LIMITED LIABILITY COMPANY EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

STONE CLIFF - PHASE 8

A RESIDENTIAL SUBDIVISION LOCATED IN SECTION 4, TOWNSHIP 43 SOUTH, RANGE 15 WEST AND SECTION 33, TOWNSHIP 42 SOUTH, RANGE 15 WEST SALT LAKE BASE & MERIDIAN

L.R. POPE ENGINEERS & SURVEYORS 1240 EAST 100 SOUTH #15B, ST. GEORGE, UTAH 628-1678

Table with 6 columns: APPROVAL AS TO FORM, ENGINEER'S APPROVAL, APPROVAL OF CITY PLANNER, APPROVAL AND ACCEPTANCE, APPROVAL OF PLANNING COMMISSION, RECORDED NO. 899101. Includes signatures and dates for each approval.

Thomas L. Blasdel

February 6, 2019

St. George City Council
c/o Ms. Genna Singh
Development Office Supervisor
175 E. 200 N.
Saint George, UT 84770

RECEIVED

FEB 06 2019

ST. GEORGE CITY
CITY RECORDER'S OFFICE

Hand Delivered

Re: 2/7/19 City Council meeting; Agenda Item Nos. 12 and 13

Dear St. George City Council Members,

I am a resident of the Stone Cliff Planned Unit Development (the "Stone Cliff PUD"), and I am submitting these comments in connection with the currently pending application to amend the zoning of a 26.28 acre parcel (hereinafter, "Parcel One") near the corner of 1450 South and 3000 East, now scheduled for public hearing on February 7, 2019. I request that this letter and the accompanying enclosures (1) be made part of the evidentiary record of the February 7, 2019 City Council hearing regarding re-zoning of Parcel One, and (2) be considered by the City Council when deciding whether or not to grant the co-pending application for a hillside development permit for Parcel One.

As you may recall, by letter dated January 2, 2019 I informed you of procedural and substantive problems with the pending application to re-zone Parcel One. By sending that application back to the Planning Commission for renewed consideration at a second public hearing, and then rescheduling the City Council's own public hearing on the matter to February 7, 2019, the City Council cured the procedural problems. This letter raises no additional procedural objections, but does point out certain substantive legal problems, including many not mentioned in my first letter, that require the City Council to deny the co-pending applications for both the re-zoning of Parcel One and the related hillside development permit.

Also, please note that unlike my first letter to you, my analysis and conclusions in this letter are totally independent of any dispute that may later arise between the Stone Cliff Owners Association, Inc. (the "Stone Cliff HOA") and the developer, either directly or derivatively, over certain written promises that the developer made to the Stone Cliff HOA and its membership in 2014 about future recreational amenities that it would provide at no cost to the HOA. I am not asking the City to take sides in that potential private dispute, which may eventually need to be resolved in a court of law if the developer ultimately breaches its 2014 promises.

To help you evaluate whether I am qualified to make the legal analysis that follows, I should tell you a little about me. Although I am not a member of the Utah bar, I am a graduate of the UCLA School of Law, licensed to practice law in both Texas and California. During the course of a twenty year career, I litigated cases in state and federal courts in both places, as well as various other federal courts scattered around the country. I started my legal career at the largest law firm in Houston, and finished it at the Los Angeles office of what was then the 11th largest law firm in the nation, before retiring and eventually moving to St. George. None of the above qualifications guarantee that my legal conclusions here are correct, but it does give me a reasonable basis to respectfully ask that you consider my analysis of how the city's ordinances control the outcome of this matter.

The relevant facts, and my analysis of how various City ordinances apply to those facts, are set forth below.

I. Relevant Facts

For clarity and ease of reference, I will refer to each of the parcels mentioned in the pending applications by the same numbers that the City staff used in their report to the Planning Commission. Parcel One is the 26.28 acre development parcel for which the zoning change and related hillside development permit are being sought. Parcel Two is the single, generally U-shaped tract uniquely identified by the Washington County Recorder's office on Exhibit "A" as parcel # SG-5-3-4-134. Parcel Three is the single tract uniquely identified by the Washington County Recorder's office on Exhibit "B" as parcel # SG-5-3-4-4102 generally located immediately west of existing Stone Cliff Lot Nos. 801 through 810. Parcel Four is a portion of a much larger 26.57 acre tract, such larger tract being uniquely identified by the Washington County Recorder's office on Exhibit "C" as parcel # SG-5-3-3-440.

On January 23, 2019, I went to the City's offices and asked to see a copy of the map showing the Hillside Development Overlay Zone that includes the Stone Cliff PUD. A city employee showed me that map on a City computer monitor, and upon request, printed it out for me. That original printout, upon which the Hillside Development Overlay Zone that includes the Stone Cliff PUD (hereinafter the Stone Cliff Hillside Overlay Zone Map") is shaded blue, is attached hereto as Exhibit "D."

Note that the Stone Cliff Hillside Overlay Zone Map is bounded on the north by 1450 South, on the west by River Road, on the south by 2450 South, and on the east by 3000 East (with the exception of a small sliver of land, not relevant here, where 3000E curves around the electric substation near the corner of 1450 South and 3000 East). As a result, each of Parcel One, Parcel Two, Parcel Three and Parcel Four are located entirely within the boundaries of the Stone Cliff Hillside Overlay Zone Map.

II. Legal Analysis

For the reasons explained below, the City Council should deny both (1) the applicant's request that you approve a disturbance area "swap" that would allow it to obtain a hillside development permit authorizing it to ignore each and every hillside development protection measure that the city's hillside development overlay zone ordinance provides to Parcel One, and (2) the applicant's related application to amend the zoning of Parcel One.

A. The Hillside Development Overlay Zone Ordinance Applies To All Four Parcels, Whether Or Not Parcel One Is Re-Zoned.

The Hillside Development Overlay Zone ordinance specifically states, "*Conformance Required*: Property within the hillside development overlay zone **shall** conform to the provisions of this article."(emphasis added) [Zoning Ordinance Of The City of St. George, Utah, at Section 10-13A-2B].

Moreover, the fact that the applicant is seeking a planned development zone change does not alter the requirement that all property within any Hillside Development Overlay Zone must conform to Article A of Chapter 13 of Title 10.

Section 10-8-9(G) states: "*Applicability Of Title*: All other applicable provisions of this title shall apply, i.e., mobile home or RV requirements for mobile home or RV planned developments, etc." The provisions of the Hillside Development Overlay Zone ordinance found in Chapter 13A of Title 10 therefore continue to apply to Parcel One, even though the applicant is seeking to change the zoning of Parcel One to PD-R.

So as a threshold matter, any given tract of land within the boundaries of the Stone Cliff Hillside Overlay Zone Map must comply with all provisions of Chapter 13A of Title 10. It doesn't matter whether such a tract is (1) already part of the Stone Cliff PUD, (2) can be annexed into the Stone Cliff PUD at a later date because it lies within the geographic area that the Stone Cliff PUD's Declaration of CC&Rs makes annexable at the Declarant's option, or (3) is totally unrelated to the Stone Cliff PUD. If any tract of land falls within the boundaries of the Stone Cliff Hillside Overlay Zone Map, compliance with all subsections of Article A of Chapter 13 of the City's Title 10 zoning regulations is mandatory.

Here, there is no dispute that Parcels One, Two, Three and Four are all located entirely within the boundaries of the Exhibit "D" Stone Cliff Hillside Overlay Zone Map. As a result, all four parcels must comply with all of the provisions of chapter 13A of Title 10.

B. The Planning Commission's Own Findings Do Not Support Its Recommendation To Approve The Requested Hillside Development Permit For Parcel One.

The Planning Commission's own findings do not support its recommendation to approve the hillside development permit for Parcel One.

1. The Applicant's Proposed Disturbance Area Swap Involving Similar Nearby Slopes Supports The Planning Commission's Explicit Finding That Small Washes Or Rock Outcroppings On Parcel One Are Not Distinctly Different From Surrounding Property.

A copy of the City's Planning Commission report (the "Hillside Report") of its 11/27/18 meeting is included in the packet of materials found in the pdf attachment to the published agenda for the February 7th City Council meeting, all of which can be found on the City's website. At page 4 of the 20 page Hillside Report, the Planning Commission made the following finding:

"This permit is recommended for approval because it has been determined that the 20% - 39% slope areas found on Parcel #1 can be disturbed because the small washes or rock outcroppings on that parcel are not part of a major hillside formation and are not distinctly different from the surrounding property and are not part of a contiguous topography." (all emphasis added)

Although the Planning Commission cites this finding as supporting its recommendation to approve the requested hillside development permit, in reality, the portion of its finding emphasized by bold-faced type above requires exactly the opposite conclusion. As the text of Section 10-13A-5(B)(3) found on page 5 of the Hillside Report makes clear, small washes or rock outcroppings may only be excluded from slope determination if they have slopes that **ARE** "distinctly different from the surrounding property."

Indeed, the Planning Commission's finding that the small washes or rock outcroppings found on Parcel One are **NOT** distinctly different from the surrounding property is further supported by the applicant's own "disturbance area swap" proposal. That proposal seeks to (1) surrender claimed disturbance area rights associated with currently undisturbed slopes on nearby Parcels Two, Three and Four, in return for (2) permission to disturb a greater area of the slopes with similar steepness on Parcel One than what the disturbance area standards found in the Section 10-13A-4(A) schedule would otherwise allow.

The applicant's proposed "disturbance area swap" necessarily implicitly acknowledges, and is entirely premised upon, the idea that the slopes found on Parcel One are in fact similar to - - not "distinctly different from" - - the slopes found on nearby Parcels Two, Three and Four. If that were not so, the applicant would have nothing to "swap."

After submitting a formal GRAMA document request, I received a copy ("except for drainage reports, geotech plans and slope maps with an engineer's stamp that are copyrighted") of the developer's application for the requested permit. A copy of that application, which was file stamped as received by the City on September 28, 2018, is attached to this letter as Exhibit "E." It never even mentions Section 13A-5(B)(3), most likely because the developer realized that its proposed disturbance area swap for similar slopes would make it totally illogical to do so.

2. Section 10-13A(-4(A)(4)(a) Does Not Support The Planning Commission's Recommendation To Approve The Hillside Development Permit.

The Hillside Report also states, at page 4: "This recommendation [to approve the applicant's request for a hillside development permit] is supported by the Hillside Ordinance particularly Section 10-13A-4.A.4.a"

Here is what that section of the Hillside Ordinance actually states:

"4. The city council, after considering the recommendation from the hillside review board, and from the planning commission may approve the removal of small hills which contain slopes forty percent (40%) or greater subject to determining the application conforms to all of the following requirements:

a. The hill is not contiguous to nor part of a major hillside formation; and . . ."

The above-quoted Section 10-13A-4(A)(4)(a) of the City's Hillside Development Overlay Zone ordinance is totally irrelevant to the applicant's request for a hillside development permit for Parcel One. Even if all of that Section's requirements are met, the only thing that Section authorizes is "the removal of small hills which contain slopes forty percent (40%) or greater. But there no mention of any slope greater than 40% in the Exhibit "E" application, nor is there any finding in the Hillside Report that any such slope exists on Parcel One.

The applicant is not even seeking permission to remove any small hill found on Parcel One. Instead, it is seeking permission to disturb Parcel One slopes in the 19-29% slope category, and also in the 30-39% slope category, to a greater extent than the Section 10-13A-4 schedule allows. That explains why the developer's Exhibit "E" application for the requested permit never even mentions Section 10-13A(4)(a)(4).

C. The Density And Disturbance Standards Established By Section 10-13A-4 Of Title 10 Are Not Flexible.

Section 10-13A-4 of Title 10 establishes both dwelling unit density standards, and disturbance area standards, for all four parcels, including Parcel One. It states that "density and site disturbance within the hillside development overlay zone shall comply" (emphasis added) with the schedule it contains. According to that schedule, 70% of the area of Parcel One that has a 20-29% natural slope must remain undisturbed, and the remaining 30% of the area that has a 20-29% natural slope may only be developed to a maximum density of 2 dwelling units ("DU") per acre.

The standards for slightly steeper slopes are more restrictive. For portions of Parcel One that have a natural slope of 30-39%, the schedule requires that fully 95% of such portions must remain undisturbed, and the remaining 5% of the portions with a natural slope of 30-39% may be developed to a maximum density of only one DU per 10 acres.

In addition, section 10-13A-4(A)(2) states, in relevant part:

"Site development standards (~~excluding density and disturbance standards~~) are generally flexible in order to provide design options which will blend the DU with the natural setting." (emphasis added)

Note that although this ordinance provides the Planning Commission and City Council with the flexibility to modify certain development standards when those bodies believe that the particular circumstances of a given case justify such changes, the ordinance explicitly **excludes** the dwelling unit density standards and the disturbance area standards from the standards that may be so modified.

Because the city ordinance makes the dwelling unit density standards and the disturbance area standards inflexible, they simply must be complied with. That is true even if the applicant and/or members of the Hillside Review Board, Planning Commission, City Council and Community Development Department believe that the particular circumstances of this case would otherwise justify modifying those standards in this instance.

D. The Disturbance Area “Swap” Proposed By The Applicant Must Be Denied.

The developer applicant asks the City Council to authorize an offset or “swap” procedure that would allow it to disturb a higher percentage of various steep slopes on Parcel One than Section 10-13A-4 allows, by offering to give up its purported right to disturb the same or a greater number of acres of similarly steep slopes that are currently undisturbed on nearby Parcels Two, Three and Four. This proposal must be denied, for the reasons explained below.

1. Chapter 13A Of Title 10 Does Not Authorize Any Kind Of Disturbance Area “Swap.”

Chapter 13A of Title 10 does not authorize any kind of disturbance area “swap” procedure. As discussed above, Section 10-13A-4 explicitly makes compliance with its disturbance standards inflexible. That removes any flexibility that the City Council might otherwise have to approve a disturbance area “swap” procedure that is not explicitly authorized by some other provision of Chapter 13A.

Section 10-13A-4 does make a dwelling unit density bonus (not a “disturbance area” bonus) available to a developer in certain limited circumstances. Significantly, however, such a dwelling unit density bonus can only be applied to increase the allowable dwelling unit density on land with less than a nineteen per cent (19%) slope. It does not permit, under ANY circumstances, either (1) an increase in the otherwise allowable dwelling unit density on land with a slope greater than nineteen per cent (19%) or (2) a reduction in the area that must remain undisturbed on land with a slope greater than nineteen per cent (19%). Restricting the type of land that can receive such a dwelling unit density bonus to only areas with less than a nineteen per cent (19%) slope is consistent with the hillside ordinance’s express purpose. See Section 10-13A-1 at subsections (A) through (E).

Here, the requested disturbance area “swap” would not only increase the allowable disturbance area of the portion of Parcel One with slopes of between nineteen percent (19%) and thirty nine percent (39%), it would totally eliminate Parcel One from ALL of the protections that the hillside development overlay zone ordinance was designed to provide to such land. Although such a result would certainly be desirable from the developer’s cost perspective, the proposed disturbance area “swap” procedure would achieve a result exactly the opposite of what the hillside development overlay zone ordinance was intended to accomplish. Even if the ordinance was amended to give the City Council flexibility (which it currently lacks) to approve hillside development permits that fail to meet the current legal disturbance area limits, doing so here would be unwise. The particular disturbance area swap sought here would not just ease some of the restrictions with which the developer must otherwise comply, it would totally eviscerate ALL of the hillside development protections that the ordinance now provides to Parcel One.

2. Even If Some Other City Ordinance, Building Code Or Zoning Classification Authorizes Redistributing Dwelling Unit Density Or Disturbance Areas Among Parcels, The More Restrictive Provisions Of Chapter 13A Of Title 10 Prevent Use Of Any Such Redistribution Procedure Here.

I used the word search feature on the City website to look for any City ordinance that might generally authorize the type of disturbance area “swap” being proposed by the applicant, but was unable to find any ordinance that authorizes such a “swap.” But even if such a city ordinance exists and my search failed to find it, any such ordinance would be inapplicable here.

Section 10-13A-2A states, in relevant part:

"A hillside development overlay zone is established which shall be an overlay zone of the zoning classifications in this title. In the event of a conflict between the provisions of the existing zoning classification, building code or subdivision ordinance, and the overlay zone, the **most restrictive provisions shall apply.**" (all emphasis added)

Even if the type of disturbance area "swap" proposed by this applicant is somehow authorized by any (1) underlying zoning classification (be it R-1-10, PD-R, or anything else), (2) building code, or (3) subdivision ordinance, Section 10-13A-2 mandates that the more restrictive provisions of Section 10-13A-4(A)(2) (which makes the dwelling unit density standards and disturbance area standards it contains inflexible), must apply here.

In short, any flexible limitations on dwelling unit density and disturbance areas that might apply to parcels located outside a hillside development overlay zone map are simply inapplicable here, because Parcels One, Two, Three and Four are all located entirely within the boundaries of the Exhibit "D" Stone Cliff Hillside Overlay Map, and are therefore subject to the more restrictive and inflexible standards of Section 10-13A-4(A)(2).

3. The Hillside Development Overlay Zone Ordinance States That "No Disturbance" Areas Should Be Part Of A Project's Common Area, Which Must Be Owned By The Project's Homeowners Association Unless Deeded To The City.

The applicant's proposed "disturbance area swap" is premised upon its purported ability to surrender its supposed right to disturb the currently undeveloped and undisturbed portions of Parcels Two, Three and Four, all of which are located entirely within the Exhibit "D" Stone Cliff Hillside Overlay Zone Map. The applicant, however, should not be the legal owner of any "no disturbance" areas found within any of those Parcels in the first place. Section 10-13A-10(C) (3) states:

"In residential zones, **"no disturbance" areas** shall not be included within lots (unless approved by the planning commission and city council) but **should be part of the "common area" of a project. Common areas shall be owned and maintained by the project's homeowners association** or may be deeded to the city when accepted by the city." (all emphasis added)

Here, no portion of Parcels One, Two, Three or Four are currently included in any lot shown on any plat map approved by the Planning Commission and City Council, nor has any portion of those four Parcels been deeded to the City. To the extent that Parcels Two and Three contain any existing "no disturbance" area that the City Council somehow determines can be "swapped," the Stone Cliff HOA should be the legal owner of that area, not the applicant.

The applicant admits that each of Parcels One, Two, Three and Four contain previously undeveloped and undisturbed areas with slopes between nineteen per cent (19%) and thirty nine per cent (39%). If that were not so, the applicant would have no supposed "disturbance area" rights in those parcels that were purportedly available to "swap." For the reasons explained above, no such swappable disturbance area rights exist within any hillside development overlay zone map. But if such rights did exist (they don't), and if such rights could be swapped to increase the disturbable area of land with slopes between nineteen per cent (19%) and thirty nine per cent (39%) found on Parcel One (they can't), the Stone Cliff HOA - - and not the applicant - - is the equitable owner of such rights.

The City Council should not approve a proposed swap of supposed "disturbance area" rights associated with land that the mandate of Section 10-13A-10(C)(3) requires either a homeowners association or the City to own. Rather than approving the applicant's proposed swap of hypothetical "disturbance area" rights, the City should require that the applicant transfer legal ownership of Parcels Two and Three to the Stone Cliff HOA, which is already the equitable owner of both parcels pursuant to Section 10-13A-10(C) (3).

4. Any Hypothetical "Disturbance Area" Rights Previously Associated With Parcel Three Are No Longer Available To Swap Because The Applicant Surrendered Them More Than Fourteen Years Ago.

Parcel Three was previously designated as "Permanent Open Space" in the Map (Conveying Property) that Kay Traveller signed on June 3, 2003, and which the applicant filed at the County Recorder's office as Document No. 00899101 on September 7, 2004. See the area west of Lots 801 through 810 on the enclosed Exhibit "F," which is a certified copy of that recorded document. Note that the Planning Commission's approval of that document is indicated by the signature of its then Chairman on October 22, 2002. By designating Parcel Three as "Permanent Open Space," the applicant gave up the right to build any dwelling units on Parcel Three. That means that the allowable dwelling unit density of Parcel Three was permanently set at zero by the applicant more than 14 years ago.

Even if the City Council somehow decides that Section 10-13A-4 authorizes a dwelling unit density transfer that would increase the allowable dwelling unit density on the portions of Parcel One with slopes greater than nineteen per cent (19%), such a result would be of no use to the applicant. By permanently setting the allowable dwelling unit density of Parcel Three at zero more than 14 years ago, the applicant is left with no dwelling unit density that can be transferred from Parcel Three to Parcel One or anywhere else.

When Parcel Three is eliminated from the proposed swap of rights between parcels, the hillside area of Parcel One that the developer may disturb is reduced here, even if a swap of "disturbance area" rights is somehow allowable for Parcels Two and Four, which have not previously been designated as "Permanent Open Space." That has a significant impact on the pending application to rezone Parcel One, because the Planning Commission's recommendation to approve the rezoning application is based on faulty assumptions about the amount of land that can legally be disturbed in order to build "approximately 40" homes on Parcel One.

E. If The City Approves The Applicant's Proposed Swap Of "Disturbance Area" Rights, Thereby Improperly Depriving The Stone Cliff HOA Of Any "Disturbance Area" Rights That May Currently Exist In Parcels Two And Three Without Compensation, The HOA And Its Members Will Have A Constitutional Taking Claim Against The City Pursuant To 18 U.S.C. Section 1983.

For the reasons explained above, there should be no right to swap the allowable disturbance area from one parcel to another when both parcels are located within a hillside development overlay zone map. But if the City concludes otherwise, the hillside development overlay zone ordinance makes the Stone Cliff HOA and its members - - not the applicant - - equitable owners of any transferrable right to disturb hillside slopes found on Parcels Two and Three. Simply put, if the City improperly deprives the Stone Cliff HOA and its members of such rights without compensation, then the Stone Cliff HOA and its members will have a constitutional taking claim against the City under 18 USC section 1983. In appropriate cases, the remedies made available by 18 USC section 1983 may include actual damages, punitive damages, court costs and attorneys' fees.

III. Conclusion

For all of the above-described reasons, the applicant's co-pending applications for a hillside development permit and the associated re-zoning of Parcel One should be denied, and the applicant should be directed to transfer legal title to Parcels Two and Three to the Stone Cliff HOA.

February 6, 2019

I plan to attend the February 7, 2019 City Council hearing, and would be happy to answer any questions you may have about these matters at that time.

Very truly yours,



Thomas L. Blasdel



 (cell)

Lot # SC1112

Ex "A"



Washington County

Search...



Sign in



Navigation

Maps & Data Sources

Analysis

Tasks

Search



Tool Labels



Pan



Zoom In



Zoom Out



Initial View



Full Extent



Next Extent



Previous Extent



Identify

Getting Around

Info



Bookmarks



Quick Start Guide



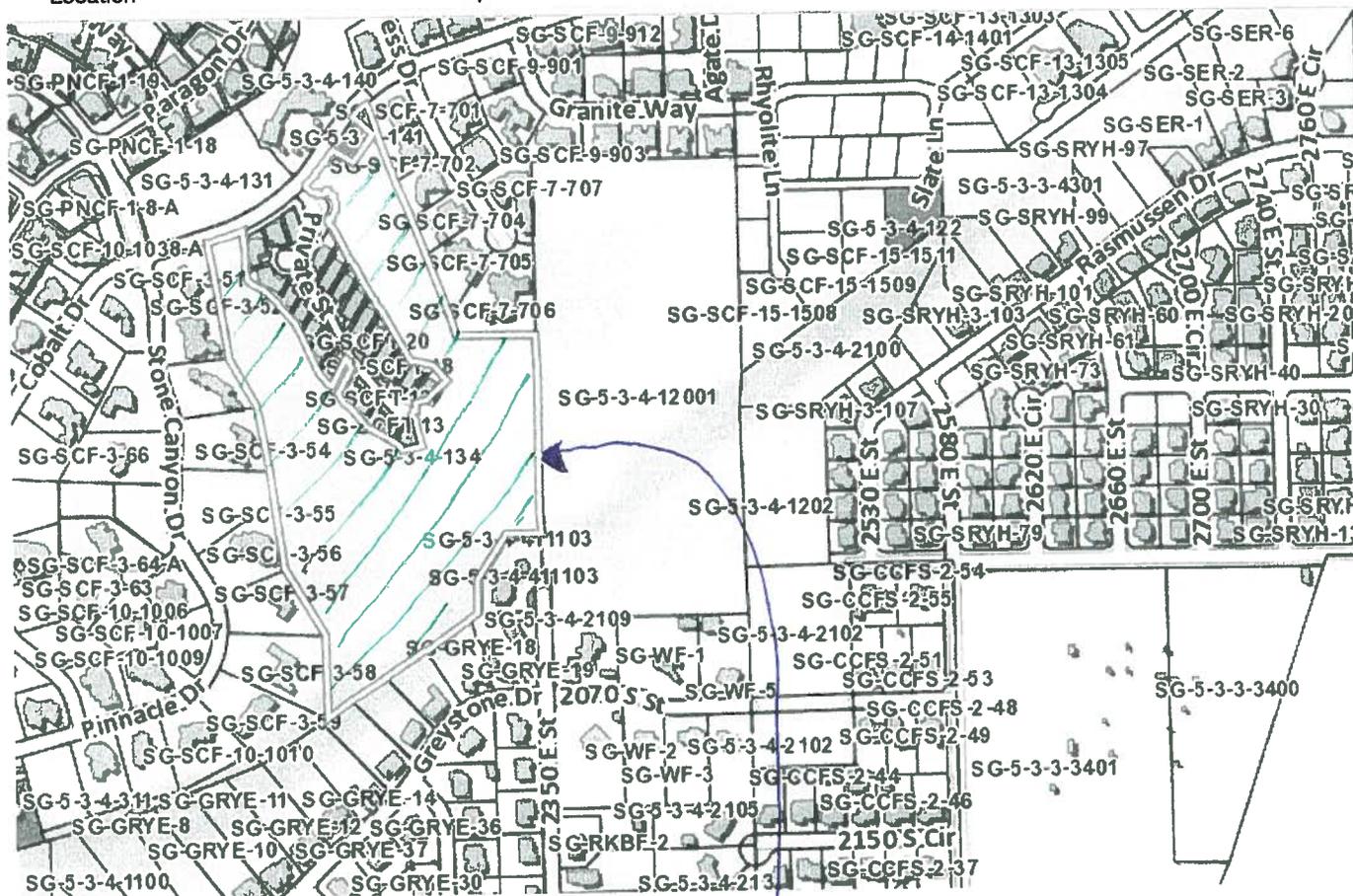
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Parcel Two



Basemaps



Ex. "B"



Washington County

Search...



Sign in



Navigation

Maps & Data Sources

Analysis

Tasks

Search



Tool Labels



Pan



Zoom In



Zoom Out



Initial View



Full Extent



Next Extent



Previous Extent



Identify

Getting Around

Info



Bookmarks



Quick Start Guide



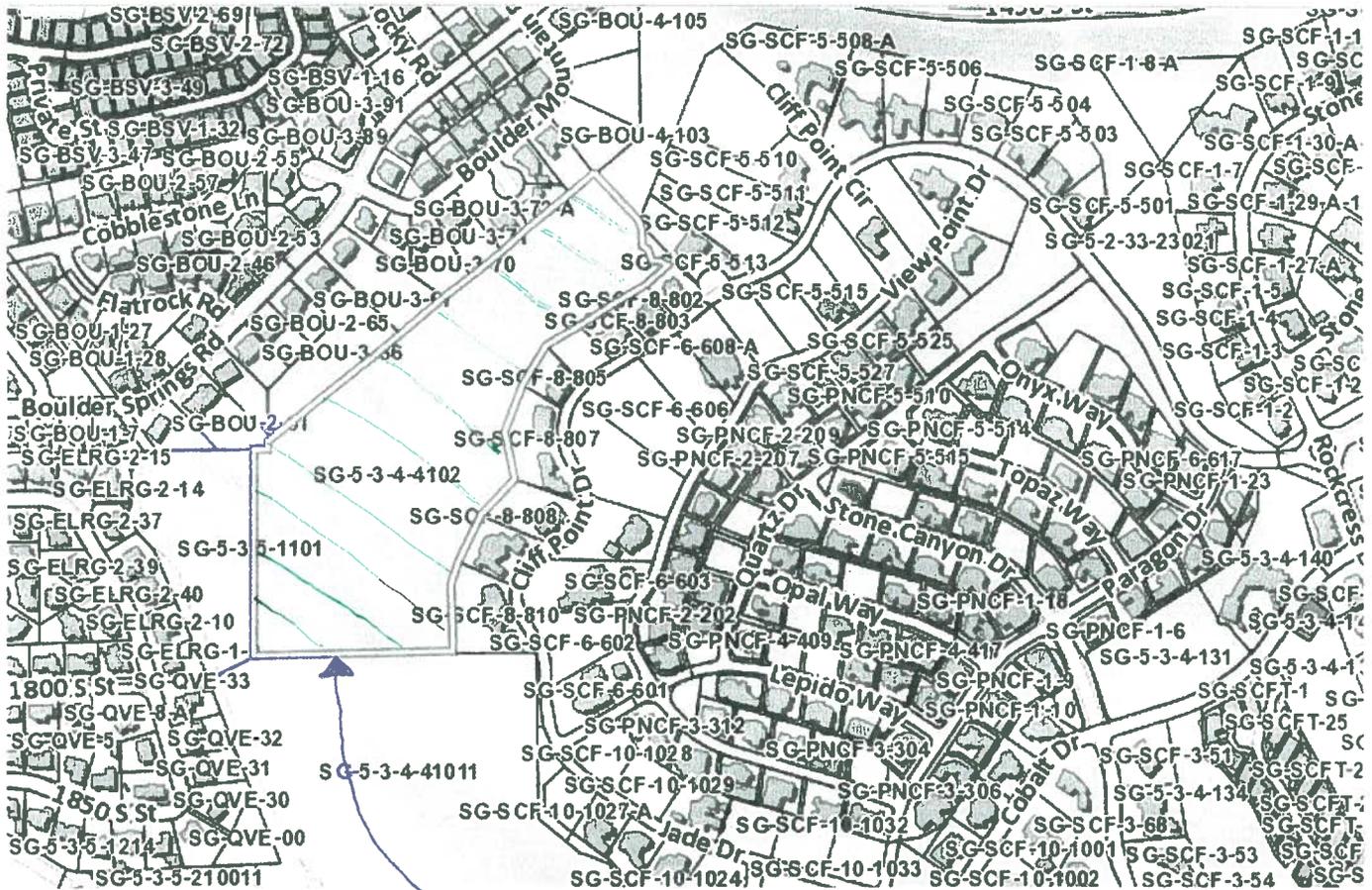
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Help



Parcel Three



0 300 600ft

1:500



Ex. "C"



Washington County

Search...



Sign in



Navigation

Maps & Data Sources

Analysis

Tasks

Search



Tool Labels



Pan



Zoom In



Zoom Out



Initial View



Full Extent



Next Extent



Previous Extent



Identify

Getting Around

Info



Bookmarks



Quick Start Guide



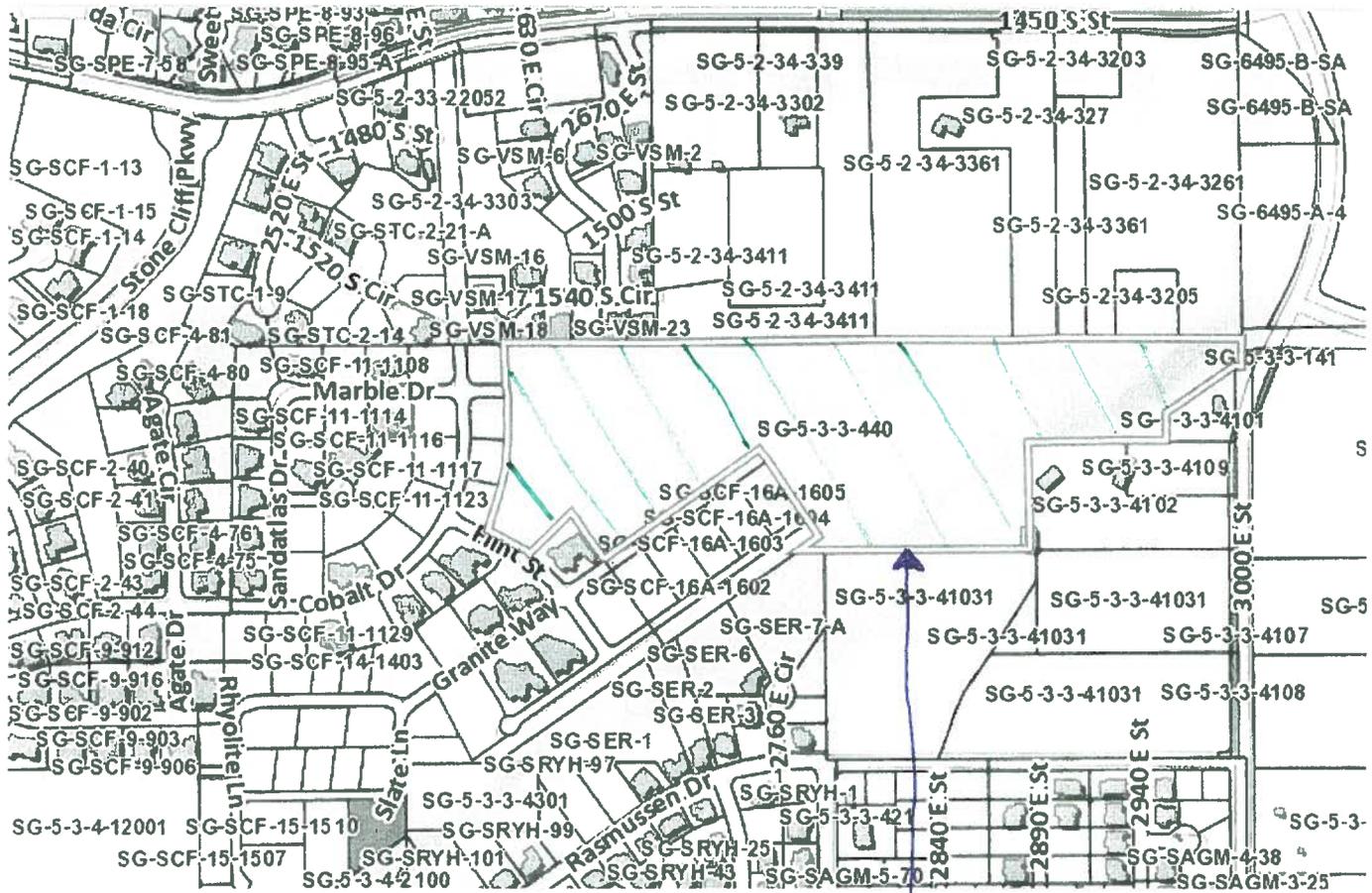
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Help



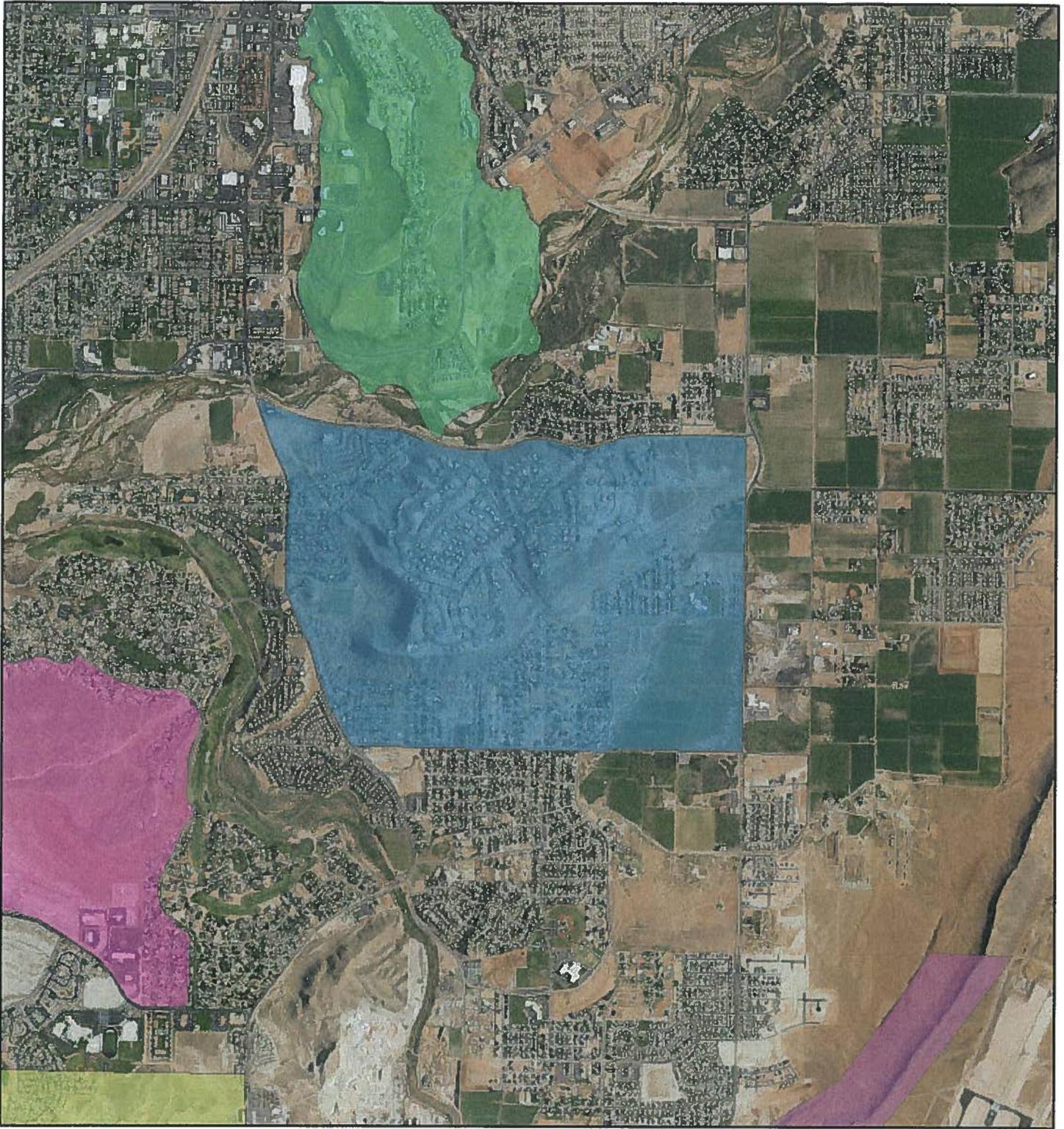
Parcel Four



0 300 600ft

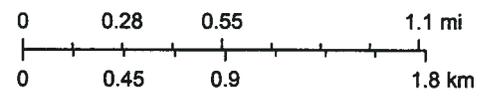


Ex "D"



January 23, 2019

1:33,611



12/2018

Ex. "E"

CITY OF ST GEORGE

RECH#: 02193609 9/27/2018 2:57 PM

TRAN: 150.0000 PLANNING FEES

PLANNING FEES 044



CLIFF

CLIFF

PLANNING FEES

200.00

200.00

CHANGE: 0.00

200.00CR

1 CHECK(S)

HILLSIDE REVIEW APPLICATION

FILE #: 2018 HS 005 FILING DATE: _____ RECEIVED BY: _____
FEE: \$200 FEES PAID: _____ PSR Date: _____

APPLICANT INFORMATION

LEGAL OWNER(S) OF SUBJECT PROPERTY: Traveller / Stone Cliff, LLC

MAILING ADDRESS: PO Box 592, St. George, UT 84771

PHONE: 435-705-3816 CELL: same FAX: _____

APPLICANT: N/A
(If different than owner)

MAILING ADDRESS: N/A

PHONE: N/A CELL: N/A FAX: N/A

CONTACT PERSON/REPRESENTATIVE: N/A
(If different than owner)

MAILING ADDRESS: N/A

PHONE: N/A CELL: N/A FAX: N/A

PROPERTY INFORMATION

STREET ADDRESS OF PROPERTY: 1450 South 3000 East

ASSESSOR'S PARCEL NUMBER(S): SG-5-2-34-3411, SG-5-2-34-3361, SG-5-2-34-339
SG-5-2-34-327

ZONING: R-1-10 GENERAL PLAN: LDR

LEGAL DESCRIPTION: (Attach separate sheet if necessary) See attached.
Lot / Plat

EXISTING USE: Two existing older homes, to be demolished
Use of property and/or Buildings

PROPOSED USE: Expansion of existing Stone Cliff
Use of property and/or Buildings

SUBMITTAL “CHECK LIST”

Note: The applicant is responsible for familiarizing themselves with Title 10, Chapter 13-A “Hillside Development Overlay Zone” of the St. George City Code Zoning Regulations from which this check list was condensed.

Density and Disturbance Standards

Any area greater than 40% will not be reviewed for development.
 No portion of the parcel having a slope greater than 40% shall be included in the calculations for conformity with the density requirements shown below.

Complete the following checklist:

Submitted

Yes/	No	N/A	
—/—	—	—	<u>1-19%:</u> See the underlying zone.
—/—	—	—	<u>20-29%:</u> 2 d.u. per acre, provided clustering is done on 30% or less of the land in this category. 70% remained undisturbed.
—/—	—	—	<u>30-39%:</u> 1 d.u. per 10 acres, provided no more than 5% of the site is disturbed. 95% is to remain undisturbed.
—/—	—	—	<u>40% +:</u> Development is not permitted.
—	—	—	Contour intervals, maps and calculations prepared by a professional civil engineer.
—	—	—	Engineer’s certification and signature on reports and plans.

Slope Determination

The location of the natural 20%, 30%, or 40% is determined by a professional licensed engineer or surveyor who is to prepare contour maps, conduct a field survey, and calculate the slope area.

—/—	—	—	Slope Analysis Map
—/—	—	—	Contours at intervals no greater than five (5) feet.
—/—	—	—	Scale to be drawn at one-inch equals one hundred (1"= 100') feet scale maximum.

Lot Size

—/—	—	—	Lot size determined
-----	---	---	---------------------

Site Plan

—/—	—	—	A grading plan showing existing and proposed contours extending at least 100 feet beyond property has been submitted.
—/—	—	—	All excavations and fills conform to Appendix “K” of the Utah Uniform Building Standards Act rules and the current adopted edition of the International Building Code.
—/—	—	—	The height of cut(s) does not exceed 10'. (Combined height of cuts and fills does not exceed 20')

Detailed plans of all surface and subsurface drainage systems are shown.
Location of existing and proposed streets, buildings, structures, and easements have been shown.

Detailed site plans and elevation drawings showing the location of all structures and mitigation of cuts or fills.
Cross sections provided

Earth Moving Plan (Shall be prepared by a licensed Civil Engineer and shall include but not be limited to the following items)

Topography. 2' for tableland. 5' for steep slopes.
Terrain details
Proposed earth-moving details
Description of the method used to dispose of earth, etc.
A time table for each step of the project has been submitted. This shall include the starting and completion dates.

Drainage

A drainage control plan (study) has been prepared by a licensed Civil Engineer.

Geology & Soils Report (Study)

(Shall be prepared by a licensed professional engineer trained in geo-technical engineering) (A geology & soils report/study shall include but not be limited to the following items)

Slope stability analysis.
Foundation investigation.
Location and yield of springs.
Structural features.
Existence of surface hazards.
Conclusions and recommendations regarding effect of geological conditions.

Landscape & Vegetation Plan (Shall be prepared by a qualified professional prior to Final Plat and approved) (A landscape and vegetation plan shall include but not be limited to the following items)

Replant disturbed areas.
Types of retention to be used
Sprinkler plans and projected water usage.

Street Design

Street design conforms to City standards.

Submitted by

Kolby Traveler
(Print Name)

[Signature]
(Signature)

8-2-18
(Date)

STONE CLIFF SLOPE ANALYSIS

1. North slope subject parcel

19-29	=	130356	=	2.99ac
29-40	=	18394	=	.42ac

2. East slope #4

19-29	=	105957	=	2.43ac
29-40	=	120836	=	2.77ac

3. Townhomes # 2

19-29	=	304618	=	6.99ac
29-40	=	137853	=	3.16ac

4. phase 8, west

19-29	=	277275	=	6.37ac
29-40	=	209542	=	4.81ac

Totals

19-29	=	687850	=	15.79	
29-40	=	468231	=	10.75	= .537 @ 5%

Thomas L. Blasdel
[REDACTED]



March 20, 2019

St. George City Council
c/o Mr. John Willis
Community Development Department Director
175 E. 200 N.
Saint George, UT 84770

Hand Delivered

Re: 3/21/19 City Council meeting; Agenda Item Nos. 7 and 18

Dear St. George City Council Members,

I am a resident of the Stone Cliff Planned Unit Development (the "Stone Cliff PUD"), and I am submitting these comments in connection with the currently pending application to amend the zoning of a 26.28 acre parcel (hereinafter, "Parcel One") near the corner of 1450 South and 3000 East, now scheduled for public hearing on March 21, 2019. I request that this letter, my prior letter to you dated February 6, 2019 and all of the enclosures accompanying either of such letters (1) be made part of the evidentiary record of the March 21, 2019 City Council hearing regarding re-zoning of Parcel One, and (2) be considered by the City Council when deciding whether or not to grant the co-pending application for a hillside development permit for Parcel One.

I. Procedural History

As you may recall, by my first letter dated January 2, 2019 I informed you of procedural and substantive problems with the pending application to re-zone Parcel One. By sending that application back to the Planning Commission for renewed consideration at a second public hearing, and then rescheduling the City Council's own public hearing on the matter to February 7, 2019, the City Council cured those particular procedural problems.

The pending applications for the requested zoning change and related hillside development permit were then placed on the City Council's agenda a second time, for consideration at the February 7, 2019 City Council meeting. By my second letter to you dated February 6, 2019, I raised no additional procedural objections, but did point out certain substantive legal problems with both applications, including many such substantive legal problems that were not mentioned in my first letter.

Shortly before the February 7, 2019 City Council meeting began, the applicant withdrew both pending applications, but later apparently decided to resubmit both applications to the City Council without making any change to either of them. As a result, the application to change the zoning of Parcel One, and the related application for a hillside development permit for Parcel One, are now on the City Council's agenda for a third time, for consideration at the March 21, 2019 City Council meeting as Item Nos. 7 and 18, respectively.

Unfortunately, the applicant's decision to withdraw the pending applications from consideration at the February 7, 2019 City Council meeting, and to later resubmit them for consideration at the March 21, 2019 City Council meeting without changes, created another procedural problem. As explained in more detail below, although the City tried to amend its municipal zoning ordinances on February 21, 2019, to align the City's existing 14 day notice requirement for future zoning change requests with the shorter 10 day notice requirement separately imposed by Utah statute, it went about doing so in a way that violated the very same municipal ordinance that it was trying to amend, but had not yet changed.

II. Relevant Facts

On February 9, 2019, the City published notice, in the local Spectrum newspaper, of its intent to hold a public hearing on February 21, 2019 to consider, in the words of the notice, "Zoning regulation amendment to Title 10 Zoning Regulations, Chapter 1 General Provisions, Section 11 Changes and Amendments." See attached Exhibit "A." I have also attached hereto as Exhibit "B" all of the materials contained in the "PDF packet" associated with Item No. 4 on the published online agenda for the February 21, 2019 City Council meeting. The second page of Exhibit "B" contains a marked up version of Section 10-1-11 of the Municipal Zoning Ordinance of the City of St. George, Utah, marked to simultaneously show both the then existing text of that municipal ordinance and the proposed changes.

Before the February 21, 2019 enactment of the proposed amendment, Section 10-1-11 required that at least 14 days advance public notice be given of the required public hearing at which the City Council would consider amending any part of "this title" (i.e., Title 10). But as Exhibit "A" shows, the City's staff arranged to publish notice of the February 21, 2019 City Council hearing on the proposed amendment to Section 10-1-11 in the Spectrum on February 9, 2019, only 12 days before that hearing.

I have attended several Planning Commission and City Council hearings over the last few months, and have seen how hard all involved must work to keep up with the City's rapid growth. The heavy work load, however, does not change the fact that the City violated the then existing notice requirements of Section 10-1-11 during the process of trying to align such notice requirements with the shorter notice requirements separately imposed by the State of Utah. As a result the ordinance passed by the City Council to amend Section 10-1-11 on February 21, 2019 is invalid, and the "old" version of Section 10-1-11 currently remains in effect.

Understandably (but erroneously) believing that City and separate State minimum notice requirements for zone change requests had already been aligned at 10 days, the City's staff published notice (see Exhibit "C") in the Spectrum newspaper on March 9, 2019 of the City Council's intent to hold the present March 21, 2019 public hearing on the pending application to change the zoning of Parcel One. That was only 12 days in advance of the present hearing - - 2 days less than what the original version of Section 10-1-11, which was never effectively amended, still requires.

III. Conclusion

Because the purported recent amendment to Section 10-1-11 was not validly enacted, the 12 days advance public notice given for the present March 21, 2019 hearing on the application to change the zoning of Parcel One is legally insufficient. The application for that zoning change must be withdrawn, and re-scheduled for public hearing upon at least 14 days advance public notice in compliance with the terms of the "old" (but still effective) version of that municipal ordinance.

If the City Council decides to proceed with the currently scheduled hearing on the pending application to change the zoning of Parcel One, despite the procedural problems explained above, that application should be denied for (1) the substantive reasons explained in my earlier February 6, 2019 letter to you concerning the exact same application, and (2) any additional reasons that may be raised at the March 21, 2019 hearing.

Very truly yours,



Thomas L. Blasdell

Exhibit "A"



[\(/eventcalendar/\)](/eventcalendar/) [\(/siteguide/\)](/siteguide/) [\(/facilities/\)](/facilities/) [f \(https://www.facebook.com/cityofstgeorge\)](https://www.facebook.com/cityofstgeorge)

ACTIVITIES & EVENTS (/EVENTS/) SERVICES (/SERVICES/) DEPARTMENTS (/DEPARTMENTS/) NEWS & NOTICES (/NEWS/) CONTACTS (/CITYCONTACTS/)
CITY COUNCIL PUBLIC NOTICE
PUBLIC NOTICE CITY COUNCIL 02/21/2019

THURSDAY, FEBRUARY 21, 2019

PUBLIC NOTICE

Notice is hereby given that the St. George City Council will hold public hearings on Thursday, February 21, 2019 at 5:00 PM to consider the following:

General plan amendment from MDR (Medium Density Residential) and BP (Business Park) to COM (Commercial) on approximately 17.33 acres located at 415 South Dixie Drive

Zoning regulation amendment to Title 10 Zoning Regulations, Chapter 1 General Provisions, Section 11 Changes and Amendments.

Vacating a public utilities and drainage easement located at the rear of Lot 11, The Cliffs of Snow Canyon Plat 'C' Amended and adjust the rear lot line.

Interested persons are encouraged to attend these public hearings to be held in the City Hall Council Chambers at 175 East and 200 North or present their views in writing at least one day prior to the meeting.

Reasonable Accommodation: The City of St George will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs. Please contact the City Human Resources Office, 627-4671, at least 24 hours in advance if you have special needs.

Genna Singh
Development Services

Spectrum Publication: February 09, 2019

City of St. George
175 East 200 North
<https://www.google.com/maps/place/St+George+Development+Services+Department+175+East+200+North,+St+George,+UT+84770>
113.5796763
St. George, Ut 84770
Contact Us
<mailto:info@sgcity.org>
435.627.4000

A-Z WEBSITE GUIDE
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[\(/CONTACT/\)](/CONTACT/)
CITY EMPLOYMENT
<HTTPS://JOBS.SGCITY.ORG/>
FORMS & APPLICATIONS
[\(/FORMSANDAPPLICATIONS/\)](/FORMSANDAPPLICATIONS/)
NOTICES
[\(/PUBLICMEETINGSANDNOTICES/\)](/PUBLICMEETINGSANDNOTICES/)

CITY CODES & ORDINANCES
<HTTPS://STGEORGE.MUNICIPAL.CODES/>
<HTTPS://WWW.VISITSTGEORGE.COM/Events/>
AREA INFORMATION
<HTTP://WWW.VISITSTGEORGE.COM/>
RELOCATION RESOURCES
<HTTP://WWW.STGEORGECHAMBER.COM/>
Public Login [↗](#)
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City of St. George
All Rights Reserved.
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Employee Login [↗](#)
<http://enet.sgcity.org>

DRAFT

Agenda Item Number : **04**

Request For Council Action

Date Submitted 02/12/2019 08:37 AM

**Proposed City Council
Date** 02/21/2019

Applicant City of St. George

Subject Consider approval of an ordinance amending Title 10, Chapter 1 "General Provisions", Section 11 "Changes and Amendments" of City code.

Background This amendment would align City noticing with state noticing and public hearing requirements.

Proposed Resolution Planning Commission recommends approval

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

Requested by John Willis

File Attachments

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** NA

Approved in Budget? N/A **Amount:**



AMENDMENT TO ZONING REGULATIONS - PUBLIC HEARING

Case No. 2019-ZRA-001

Request: Proposed amendment to Title 10, Chapter 1 "GENERAL PROVISIONS," Section 11 (10-1-11) "CHANGES AND AMENDMENTS."

Purpose: To modify the required notice for public hearings.

Applicant: City of St. George

Background: City staff has been drafting an amendment to Title 10 Zoning Regulations, Chapter 1 General Provisions, Section 11 Changes and Amendments.

This amendment would align city noticing with state noticing requirements.

PC: Planning Commission recommends approval.

Proposed Changes:

(Items to be removed have been stricken through)

(Items to be added / changed are underlined)

10-1-11: CHANGES AND AMENDMENTS:

This title, including the maps, may be amended from time to time by the city council after ~~fourteen (14)~~ ten (10) days' notice. ~~and a public hearing.~~ All proposed amendments shall be initiated or submitted first to first proposed by the planning commission or shall be submitted to the planning commission for consideration. After a public hearing held by the planning commission, a recommendation shall be given to city council. City council shall make a final determination after a public meeting. ~~— for its recommendation: thereafter, they shall be returned to the city council for its consideration within thirty (30) days. Failure of the planning commission to submit its recommendation within the prescribed time shall be deemed approval by such commission of the proposed change or amendment.~~

ZRA 10-1-11 Changes and Amendments

Proposed Changes:

Items to be removed have been stricken through)

Items to be added / changed are underlined)

10-1-11: CHANGES AND AMENDMENTS:

This title, including the maps, may be amended from time to time by the city council after ~~fourteen (14)~~ ten (10) days' notice. ~~and a public hearing.~~ All proposed amendments shall be initiated or submitted first to first proposed by the planning commission or shall be submitted to the planning commission for consideration. After a public hearing held by the planning commission, a recommendation shall be given to city council. City council shall make a final determination after a public meeting. ~~for its recommendation: thereafter, they shall be returned to the city council for its consideration within thirty (30) days. Failure of the planning commission to submit its recommendation within the prescribed time shall be deemed approval by such commission of the proposed change or amendment.~~

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 10, CHAPTER 1 “GENERAL PROVISIONS,” SECTION 11 (10-1-11) “CHANGES AND AMENDMENTS:”.

WHEREAS, the City Council is desirous of making changes to Title 10, Chapter 1, Section 11: “GENERAL PROVISIONS, CHANGES AND AMENDMENTS;”

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

WHEREAS, the City Council has determined that changes to the city ordinance is justified at this time, and is in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

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

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

Section 2. Enactment. Title 10, Chapter 1, Section 11: “GENERAL PROVISIONS, CHANGES AND AMENDMENTS,” Exhibit “A” is attached hereto and incorporated herein.

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

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

APPROVED AND ADOPTED by the St. George City Council, this 21st day of February 2019.

Jonathan T. Pike, Mayor

ATTEST:

Christina Fernandez, City Recorder

Exhibit "A"

Proposed Changes:

(Items to be removed have been stricken through)

(Items to be added / changed are underlined)

10-1-11: CHANGES AND AMENDMENTS:

This title, including the maps, may be amended from time to time by the city council after ~~fourteen (14)~~ ten (10) days' notice. ~~and a public hearing.~~ All proposed amendments shall be initiated or submitted first to first proposed by the planning commission or shall be submitted to the planning commission for consideration. After a public hearing held by the planning commission, a recommendation shall be given to city council. City council shall make a final determination after a public meeting. ~~for its recommendation: thereafter, they shall be returned to the city council for its consideration within thirty (30) days. Failure of the planning commission to submit its recommendation within the prescribed time shall be deemed approval by such commission of the proposed change or amendment.~~



Exhibit "C"

PUBLIC NOTICE CITY COUNCIL 03/21/2019

THURSDAY, MARCH 21, 2019

PUBLIC NOTICE

Notice is hereby given that the St. George City Council will hold public hearings on Thursday, March 21, 2019 at 5:00 PM to consider the following:

Vacate a portion of 200 East St. and 200 North St. by narrowing the width of the roads and consider vacation the remainder of 300 North St. located between 100 East St. and 200 East. St.

Vacate a public utilities and drainage easement located between Lots 303 & 304, Shadow Mountain Subdivision Phase 8, and merge the lots together into one lot.

Change the name of a portion of Tech Ridge Drive to Cliff View Drive at approximately 500 West and between 400 South and 800 South.

Vacate a portion of Tech Ridge Drive, a public roadway.

Zone Change Amendment to the Amira Planned Development Residential zone to create condominiums from existing rental units, add three new units and establish uses and from R-1-10 (Single Family Residential, 10,000 sq. ft. lot sizes) to PD-R (Planned Development Residential) on approximately .49 acres located at 1999 W. Canyon View Dr.

Zone Change Amendment to the Stone Cliff Planned Development Residential zone to expand the overall development and allow future single-family lots on approximately 26.28 acres located south of 1450 W and west of 3000 E.

Interested persons are encouraged to attend these public hearings to be held in the City Hall Council Chambers at 175 East and 200 North or present their views in writing at least one day prior to the meeting.

Reasonable Accommodation: The City of St George will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs. Please contact the City Human Resources Office, 627-4671, at least 24 hours in advance if you have special needs.

Brenda Hatch

Development Services

Spectrum Publication: Saturday, March 09, 2019

Re: Stone Cliff PD-R Zone Change Amendment-Planning Commission Hearing: Case No. 2018-ZCA-046

1 message

Michael Hudson <[REDACTED]>

Fri, Jan 11, 2019 at 10:49 AM

To: Carol Davidson <carol.davidson@sgcity.org>, Genna Singh <genna.singh@sgcity.org>

Hi Carol,

Thanks for your reply and comments. It's unfortunate that the developer won't be required to do anything with 1500 S and 1540 S. Not having been around when the Views was originally developed, I'm not sure if that developer proposed the two streets to be extended in the future or was required by the City to stub them out for future extension, a common planning practice today. Either way, we are now stuck with someone else's bad decision.

I realize that the current action being considered by both the Planning Commission and City Council applies only to the proposed zone change, an action that I support. However, it seems that once this action is taken, there will be no further opportunities for public input. That's why I'm making my comments now.

Mike

Get [Outlook for iOS](#)

From: Carol Davidson <carol.davidson@sgcity.org>

Sent: Friday, January 11, 2019 10:22 AM

To: Genna Singh; [REDACTED]

Subject: Re: Stone Cliff PD-R Zone Change Amendment-Planning Commission Hearing: Case No. 2018-ZCA-046

Good morning Michael,

I believe I have some answers for you. First of all this request is for a Zone Change Amendment. It is a request to change the zone from R-1-8 to PD-R. The applicant has provided us with a proposed plot-map, but it is not an official preliminary plat. What this means is that things can change between now and the preliminary plat. The only thing that would not be able to change without going back to the Planning Commission is the density. The applicant's plot-map does show that 1500 and 1540 will not go through. You are right in that this proposal will be for a gated community and that is why the roads won't go through. If the applicant continues with this plan, they won't be required to do anything with the 1500 and 1540 Street stubs. They will remain as they are. However, the land on the other side of the stubbed roads will be developed. For 1540 there would be a culdesac on the other side of the stubbed street. For 1500, the other side of the stubbed street will be the back property line of a future house, and I imagine a block wall would go in to separate the properties.

While this is not a preferred way to terminate streets, it does happen from time to time. Below is an example of this occurring in St. George. This is just west of River Road and Rustic Drive.



To answer your question about traffic during construction, the applicant has assured staff that they will be using the new entrance proposed as well as Cobalt Drive for construction access.

You are certainly welcomed to come the the meeting on January 22nd to voice your concerns.

Respectfully,

On Wed, Jan 9, 2019 at 3:40 PM Carol Davidson <carol.davidson@sgcity.org> wrote:

Good afternoon Michael,

I received your email and I am currently working on getting some answers for you. As soon as I get the answers I will email you back.

Respectfully,

Carol Davidson
(my contact information is at the bottom of this email.)

On Wed, Jan 9, 2019 at 3:17 PM Genna Singh <genna.singh@sgcity.org> wrote:

Please review the email below and respond as needed.

----- Forwarded message -----

From: **Michael Hudson** <[REDACTED]>

Date: Wed, Jan 9, 2019 at 3:13 PM

Subject: Stone Cliff PD-R Zone Change Amendment-Planning Commission Hearing: Case No. 2018-ZCA-046

To: <genna.singh@sgcity.org>

In response to your notice regarding the public hearing referenced, I would like some clarification as to how existing streets for The Views at Stone Mountain tie into the proposed development. I have added the streets of concern to the attached plat layout for the Zone Change Amendment and circled them. I'm assuming the northerly circled area is 2670 E, the entrance to our development, and I have labeled it as such. The centered circled area is 1500 S, and the lower circled area is 1540 S. None of these streets was labeled, and 1500 S wasn't even shown. I plotted 1500 S where I believe it falls. It appears to align with a rectangular parcel cut out of Lot 143. My assumption is that it is to provide access to an existing house east of our development which currently has access directly from 1450 S, an access that looks like it will be lost with the proposed development. Prior to plotting 1500 S as I have shown, my assumption was that it was a proposal by the developer as a means to terminate 1500 S as a hammerhead.

It seems apparent that when the Views development was originally conceived, 1500 S and 1540 S were stubbed out with the intention of extending them further with later development. With Stone Cliff being a gated community, extending them appears out of the question now. Notwithstanding, I believe both streets now need to be properly terminated as cul de sacs. 1540 S does appear to have a cul de sac internal to the proposed development and also appears that it is intended to provide secondary ingress/egress, hopefully as an emergency access only. However, without having street improvement plans available, it is not clear how our street will dead end into it.

1500 S is a far worse situation. What does the City intend requiring of the developer to terminate this street? It can't continue to exist as a dead end street with dirt sloughing off as it has for the last decade. It needs to be permanently and properly terminated.

Finally, I'm concerned with traffic during construction. Stone Cliff requires all contractors to use Cobalt to access the areas of Stone Cliff currently being developed. The HOA can do that because their streets are private. We don't have that ability unless the City, as a condition of approval of both the zone change and development, requires all access to be from Cobalt or 1450 S. It seems obvious that without this condition, contractors and their employees will use

2670 E and 1540 S as a means of accessing the project area for construction purposes. 1500 S is already being used for that purpose now.

I'll probably be at the public hearing on January 22. I was unable to make the previous Planning Commission hearing but was at the City Council meeting last week when the item was tabled and sent back to the Planning Commission.

If you have any questions, please email me at [REDACTED], or call me at [REDACTED]-[REDACTED]

Mike Hudson
[REDACTED]

--
Genna Singh
Development Office Supervisor | Development Services
Office: (435) 627-4206



--
Carol Davidson, AICP, CFM, CPM
Senior Planner
Community Development



175 E. 200 N. - St. George, UT 84770 - 435-627-4131

--
Carol Davidson, AICP, CFM, CPM
Senior Planner
Community Development



175 E. 200 N. - St. George, UT 84770 - 435-627-4131

distribution, or copying of this message is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete this message from your computer. Thank you.

Stone Cliff PD-R Zone Change Amendment-Planning Commission Hearing: Case No. 2018-ZCA-046

1 message

Michael Hudson [REDACTED]
To: genna.singh@sgcity.org

Wed, Jan 9, 2019 at 3:13 PM

In response to your notice regarding the public hearing referenced, I would like some clarification as to how existing streets for The Views at Stone Mountain tie into the proposed development. I have added the streets of concern to the attached plat layout for the Zone Change Amendment and circled them. I'm assuming the northerly circled area is 2670 E, the entrance to our development, and I have labeled it as such. The centered circled area is 1500 S, and the lower circled area is 1540 S. None of these streets was labeled, and 1500 S wasn't even shown. I plotted 1500 S where I believe it falls. It appears to align with a rectangular parcel cut out of Lot 143. My assumption is that it is to provide access to an existing house east of our development which currently has access directly from 1450 S, an access that looks like it will be lost with the proposed development. Prior to plotting 1500 S as I have shown, my assumption was that it was a proposal by the developer as a means to terminate 1500 S as a hammerhead.

It seems apparent that when the Views development was originally conceived, 1500 S and 1540 S were stubbed out with the intention of extending them further with later development. With Stone Cliff being a gated community, extending them appears out of the question now. Notwithstanding, I believe both streets now need to be properly terminated as cul de sacs. 1540 S does appear to have a cul de sac internal to the proposed development and also appears that it is intended to provide secondary ingress/egress, hopefully as an emergency access only. However, without having street improvement plans available, it is not clear how our street will dead end into it.

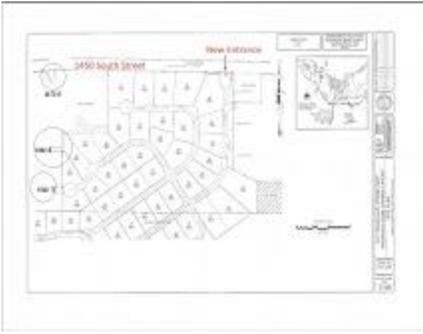
1500 S is a far worse situation. What does the City intend requiring of the developer to terminate this street? It can't continue to exist as a dead end street with dirt sloughing off as it has for the last decade. It needs to be permanently and properly terminated.

Finally, I'm concerned with traffic during construction. Stone Cliff requires all contractors to use Cobalt to access the areas of Stone Cliff currently being developed. The HOA can do that because their streets are private. We don't have that ability unless the City, as a condition of approval of both the zone change and development, requires all access to be from Cobalt or 1450 S. It seems obvious that without this condition, contractors and their employees will use 2670 E and 1540 S as a means of accessing the project area for construction purposes. 1500 S is already being used for that purpose now.

I'll probably be at the public hearing on January 22. I was unable to make the previous Planning Commission hearing but was at the City Council meeting last week when the item was tabled and sent back to the Planning Commission.

If you have any questions, please email me at [REDACTED] or call me at [REDACTED]

Mike Hudson
[REDACTED]



Stone Cliff ZCA.jpg
87K

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY ZONING MAP BY AMENDING THE STONE CLIFF MASTER PLAN PD-R (PLANNED DEVELOPMENT RESIDENTIAL) ZONE TO EXPAND THE DEVELOPMENT BY 26.28 ACRES, GENERALLY LOCATED SOUTH OF 1450 SOUTH STREET
(Stone Cliff PD-R 26.28 acre expansion)

WHEREAS, the property owner has requested a zone change amendment to the Stone Cliff Master Plan PD-R (Planned Development Residential) zone to expand the development by 26.28 acres, generally located south of 1450 South Street; and

WHEREAS, the City Council held a public hearing on this request on March 21, 2019; and

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

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

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

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

Section 2. Enactment. The City Zoning Map is hereby ordered to be changed to amend the existing Planned Development Residential zone on 26.28 acres, and more specifically described on the attached property legal description, incorporated herein as Exhibit "A." Developer shall present approval from the applicable property owner's association showing that all lots on the 26.28 acres shall have perpetual access to the private roads and existing amenities, and developer shall record a restriction on the proposed open space, all to City's satisfaction. The project must comply with all conditions, requirements, and restrictions as approved by City Council.

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

Section 4. Effective Date. This Ordinance shall take effect immediately on the date executed below, and upon posting in the manner required by law.

APPROVED AND ADOPTED by the St. George City Council this 21st day of March, 2019.

Jonathan T. Pike, Mayor

ATTEST:

Christina Fernandez, City Recorder

Exhibit "A"

L.R. POPE ENGINEERING INC.
1240 E 100 S #15B
ST. GEORGE, UTAH 84790
1-435-628-1676
email lrpope@lrpope.com

DESCRIPTION OF PROPOSED PUD RESIDENTIAL ZONING

BEGINNING AT THE SOUTHEAST CORNER OF THE VIEWS AT STONE MOUNTAIN AS RECORDED IN THE OFFICIAL RECORDERS OF THE WASHINGTON COUNTY RECORDER'S OFFICE, SAID POINT BEING SOUTH 89°21'05" EAST 813.39 FEET ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG THE EAST BOUNDARY OF SAID VIEWS AT STONE MOUNTAIN FOR THE FOLLOWING THREE COURSES: NORTH 0°38'50" EAST 169.98 FEET; THENCE NORTH 89°21'10" WEST 11.85 FEET; THENCE NORTH 0°36'55" EAST 376.53 FEET; THENCE SOUTH 89°53'05" EAST 340.01 FEET; THENCE NORTH 0°36'55" EAST 432.62 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE FOR 1450 SOUTH STREET; THENCE SOUTH 88°48'10" EAST 933.30 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH 0°40'55" WEST 670.05 FEET; THENCE SOUTH 64°44'07" EAST 202.53 FEET; THENCE SOUTH 0°30'55" WEST 218.95 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 34; THENCE NORTH 89°21'05" WEST 1445.17 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING.

CONTAINING 26.275 ACRES

By L. Ried Pope, PE, PLS



DRAFT

Agenda Item Number : **08**

Request For Council Action

Date Submitted 03/06/2019 12:53 PM

**Proposed City Council
Date** 03/21/2019

Applicant Double Dragon Investments and Enlaw LLC

Subject Public hearing and consideration of an ordinance adjusting the boundary line with Santa Clara City.

Background This is a public hearing to hear comments regarding the boundary line adjustment. The applicant is requesting to modify the City's boundary between Santa Clara and St. George. A resolution declaring the intent of the City to adjust the boundary line was approved on January 17, 2109. State Law requires a public hearing not less than 60 days after the resolution is approved. The adjustment would not become effective until each municipality has adopted an ordinance accepting the proposal.

Proposed Resolution Staff recommends approval.

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

Requested by Chri

File Attachments

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** NA

Approved in Budget? N/A **Amount:**

ORDINANCE NO. _____

**AN ORDINANCE ADJUSTING THE MUNICIPAL BOUNDARY LINE BETWEEN
ST. GEORGE CITY AND SANTA CLARA CITY AND ADDING APPROXIMATELY
24.64 ACRES TO SANTA CLARA CITY**

(Double Dragon Investments, LLC, and Enlaw, LLC)

WHEREAS, the City of St. George has received a request from Double Dragon Investments, LLC, and Enlaw, LLC, property owners, to consider a boundary line adjustment between the City of Santa Clara and the City of St. George, for property located on both sides of the common municipal boundary fully described in Exhibit A and incorporated herein; and

WHEREAS, Utah Code Annotated § 10-2-419 allows for municipalities having a common boundary to adjust the boundary by adopting a Resolution indicating the intent to adjust the boundary, and to give subsequent notice of the intent, and hold a public hearing as required by law; and

WHEREAS, the Council adopted such a Resolution on January 17, 2019, and held a public hearing on this request on March 21, 2019, in accordance with Utah Code Annotated § 10-2-419;

NOW, THEREFORE, BE IT ORDAINED, by the St. George City Council, that the municipal boundary between the City of St. George and the City of Santa Clara is adjusted, pursuant to Utah Code Annotated § 10-2-419, as described on the attached property legal description, Exhibit A, adding approximately 24.64 acres to the City of Santa Clara. This Ordinance is effective on the date executed below, and in accordance with law.

APPROVED AND ADOPTED this 21st day of March, 2019.

Jonathan T. Pike, Mayor

ATTEST:

Christina Fernandez, City Recorder

DRAFT

Agenda Item Number : **09**

Request For Council Action

Date Submitted 01/30/2019 11:15 AM

**Proposed City Council
Date** 03/21/2019

Applicant Adam Lenhard, City of St. George

Subject Public hearing and consideration of an ordinance vacating a portion of 200 East Street and 200 North Street by narrowing the width of the right-of-way, and 300 North Street to vacate the remaining right-of-way from a portion that was vacated in the past.

Background This request is to consider narrowing the width of 200 East Street and 200 North Street from a 90.00 foot right-of-way to a 66.00 foot right-of-way. For 300 North Street it is to vacate the remaining right-of-way from a portion that was vacated in the past; Zoning is C-3 (General Commercial with no minimum or maximum lot size)

Proposed Resolution Staff recommends approval

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

Requested by Todd Jacobsen

File Attachments exhibitmapforletter013019111549.pdf

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** Yes

Approved in Budget? N/A **Amount:**

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

ORDINANCE NO. _____

Tax ID: SG-PL

**VACATING A PORTION OF
200 EAST STREET, 200 NORTH STREET, AND 300 NORTH STREET
LOCATED IN ST. GEORGE, WASHINGTON COUNTY, UTAH**
(Property on the East and South sides of the City Office Building,
and property on the North side of the St. George Police Department Offices)

WHEREAS, a petition was received by this Council pursuant to Utah Code Annotated Section 10-8-8, requesting that a portion of 200 East Street, a portion of 200 North Street, and a portion of 300 North Street be vacated; and

WHEREAS, the owners of all property abutting or directly affected by the portions of the streets proposed to be vacated have signed written consents thereto; and

WHEREAS, it appears that it will not be detrimental to the general public interest, and there is good cause for vacating the portions of said streets, more particularly described as follows:

See Exhibits A and B, attached hereto and incorporated herein.

NOW, THEREFORE, BE IT ORDAINED, by the St. George City Council, that a portion of 200 East Street, a portion of 200 North Street, and a portion of 300 North Street, as described above, be, and hereby are, vacated as describes in Exhibits A and B.

APPROVED AND ADOPTED by the St. George City Council on this ____ day of _____, 2019. This Ordinance shall become effective upon compliance with the above conditions, upon execution below, and upon posting in the manner required by law.

CITY OF ST. GEORGE

Jonathan T. Pike, Mayor

ATTEST:

Christina Fernandez, City Recorder

Exhibit A

Vacating a portion of 200 East St., 200 North St., and 300 North St.

Portion of 200 East Street:

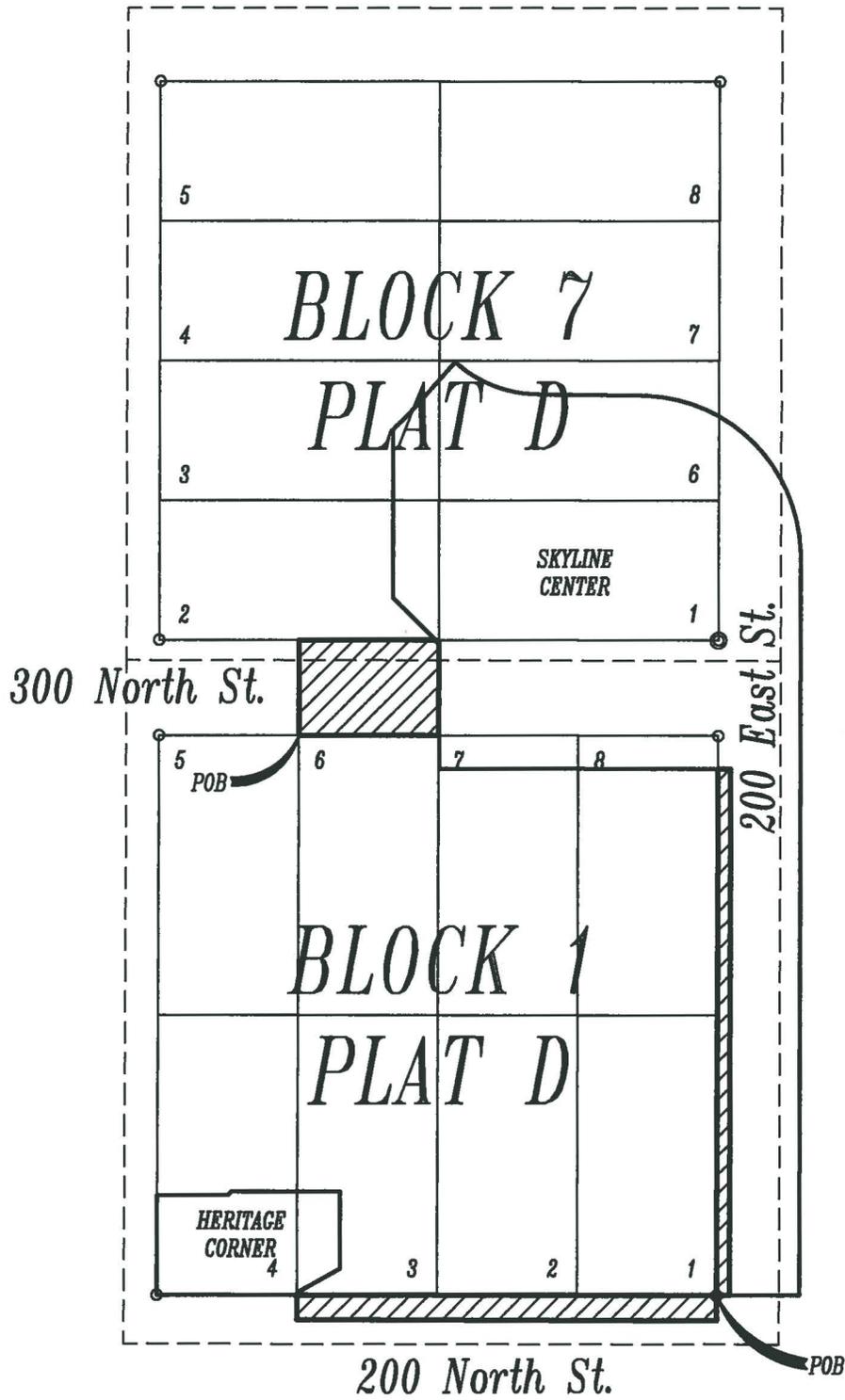
Commencing at the Southeast corner of Lot 1, Block 1, Plat D, of the St. George City survey, said point being the POINT OF BEGINNING;
thence N 00°08'44" E along the east line of said Lot 1 a distance of 496.63 feet to a point on the Southern boundary of Skyline Center, a subdivision according to the Official Plat thereof on file in the Office of the Washington County Recorder's Office as document number 695073;
thence S 89°51'16" E along the Southern boundary line 12.00 feet to a point on the Westerly Right-of-Way line of 200 East St., a 66.00 foot wide public street, according to the Official Plat of said Skyline Center;
thence S 00°08'44" W along the Westerly Right-of-Way line of said 200 East St. 496.43 feet;
thence S 89°10'38" W 12.00 feet to the POINT OF BEGINNING.
Containing 5,958.38 square feet or 0.1368 acres, more or less.

Portion of 200 North Street:

Commencing at the Southeast corner of Lot 1, Block 1, Plat D, of the St. George City survey, said point being the POINT OF BEGINNING;
thence S 00°08'43" W 23.64;
thence N 89°48'09" W 396.00 feet;
thence N 00°08'43" E 23.28 feet to the Southeasterly corner of Heritage Corner, a subdivision according to the Official Plat thereof on file in the Office of the Washington County Recorder's Office as document number 733168, said point also being at the most Southern corner common to Lot 3 and Lot 4, of said St. George City survey;
thence S 89°51'17" E along the Southern boundary of Lot 3, Lot 2, and Lot 1 of said St. George City survey 396.00 feet to the POINT OF BEGINNING.
Containing 9,290.16 square feet or 0.2133 acres, more or less.

Portion of 300 North Street:

Commencing at the Northwest corner of Lot 6, Block 1, Plat D, of the St. George City survey, said point being the POINT OF BEGINNING;
thence N 00°08'44" E 90.00 feet to a point on the Southern boundary of Lot 2, Block 7, Plat D, of the St. George City survey;
thence S 89°51'16" E along the Southern boundary of said Lot 2 a distance of 129.16 feet to a point on Skyline Center, a subdivision according to the Official Plat thereof on file in the Office of the Washington County Recorder's Office as document number 695073;
thence S 45°23'40" E along said Skyline Center 4.46 feet;
thence S 00°22'09" W along said Skyline Center 86.88 feet to the Northern corner common to Lot 6 and Lot 7 of said Block 1, Plat D, St. George City Survey;
thence N 89°51'16" W along the Northern boundary of said Lot 6 a distance of 132.00 feet to the POINT OF BEGINNING.
Containing 11,890.81 square feet or 0.2730 acres, more or less.



SHEET
1-1



CITY OF ST. GEORGE
 175 EAST 200 NORTH
 ST. GEORGE, UT 84770
 (435) 627-4000 - www.sgcity.org

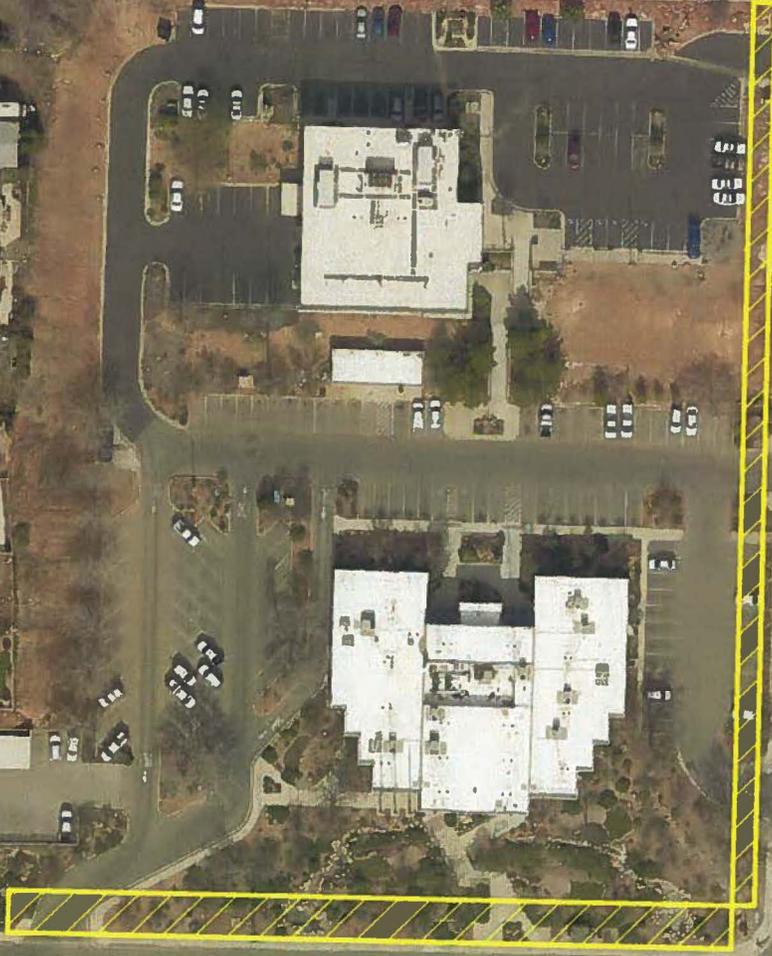
Exhibit B
 Roadway Vacation for a portion of
 200 East St., 200 North St., and
 300 North St.

DATE	Jan. 25, 2019
JOB	
SCALE	NONE
DRAWN	tj

300 North St.

200 East St.

200 North St.



DRAFT

Agenda Item Number : **10**

Request For Council Action

Date Submitted 03/06/2019 09:54 AM

**Proposed City Council
Date** 03/21/2019

Applicant Ried Pope, L.R. Pope Engineering

Subject Public hearing and consideration of an ordinance to amend the final subdivision plat for Lot 303 & 304, Shadow Mountain Subdivision Phase 8 and to vacate the public utilities and drainage easement between said lots.

Background This request is to consider an amended final subdivision plat to merge Lot 303 & 304, Shadow Mountain Subdivision Phase 8 into one lot and vacate the public utilities and drainage easement located between said lots. This request has been approved by City staff and Joint Utilities Committee (JUC). This is located at 137 South 1160 West Circle; zoning is PD-R (Planned Development Residential 5,000 SQ/FT minimum lot size).

Proposed Resolution City staff and JUC recommend approval.

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

Requested by Todd Jacobsen

File Attachments shadowmtn8-304-303merger030619095407.pdf

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** NA

Approved in Budget? N/A **Amount:**

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

ORDINANCE NO. _____

Tax ID: SG-SM-8-303, SG-SM-8-304

**VACATING A PUBLIC UTILITY AND DRAINAGE EASEMENT BETWEEN
LOTS 303 & 304, SHADOW MOUNTAIN SUBDIVISION PHASE 8
LOCATED IN ST. GEORGE, UTAH**

WHEREAS, a petition was received by this Council requesting it to vacate the existing public utility and drainage easement belonging to the City of St. George, located between Lots 303 and 304, Shadow Mountain Subdivision Phase 8, and more particularly described in Exhibit A, attached hereto and incorporated herein; and

WHEREAS, the Joint Utility Committee (JUC) has approved the vacation of the public utility and drainage easement; and

WHEREAS, it appears that it will not be detrimental to the general public interest, and that there is good cause for vacating the existing public utility and drainage easement as described in Exhibit A.

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

The public utility and drainage easement located between Lots 303 & 304, Shadow Mountain Subdivision Phase 8, as described in Exhibit A, is hereby vacated by the City of St. George. This Ordinance is effective immediately upon the date executed below, and upon posting and recording in the manner required by law.

APPROVED AND ADOPTED by the St. George City Council, this _____ day of _____, 2019.

CITY OF ST. GEORGE

Jonathan T. Pike, Mayor

ATTEST:

Christina Fernandez, City Recorder

EXHIBIT "A"

DESCRIPTION OF EASEMENT TO BE ABANDON
 BETWEEN LOTS 303 AND 304 SHADOW MOUNTAIN
 SUBDIVISION PHASE 8:

BEGINNING AT A POINT NORTH 85°48'53" WEST 8.24
 FEET FROM THE SOUTHWESTERLY CORNER OF LOT
 303 OF THE SHADOW MOUNTAIN SUBDIVISION PHASE
 8 AS RECORDED IN THE WASHINGTON COUNTY
 OFFICIAL RECORDS AND RUNNING THENCE NORTH
 20°17'27" WEST 8.24 FEET; THENCE NORTH 85°48'53"
 WEST 132.69 FEET TO A POINT ON A 355.00 FOOT
 CURVE TO THE RIGHT (BEARING TO RADIUS IS S
 86°52'06" W); THENCE SOUTHEASTERLY THROUGH A
 CENTRAL ANGLE OF 2°26'06" AND 15.09 FEET ALONG
 THE ARC OF SAID CURVE; THENCE SOUTH 85°48'53"
 EAST 137.91 FEET; THENCE NORTH 20°17'27" WEST
 8.24 FEET TO THE POINT OF BEGINNING.

L=15.09
 R=355.000
 $\Delta=2^{\circ}26'06''$
 303

S 85° 48' 53" E
 137.91'

304

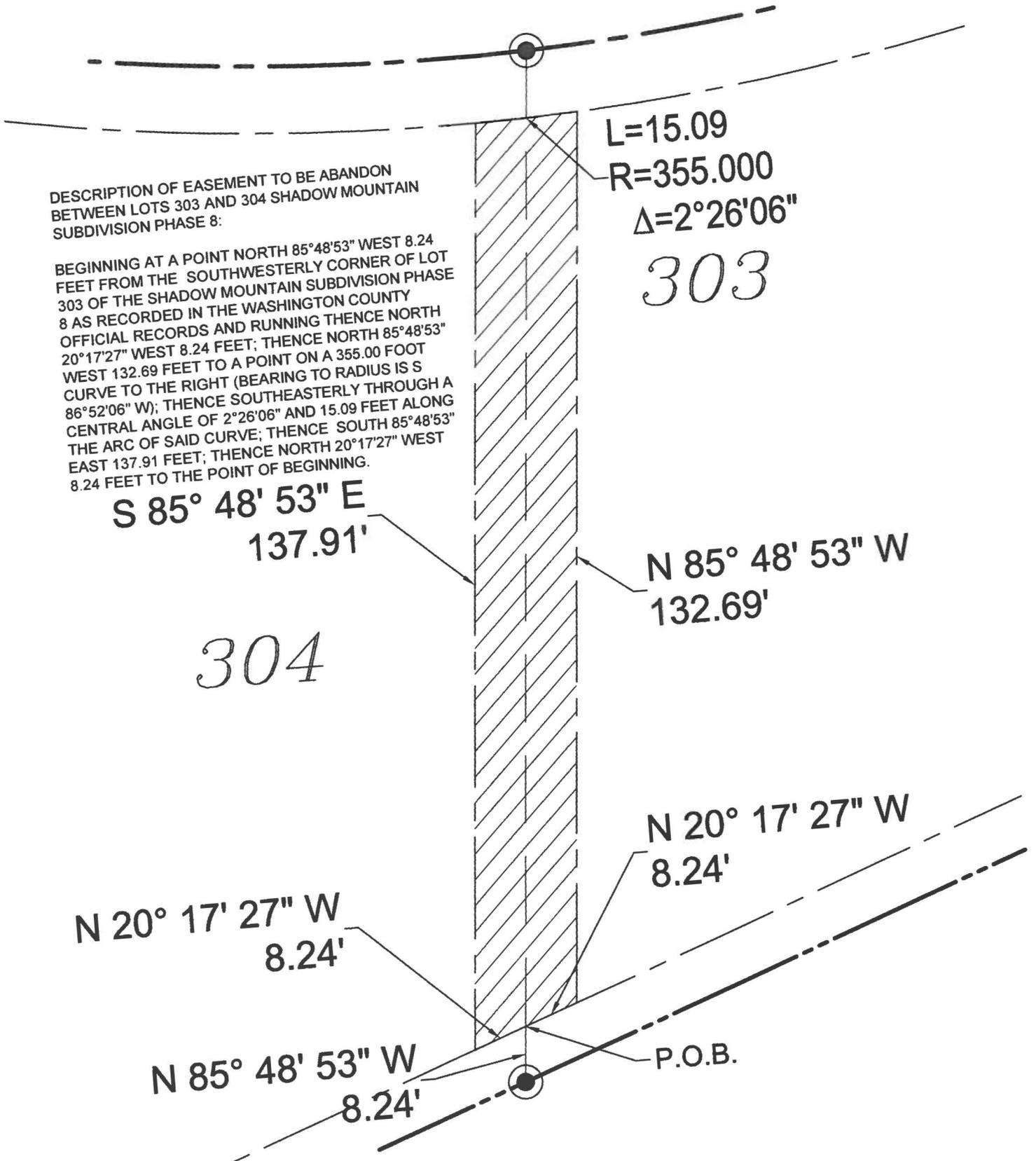
N 85° 48' 53" W
 132.69'

N 20° 17' 27" W
 8.24'

N 20° 17' 27" W
 8.24'

N 85° 48' 53" W
 8.24'

P.O.B.



DRAFT

Agenda Item Number : **11**

Request For Council Action

Date Submitted 03/06/2019 02:15 PM

**Proposed City Council
Date** 03/21/2019

Applicant Michael Bradshaw

Subject Public Hearing and consideration of a roadway vacation plat for a portion of Tech Ridge Drive.

Background This request is to consider a roadway vacation plat that is located at approximately 400 South and 500 West (between Knowledge Way and 256 South St.; Zoning is PD-C (Planned Development Commercial/Manufacturing – all building shall not exceed 50% of the net lot or parcel acreage)

Proposed Resolution City staff and Planning Commission recommend approval

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

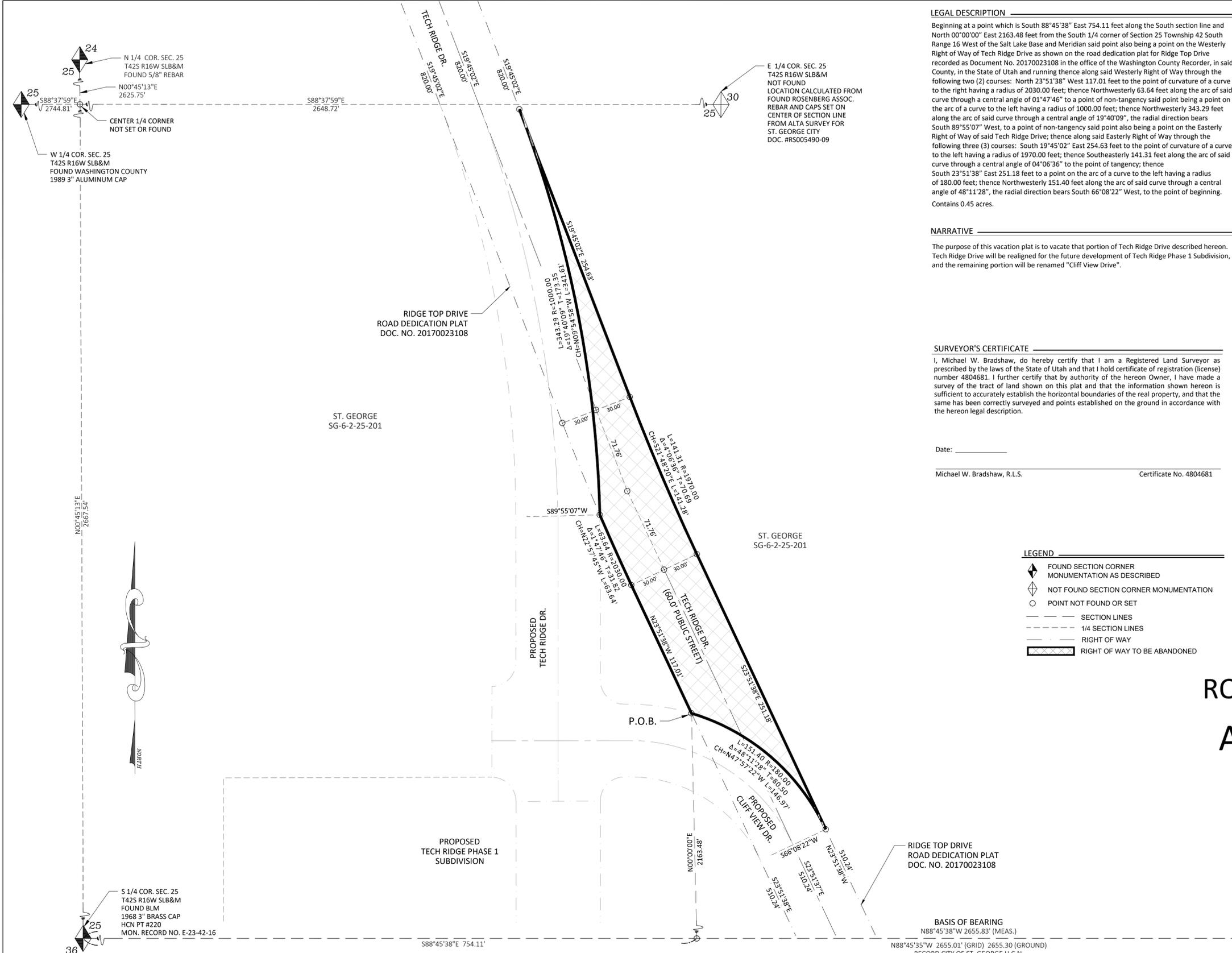
Requested by Todd Jacobsen

File Attachments techridgedrivevacationplat030619141503.pdf

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** NA

Approved in Budget? N/A **Amount:**



LEGAL DESCRIPTION

Beginning at a point which is South 88°45'38" East 754.11 feet along the South section line and North 00°00'00" East 2163.48 feet from the South 1/4 corner of Section 25 Township 42 South Range 16 West of the Salt Lake Base and Meridian said point also being a point on the Westerly Right of Way of Tech Ridge Drive as shown on the road dedication plat for Ridge Top Drive recorded as Document No. 20170023108 in the office of the Washington County Recorder, in said County, in the State of Utah and running thence along said Westerly Right of Way through the following two (2) courses: North 23°51'38" West 117.01 feet to the point of curvature of a curve to the right having a radius of 2030.00 feet; thence Northwesterly 63.64 feet along the arc of said curve through a central angle of 01°47'46" to a point of non-tangency said point being a point on the arc of a curve to the left having a radius of 1000.00 feet; thence Northwesterly 343.29 feet along the arc of said curve through a central angle of 19°40'09", the radial direction bears South 89°55'07" West, to a point of non-tangency said point also being a point on the Easterly Right of Way of said Tech Ridge Drive; thence along said Easterly Right of Way through the following three (3) courses: South 19°45'02" East 254.63 feet to the point of curvature of a curve to the left having a radius of 1970.00 feet; thence Southeasterly 141.31 feet along the arc of said curve through a central angle of 04°06'36" to the point of tangency; thence South 23°51'38" East 251.18 feet to a point on the arc of a curve to the left having a radius of 180.00 feet; thence Northwesterly 151.40 feet along the arc of said curve through a central angle of 48°11'28", the radial direction bears South 66°08'22" West, to the point of beginning. Contains 0.45 acres.

NARRATIVE

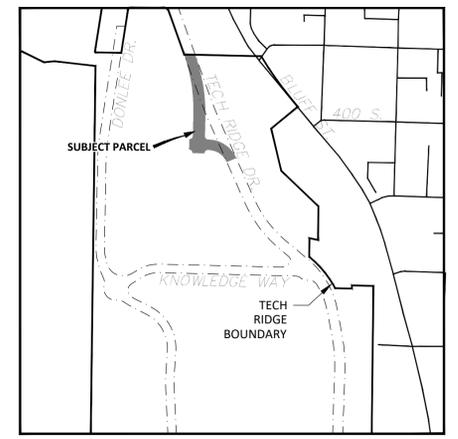
The purpose of this vacation plat is to vacate that portion of Tech Ridge Drive described hereon. Tech Ridge Drive will be realigned for the future development of Tech Ridge Phase 1 Subdivision, and the remaining portion will be renamed "Cliff View Drive".

SURVEYOR'S CERTIFICATE

I, Michael W. Bradshaw, do hereby certify that I am a Registered Land Surveyor as prescribed by the laws of the State of Utah and that I hold certificate of registration (license) number 4804681. I further certify that by authority of the hereon Owner, I have made a survey of the tract of land shown on this plat and that the information shown hereon is sufficient to accurately establish the horizontal boundaries of the real property, and that the same has been correctly surveyed and points established on the ground in accordance with the hereon legal description.

Date: _____
 Michael W. Bradshaw, R.L.S. Certificate No. 4804681

- LEGEND**
- ◆ FOUND SECTION CORNER MONUMENTATION AS DESCRIBED
 - ◇ NOT FOUND SECTION CORNER MONUMENTATION
 - POINT NOT FOUND OR SET
 - SECTION LINES
 - - - 1/4 SECTION LINES
 - RIGHT OF WAY
 - ▨ RIGHT OF WAY TO BE ABANDONED



VACATING A PUBLIC STREET

KNOW ALL MEN BY THESE PRESENTS that the undersigned owner of all the hereon described tract of land having caused the same to be vacated, and a portion as shown hereon retained by the City of St. George as a Public Utility Easement to be known as the

"TECH RIDGE DRIVE ROADWAY VACATION"

Now, therefore, be it resolved by the City of St. George City Council: The public street described above and attached hereto is hereby vacated.

In witness whereof we have hereunto set our hands this _____ day of _____ 20__.

CITY OF ST. GEORGE
 by Jonathan T. Pike, Mayor

MAYOR'S ACKNOWLEDGMENT

STATE OF _____
 COUNTY OF _____ S.S.

On the _____ day of _____, 20__, appeared before me Jonathan T. Pike, Mayor of the City of St. George, who being duly sworn did say that the within and foregoing instrument was signed by him on behalf of said municipal corporation by authority of a resolution of its City Council, and said Daniel D. McArthur did duly acknowledge to me that said corporation executed the same..

NOTARY PUBLIC
 NOTARY PUBLIC FULL NAME: _____
 COMMISSION NUMBER: _____
 MY COMMISSION EXPIRES: _____
 A NOTARY PUBLIC COMMISSION IN UTAH

**ROADWAY VACATION PLAT
 FOR
 A PORTION OF TECH
 RIDGE DRIVE
 LOCATED IN
 WASHINGTON COUNTY, UTAH
 SECTION 25
 TOWNSHIP 42 SOUTH, RANGE 16 WEST
 SALT LAKE BASE AND MERIDIAN**

BASIS OF BEARING
 N88°45'38"W 2655.83' (MEAS.)
 N88°45'35"W 2655.01' (GRID) 2655.30 (GROUND)
 RECORD CITY OF ST. GEORGE H.C.N.

<p>Approval of the Community Development Director</p> <p>I, Planning and Zoning Official for the City of St. George, have this the _____ day of _____ A.D. 20__, reviewed the above Roadway Vacation Plat and recommended the same for acceptance by the City of St. George, UT.</p>	<p>Engineer's Approval</p> <p>The hereon Roadway Vacation Plat has been reviewed and is approved in accordance with the information on file in this office this _____ day of _____, A.D. 20__</p>	<p>Approval as to Form</p> <p>Approved as to Form, this the _____ day of _____, A.D. 20__</p>	<p>Approval of the Planning Commission</p> <p>On this the _____ day of _____ A.D. 20__ the Planning Commission of the City of St. George, having reviewed the above Roadway Vacation Plat and having found that it complies with the requirements of the City's Planning Ordinances, and by authority of said Commission hereby approve said subdivision for acceptance by the City of St. George, UT.</p>	<p>Approval and Acceptance by the City of St. George, Utah</p> <p>We, the Mayor and City Council of the City of St. George, UT, have reviewed the above Roadway Vacation Plat and by authorization of said City Council, record in the minutes of its meeting of the _____ day of _____ A.D. 20__ hereby accept said Roadway Vacation Plat with all commitments and obligations pertaining thereto.</p>	<p>Treasurer Approval</p> <p>I, Washington County Treasurer, certify on this _____ day of _____ A.D. 20__ that all taxes, special assessments, and fees due and owing on this Roadway Vacation Plat have been paid in full.</p>	<p>Recorded Number</p>
<p>Community Development Director City of St. George</p>	<p>Engineer City of St. George</p>	<p>City Attorney City of St. George</p>	<p>Chairman Planning Commission City of St. George</p>	<p>Attest: City Recorder City of St. George</p> <p>Mayor City of St. George</p>	<p>Washington County Treasurer</p>	<p>Washington County Recorder</p>

DATE: 8-2-18

JOB NUMBER: 4488-17

SCALE: 1" = 40'

DRAWN BY: JHC

CHECKED BY: MWB

REVISIONS:

DATE	DESCRIPTION

FILE NAME: Tech Ridge Dr Vacation Plat

ALLIANCE CONSULTING
 A Planning and Engineering Firm

2303 N Coral Canyon Blvd, Suite 201 Washington, Utah 84780-0577
 Tel (435) 673-8060 Fax (435) 673-8065

TECH RIDGE DRIVE ROADWAY VACATION PLAT FOR ST. GEORGE CITY LOCATED IN SECTION 25 TOWNSHIP 42 SOUTH, RANGE 16 WEST SLB&M, CITY OF ST. GEORGE, WASH. CO., UTAH

SHEET 1 OF SHEETS

DRAFT

Agenda Item Number : **12**

Request For Council Action

Date Submitted 03/06/2019 02:12 PM

**Proposed City Council
Date** 03/21/2019

Applicant Michael Bradshaw, Alliance Consulting Engineers

Subject Consider approval of a roadway dedication plat for Tech Ridge Drive and Cliff View Drive.

Background This request is to consider a roadway dedication plat that is located at approximately 400 South and 500 West (between Knowledge Way and 256 South St.; Zoning is PD-C (Planned Development Commercial/Manufacturing – all building shall not exceed 50% of the net lot or parcel acreage)

Proposed Resolution City Staff and Planning Commission recommend approval.

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

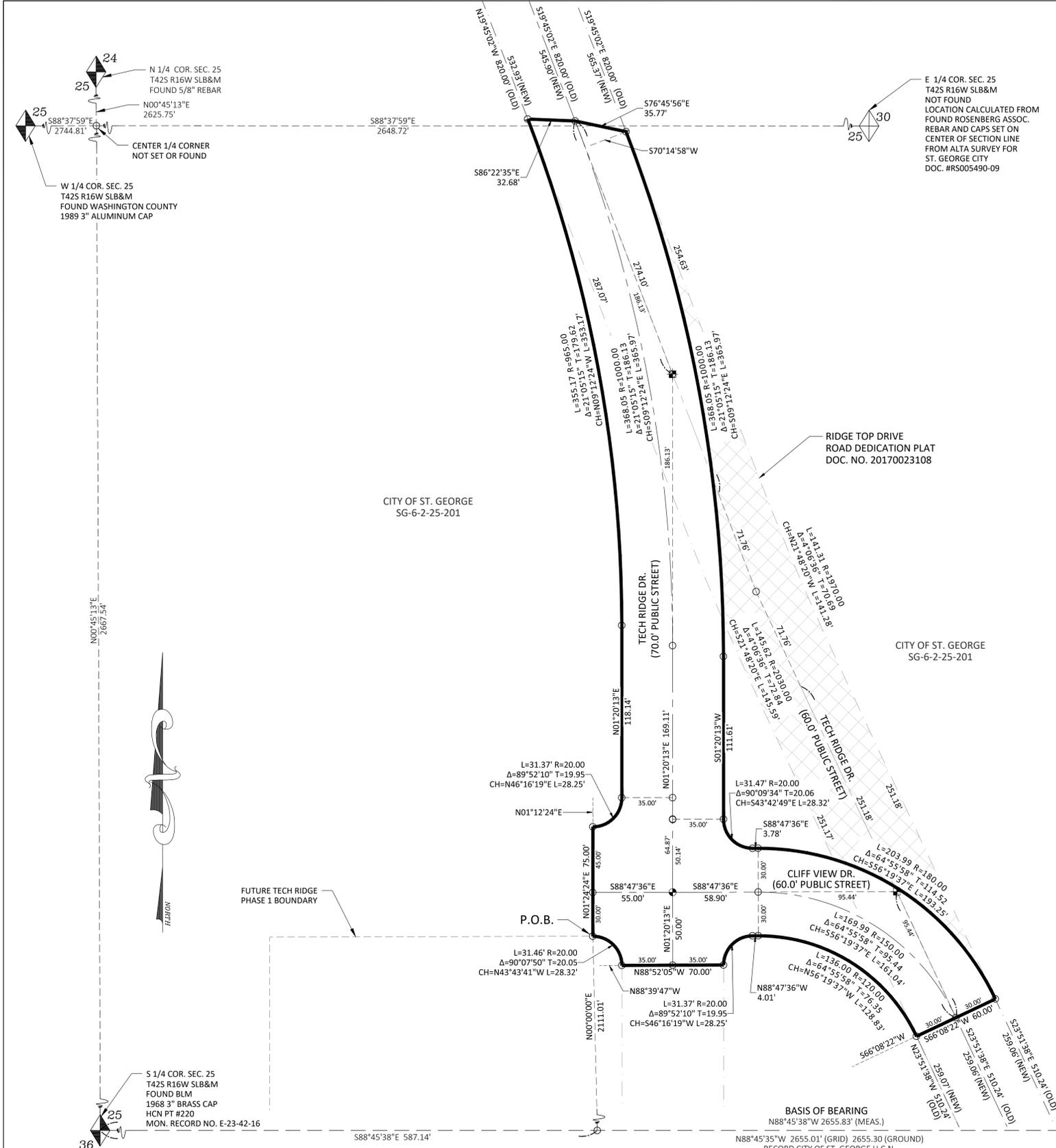
Requested by Todd Jacobsen

File Attachments techridgedriveroaddedicationplat030619141254.pdf

**Approved by Legal
Department?** Yes

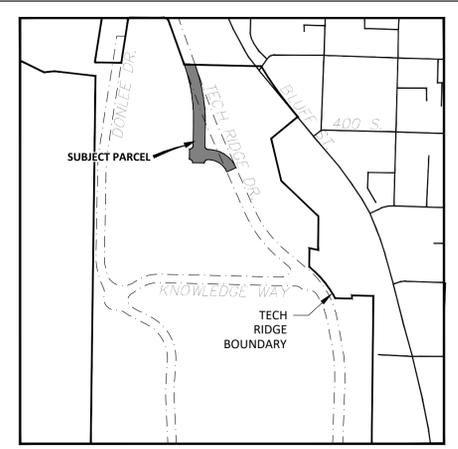
**Approved by City Admin
Services?** NA

Approved in Budget? N/A **Amount:**



LEGAL DESCRIPTION
Beginning at a point which South 88°45'38" East 587.14 feet along the South section line and North 00°00'00" E 2111.01 feet from the South 1/4 corner of Section 25, Township 42 South, Range 16 West of the Salt Lake Base and Meridian and running thence North 01°24'24" East 75.00 feet to a point on the arc of a curve to the left having a radius of 20.00 feet; thence Northeasterly 31.37 feet along the arc of said curve through a central angle of 89°52'10", the radial directions bears North 01°12'24" East, to the point of tangency; thence North 01°20'13" East 118.14 feet to the point of curvature of a curve to the left having a radius of 965.00 feet; thence Northwesterly 355.17 feet along the arc of said curve through a central angle of 21°05'15" to a point of non-tangency said point also being a point on the Westerly Right of Way of Tech Ridge drive as shown on the road dedication plat for Ridge Top Drive recorded as Document No. 20170023108 in the office of the Washington County Recorder, in said County, in the State of Utah; thence leaving said Westerly Right of Way South 86°22'35" East 32.68 feet to a point on the center line of said Tech Ridge Drive; thence leaving said centerline South 76°45'56" East 35.77 feet to a point on the Easterly Right of Way of said Tech Ridge Drive said point also being a point on the arc of a curve to the right having a radius 1000.00 feet; thence leaving said Easterly Right of Way Southeasterly 368.05 feet along the arc of said curve through a central angle of 21°05'15", the radial direction bears South 70°14'58" West, to the point of tangency; thence South 01°20'13" West 111.62 feet to the point of curvature of a curve to the left having a radius of 20.00 feet; thence Southeasterly 31.46 feet along the arc of said curve through a central angle of 90°07'50" to the point of tangency; thence South 88°47'36" East 3.78 feet to the point of curvature of a curve to the right having a radius of 180.00 feet; thence Southeasterly 203.99 feet along the arc of said curve through a central angle of 64°55'58" to a point of non-tangency said point also being a point on the Easterly Right of Way of said Tech Ridge Drive; thence South 66°08'22" West 60.00 feet to a point on the arc of a curve to the left having a radius of 120.00 feet; thence Northwesterly 136.00 feet along the arc of said curve through a central angle of 64°55'58", the radial direction bears South 66°08'22" West, to the point of tangency; thence North 88°47'36" West 4.01 feet to the point of curvature of a curve to the left having a radius of 20.00 feet; thence Southwesterly 31.37 feet along the arc of said curve through a central angle of 89°52'10" to a point of non-tangency; thence North 88°52'05" West 70.00 feet to a point on the arc of a curve to the left having a radius of 20.00 feet; thence Northwesterly 31.46 feet along the arc of said curve through a central angle of 90°07'50", the radial direction bears North 88°39'47" West, to a point of non-tangency said point also being the point of beginning.

Contains 1.21 acres.



VICINITY MAP

OWNER'S DEDICATION
KNOW ALL MEN BY THESE PRESENTS that the undersigned owner of all the hereon described tract of land, for good and valuable considerations received, does hereby warrant, dedicate and convey to the City of St. George, and its successors and assigns title to all parcels of land described and shown on this plat as intended for the perpetual use of the public as roadways and easements for utilities or other public use as may be determined by city.

In witness whereof we have hereunto set our hands this _____ day of _____ 2018.

CITY OF ST. GEORGE
by Jonathan T. Pike, Mayor

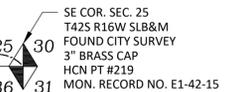
MAYOR'S ACKNOWLEDGMENT
STATE OF _____
COUNTY OF _____ S.S.

On the _____ day of _____, 20____, appeared before me Jonathan T. Pike, Mayor of the City of St. George, who being duly sworn did say that the within and foregoing instrument was signed by him on behalf of said municipal corporation by authority of a resolution of its City Council, and said Daniel D. McArthur did duly acknowledge to me that said corporation executed the same.

NOTARY PUBLIC
NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSION IN UTAH

ROADWAY DEDICATION PLAT FOR TECH RIDGE DRIVE AND CLIFF VIEW DRIVE

LOCATED IN WASHINGTON COUNTY, UTAH SECTION 25 TOWNSHIP 42 SOUTH, RANGE 16 WEST SALT LAKE BASE AND MERIDIAN



DATE:	9-17-18
JOB NUMBER:	4488-17
SCALE:	1" = 40'
DRAWN BY:	JHC
CHECKED BY:	MWB
DATE:	
REVISIONS:	
FILE NAME:	Tech Ridge Dr Road Dedication Plat

ALLIANCE CONSULTING
A Planning and Engineering Firm
2303 N Coral Canyon Blvd, Suite 201 Washington, Utah 84780-0577 Tel (435) 673-8080 Fax (435) 673-8085



TECH RIDGE DRIVE AND CLIFF VIEW DRIVE ROADWAY DEDICATION PLAT FOR ST. GEORGE CITY LOCATED IN SECTION 25 TOWNSHIP 42 SOUTH, RANGE 16 WEST SLB&M, CITY OF ST. GEORGE, WASH. CO., UTAH

Approval of the Community Development Director I, Planning and Zoning Official for the City of St. George, have this the _____ day of _____ A.D. 20____, reviewed the above Roadway Dedication Plat and recommended the same for acceptance by the City of St. George, UT.	Engineer's Approval The hereon Roadway Dedication Plat has been reviewed and is approved in accordance with the information on file in this office this _____ day of _____, A.D. 20____	Approval as to Form Approved as to Form, this the _____ day of _____, A.D. 20____	Approval of the Planning Commission On this the _____ day of _____ A.D. 20____ the Planning Commission of the City of St. George, having reviewed the above Roadway Dedication Plat and having found that it complies with the requirements of the City's Planning Ordinances, and by authority of said Commission hereby approve said subdivision for acceptance by the City of St. George, UT.	Approval and Acceptance by the City of St. George, Utah We, the Mayor and City Council of the City of St. George, UT, have reviewed the above Roadway Dedication Plat and by authorization of said City Council, record in the minutes of its meeting of the _____ day of _____ A.D. 20____ hereby accept said Roadway Dedication Plat with all commitments and obligations pertaining thereto.	Treasurer Approval I, Washington County Treasurer, certify on this _____ day of _____ A.D. 20____ that all taxes, special assessments, and fees due and owing on this Roadway Dedication Plat have been paid in full.	Recorded Number _____
Community Development Director City of St. George	Engineer City of St. George	City Attorney City of St. George	Chairman Planning Commission City of St. George	Attest: City Recorder City of St. George	Mayor City of St. George	Washington County Treasurer
						Recorded Number Washington County Recorder

DRAFT

Agenda Item Number : **13**

Request For Council Action

Date Submitted 03/06/2019 02:19 PM

**Proposed City Council
Date** 03/21/2019

Applicant Michael Bradshaw, Alliance Consulting Engineering

Subject Public hearing and consideration to change the name of a portion of Tech Ridge Drive to Cliff View Drive.

Background This request is to consider a roadway name change that is located at approximately 500 West and between 400 South and 800 South; Zoning is PD-C (Planned Development Commercial/Manufacturing – all building shall not exceed 50% of the net lot or parcel acreage)

Proposed Resolution City staff recommend approval.

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

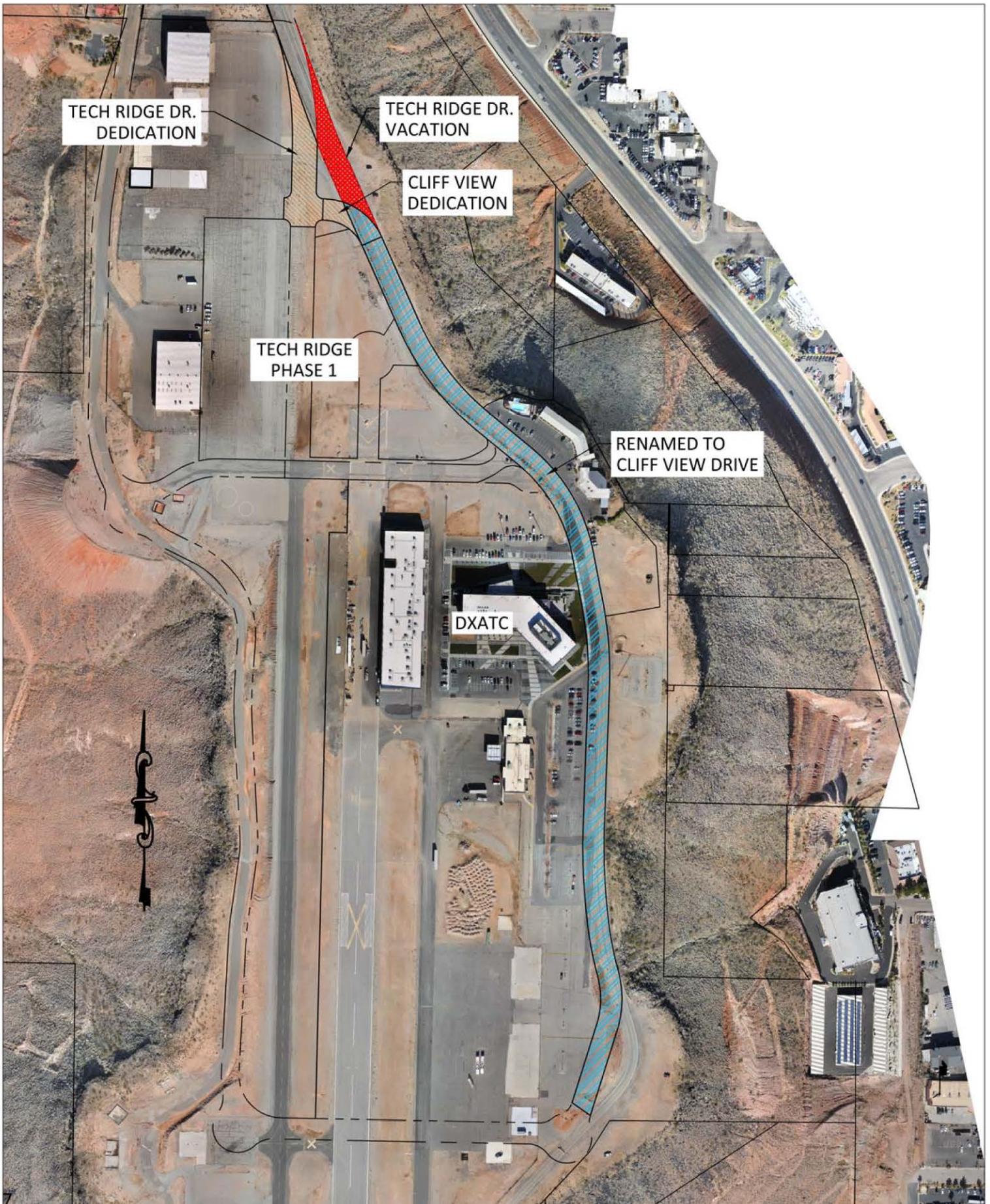
Requested by Todd Jacobsen

File Attachments cliffviewdrexhibit030619141922.pdf

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** Yes

Approved in Budget? N/A **Amount:**



DATE: 2/8/19
 JOB NUMBER: 4488-17
 SCALE: NTS

2303 N Coral Canyon Blvd., Suite 201
 Washington, Utah 84780-0577
 Tel (435) 673-8060
 Fax (435) 673-8065



ALLIANCE CONSULTING
 A Planning and Engineering Firm

CLIFF VIEW DRIVE EXHIBIT
FOR
TECH RIDGE
 LOCATED IN S25 T42S R16W
 ST. GEORGE CITY

FIGURE
1

DRAFT

Agenda Item Number : 14

Request For Council Action

Date Submitted 03/06/2019 02:10 PM

**Proposed City Council
Date** 03/21/2019

Applicant Michael Bradshaw, Alliance Consulting Engineers

Subject Consider approval of a roadway dedication plat for Cloud Drive.

Background This request is to consider a roadway dedication plat that is located between Indian Hills Drive and the old airport; Zoning is R-1-10 (Single-Family Residential 10,000 SQ/FT minimum lot size).

Proposed Resolution City staff and Planning Commission recommend approval.

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

Requested by Todd Jacobsen

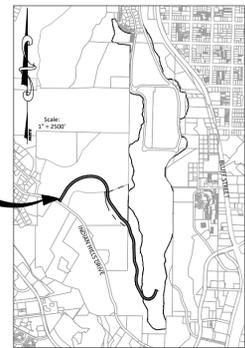
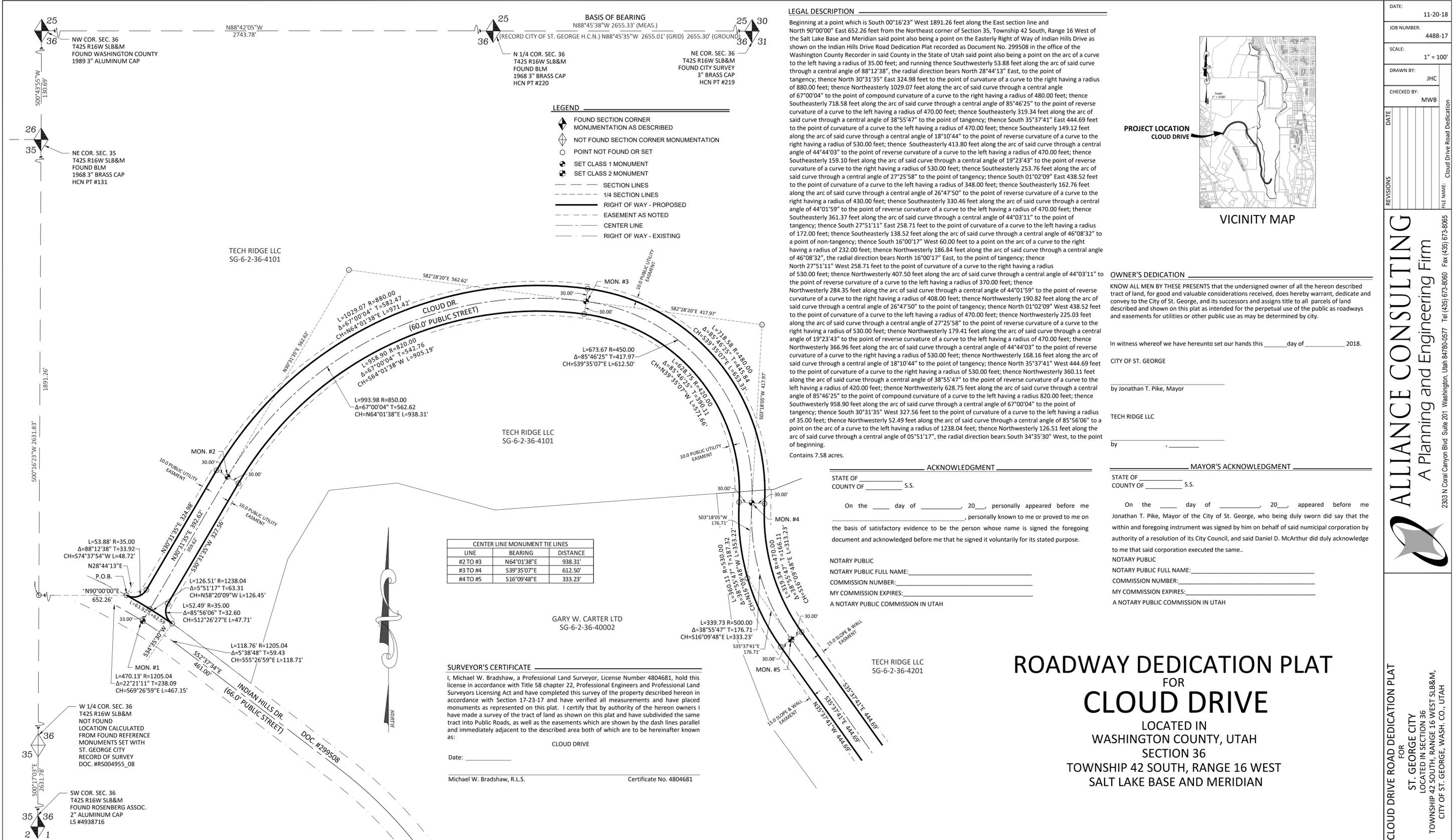
File Attachments clouddriveroaddedication030619141058.pdf

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** NA

Approved in Budget? N/A **Amount:**

-



DATE: 11-20-18
JOB NUMBER: 4488-17
SCALE: 1" = 100'
DRAWN BY: JHC
CHECKED BY: MWB
DATE: _____
REVISIONS: _____
FILE NAME: Cloud Drive Road Dedication

ALLIANCE CONSULTING
A Planning and Engineering Firm
2303 N Coral Canyon Blvd, Suite 201 Washington, Utah 84780-0577 Tel (435) 673-8080 Fax (435) 673-8085

ROADWAY DEDICATION PLAT FOR CLOUD DRIVE

LOCATED IN WASHINGTON COUNTY, UTAH SECTION 36 TOWNSHIP 42 SOUTH, RANGE 16 WEST SALT LAKE BASE AND MERIDIAN

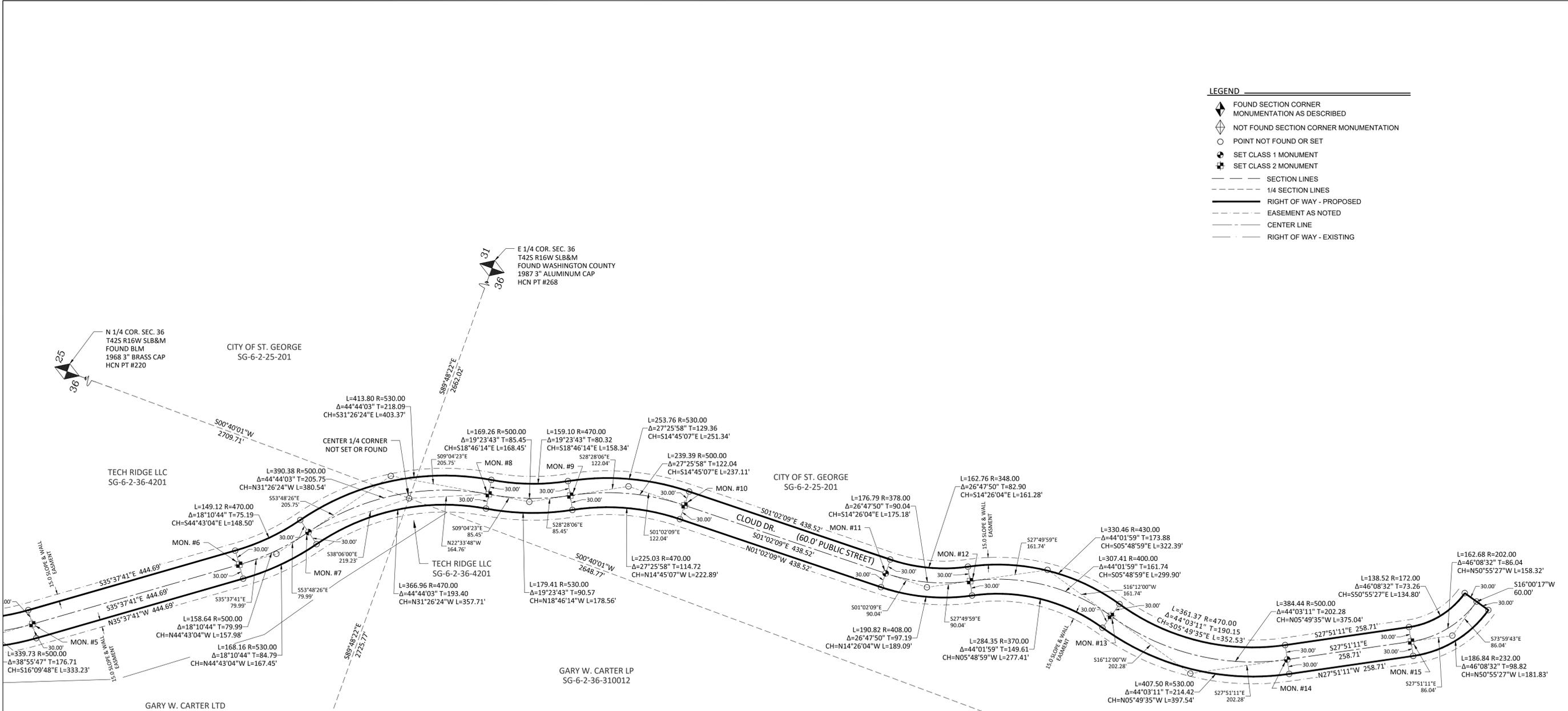
Approval of the Community Development Director I, Planning and Zoning Official for the City of St. George, have this the ____ day of _____, A.D. 20____, reviewed the above Roadway Dedication Plat and recommended the same for acceptance by the City of St. George, UT.	Engineer's Approval The hereon Roadway Dedication Plat has been reviewed and is approved in accordance with the information on file in this office this ____ day of _____, A.D. 20____.	Approval as to Form Approved as to Form, this the ____ day of _____, A.D. 20____.	Approval of the Planning Commission On this the ____ day of _____, A.D. 20____, the Planning Commission of the City of St. George, having reviewed the above Roadway Dedication Plat and having found that it complies with the requirements of the City's Planning Ordinances, and by authority of said Commission hereby approve said subdivision for acceptance by the City of St. George, UT.	Approval and Acceptance by the City of St. George, Utah We, the Mayor and City Council of the City of St. George, UT, have reviewed the above Roadway Dedication Plat and by authorization of said City Council, record in the minutes of its meeting of the ____ day of _____, A.D. 20____, hereby accept said Roadway Dedication Plat with all commitments and obligations pertaining thereto.	Treasurer Approval I, Washington County Treasurer, certify on this ____ day of _____, A.D. 20____, that all taxes, special assessments, and fees due and owing on this Roadway Dedication Plat have been paid in full.	Recorded Number
Community Development Director City of St. George	Engineer City of St. George	City Attorney City of St. George	Chairman Planning Commission City of St. George	Attest: City Recorder City of St. George Mayor City of St. George	Washington County Treasurer	Washington County Recorder

CLOUD DRIVE ROAD DEDICATION PLAT FOR ST. GEORGE CITY LOCATED IN SECTION 36 TOWNSHIP 42 SOUTH, RANGE 16 WEST SLB&M, CITY OF ST. GEORGE, WASH. CO., UTAH

SHEET 1 OF 2 SHEETS

LEGEND

- ◆ FOUND SECTION CORNER MONUMENTATION AS DESCRIBED
- ◇ NOT FOUND SECTION CORNER MONUMENTATION
- POINT NOT FOUND OR SET
- ⊕ SET CLASS 1 MONUMENT
- ⊕ SET CLASS 2 MONUMENT
- SECTION LINES
- - - 1/4 SECTION LINES
- RIGHT OF WAY - PROPOSED
- - - EASEMENT AS NOTED
- CENTER LINE
- - - RIGHT OF WAY - EXISTING



CENTER LINE MONUMENT TIE LINES

LINE	BEARING	DISTANCE
#6 TO #7	S44°43'04"E	157.98'
#7 TO C1/4	S38°06'00"E	219.23'
#7 TO #8	S31°26'24"E	380.54'
#8 TO C1/4	N22°33'48"W	164.76'
#8 TO #9	S18°46'14"E	168.45'
#9 TO #10	S14°45'07"E	237.11'
#11 TO #12	S14°26'04"E	175.18'
#12 TO #13	S05°48'59"E	299.90'
#13 TO #14	S05°49'35"E	375.04'

W 1/4 COR. SEC. 36
 T42S R16W SLB&M
 NOT FOUND
 LOCATION CALCULATED
 FROM FOUND REFERENCE
 MONUMENTS SET WITH
 ST. GEORGE CITY
 RECORD OF SURVEY
 DOC. #RS004955_08

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CLOUD DRIVE ROAD DEDICATION PLAT
 FOR
 ST. GEORGE CITY
 LOCATED IN SECTION 36
 TOWNSHIP 42 SOUTH, RANGE 16 WEST SLB&M,
 CITY OF ST. GEORGE, WASH. CO., UTAH

DRAFT

Agenda Item Number : **15**

Request For Council Action

Date Submitted 03/13/2019 12:20 PM

**Proposed City Council
Date** 03/21/2019

Applicant Steven Bennion

Subject Consider approval of a landmark home designation for the Henry Carlos Ferdinand Eyring home.

Background This potential Historic Landmark site is located at 143 S. 200 W. It meets all the required criterion to become a designated landmark site in the City of St. George.

Proposed Resolution TDB

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

Requested by Carol Davidson

File Attachments ccpacketeyringhome031319122014.pdf

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** NA

Approved in Budget? N/A **Amount:**

PLANNING COMMISSION AGENDA REPORT: 03/19/2019
CITY COUNCIL MEETING: 03/21/2019

Henry Eyring Home
Case No. 2019-HPC-002

Request: Consider a request from Steven Bennion to designate a historic landmark site at 143 South 200 West as the Henry Carlos Ferdinand Eyring home.

Applicant: Steven Bennion

Zone: RCC (Residential Central City)

Location: 143 South 200 West



Background:

Potential sites to be considered for landmark designation must meet criteria outlined in Title 10, Chapter 21, Section 2(B). The applicant has submitted information addressing these requirements. Please see the Property Information Narrative below for the details on this request.

PROPERTY INFORMATION NARRATIVE:**Section A: Must meet ALL of these requirements:**

1. It is located within the boundaries of the City of St. George at 143 South 200 West.
2. It is a minimum of 50 years old. The home is over 150 years old, being built during The late 1860's/or 1870's.
3. The home retains its historic integrity in that there are no major alterations or additions that have obscured or destroyed the historic integrity of the home.

Note: As the pictures show, the home is certainly a very stately and impressive home of its era. And it has been maintained in very good condition by its current owners.

Section B: Must meet at least ONE of these requirements:

6. **It is associated with lives of persons significant in the history of the city, state or nation.**

Henry Carlos Ferdinand Eyring served as mayor of St. George for two years. He was also Erastus Snow's chief assistant in the southern region of the Utah militia. His Church leadership was significant. He served as Bishop of the St. George 2nd Ward and was a counselor in the St. George Stake presidency from 1877 to 1887. Many pioneers of the 1860's, 1870's and 1880's who settled in the St. George or surrounding area did not remain long in one area. By encouragement from Church and civic leaders, they were often moving on to settle other areas. That Henry Carlos Ferdinand Eyring remained in St. George for a quarter of a century, is indeed a lengthy period for that era. And by record of his leadership and service, he made a vital difference in the community. His own posterity has likewise made a major difference in the fields of higher education and religious leadership.

HENRY CARLOS FERDINAND EYRING

Henry Carlos Ferdinand Eyring was born in Coburg, Germany (Saxe-Coburg-Gotha) on March 9, 1835; he died on February 10, 1902 in Colonia Juarez, Mexico. He is buried in the Colonia Juarez cemetery. He was the son of Edward Christian Eyring and Ferdinandina Charlotta Caroline von Blomberg. His mother was the daughter of Viscount Georg Louis von Blomberg who served in the government of King Frederick Wilhelm III of Prussia.

The name Henry Eyring has become exceedingly well known over the past 70 years. His grandson by that name was a world renowned chemist who was a colleague and associate of Albert Einstein at Princeton University. He served as Dean of the Graduate School at the University of Utah for many years. While he never received the Nobel Prize for his impressive research on chemical reaction rates and intermediation, other scientists whose chemical research built on his major findings. A great grandson, Henry Bennion Eyring, is a noted educator and religious leader, who served as President of Ricks College and twice as Commissioner of Education for the Church of Jesus Christ of Latter-day Saints. For the past quarter of a century he has been an apostle of that Church, including service as a member of the Church's First Presidency since 2007. As an immigrant to the United States from Germany in his late teens, Henry Carlos Ferdinand Eyring's own accomplishments as a church and civic leader are formidable, as are those of his posterity who bear the name Henry Eyring.

Henry Carlos Ferdinand Eyring's father was a pharmacist in a family business but suffered economic reverses. He received the best education available in Coburg and about the time his father died he became an apprentice drug wholesaler in Vienna. Eyring emigrated to the United States in 1853 and settled in St. Louis, Missouri in 1854. In December of 1854 Eyring went to a Mormon meeting where he heard Milo

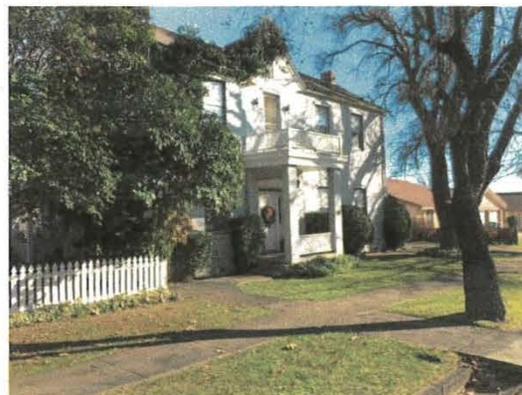
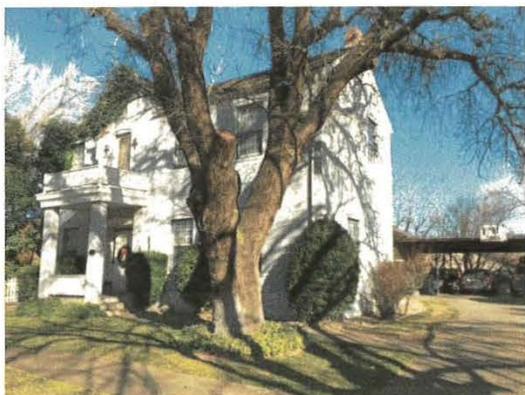


Andrus speak. Eyring was baptized into the LDS Church in March of 1855 by William Brown. In October of 1855 Eyring was sent to be a missionary in the Cherokee Nation. He served as a missionary in Indian Territory until 1860, serving as president of the mission for part of this time and he then moved to Ogden, Utah Territory. Two of Eyring's wives included Mary Bommell, a convert to the LDS Church who was an emigrant from Switzerland; and Deseret Fawcett; he married them in December 1860 and August 1872 respectively.

2.

In 1862 Eyring moved to St. George Utah Territory and he became bishop of the St. George 2nd Ward. From 1874 to 1876 Eyring served a mission in Germany and Switzerland during which time he translated (the Doctrine and Covenants?). Henry Carlos Ferdinand Eyring served as mayor of St. George for two years as well as being Erastus Snow's chief assistant in the southern region of the Utah militia. From 1877 to 1887 Eyring served as a counselor in the presidency of the Church's St. George Stake. He resided in St. George for 25 years.

In 1887, due to attempts to arrest Eyring on unlawful cohabitation charges, he moved to the Mormon settlement of Colonia Juarez, Chihuahua and he served as president of the LDS Church's Mexican Mission from late 1887 until the end of 1888. He later served from 1891 to 1895 as a counselor to George Teasedale in the presidency of the Mexican Mission. When the first stake in Mexico was organized Eyring became the first counselor in the stake presidency. He died in 1902 in Colonia Juarez and is buried in the Colonia Juarez Cemetery. Among Eyring's children was Carl F. Eyring, a prominent scientist who was on the faculty of Brigham Young University for many years. A major science building at BYU was named in his honor.



Three pictures of what was the Henry Carlos Ferdinand Eyring home which is located at 143 South 200 West in St. George, Utah, are shown above. The present owners of this home are Bruce and Andy Jensen who are supportive of the recommendation to have the home placed on St. George's list of Landmark and Historic Sites.



Recommendation:

Staff recommends approval of this Landmark designation request.

Alternatives:

1. Recommend approval as presented.
2. Recommend denial.
3. Table the proposed landmark designation request to a specific date.

Historic Preservation Commission Motion:

On February 27, 2019, with a unanimous 6-0 vote, the Historic Preservation Commission recommended approval of this proposed landmark designation.

Planning Commission Motion:

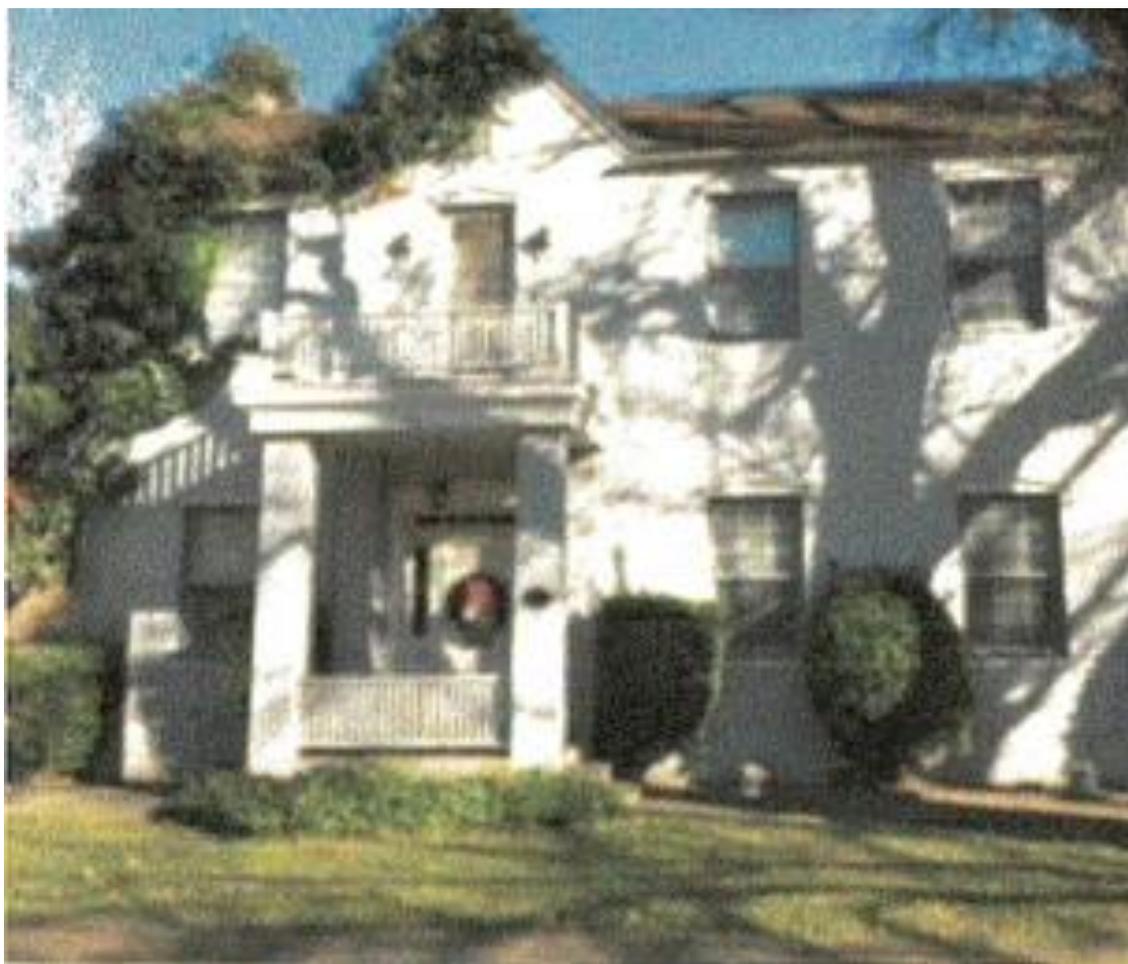
Historic Landmark Site

Henry Carlos Ferdinand Eyring Home

Location: 432 South 200 West
Applicant: Steven Bennion
Case #: 2019-HPC-002

Henry Carlos Ferdinand Eyring Home Aerial





**Henry
Carlos
Ferdinand
Eyring
Home**



Henry Carlos Ferdinand Eyring Home

DRAFT

Agenda Item Number : **16**

Request For Council Action

Date Submitted 03/13/2019 12:32 PM

**Proposed City Council
Date** 03/21/2019

Applicant Steve Kamlowky, Development Solutions Group

Subject Consider a request for a Hillside Development Permit to allow for the installation of a water line for the Juniper Cove subdivision.

Background This Hillside Development Permit is to add an eight inch (8") water line within the hillside overlay zone located at the proposed Juniper Cove subdivision. This water line will be installed between Banded Hills Drive and the Juniper Cove subdivision and will follow the existing disturbed trail within the hillside slope area.

Proposed Resolution The Planning Commission recommends approval.

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

Requested by Carol Davidson

File Attachments ccpacketjunipercovewaterline031319123221.pdf

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** NA

Approved in Budget? N/A **Amount:**

Hillside Permit

HILLSIDE REVIEW BOARD AGENDA REPORT: 02/20/2019
PLANNING COMMISSION MEETING: 02/26/2019
CITY COUNCIL MEETING: 03/21/2019

HILLSIDE DEVELOPMENT PERMIT
Water Line – Juniper Cove Subdivision
Case No. 2019-HS-002

Request: A request for a Hillside Development Permit to allow installation of a water line for the Juniper Cove subdivision.

Reference: Previously approved Case No. 2018-HS-007 “Juniper Cove.”

Project: The purpose of this project is to add an eight inch (8”) water line within the hillside overlay zone located at the proposed Juniper Cove subdivision.

Owner: Quality Development

Representative: Steve Kamlowksy

Engineer: Development Solutions Group

APN: SG-5-3-15-121-SLL

Location: This water line will be installed between Banded Hills Drive and the Juniper Cove subdivision and will follow the existing disturbed trail within the hillside slope area.

Acreage: Reference; The Juniper Cove subdivision is on 18.73 acres

Zone: R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size)

Adjacent zones: Reference; The Juniper Cove subdivision site is surrounded by R-1-8, OS, & ASBP zoning

Powers & Duties: Section 10-13A-12.B.1 of the “Hillside Review Board Powers and Duties” states that the hillside board can make recommendations for approval, conditional approval, and denial to the Planning Commission (PC) and City Council (CC).

Permit required: Section 10-13A-6:A requires that all major development (i.e., cut greater than 4’, etc.) on slopes above 20% requires a ‘hillside development permit’ granted by the City Council upon recommendation from the Hillside Review Board and the Planning Commission.

Geotech: Reference; Case No. 2018-HS-007 “Juniper Cove.” A geotechnical investigation was prepared by AGECEC on November 12, 2018 (*Project No. 2180169*). This report addresses soil and subsurface water conditions.

Geologic-Hazard: Reference; Case No. 2018-HS-007 “Juniper Cove.” A geologic-hazards study was prepared by AGECEC on May 8, 2018 (Project No. 2180170). This report address hazards which includes rock fall.

Drainage Study: Reference; Case No. 2018-HS-007 “Juniper Cove.” A “Drainage Study” dated November 16, 2018, was prepared by Development Solutions Group. The report is an analysis of on-site and off-site hydrology under current conditions and with proposed development of the site. The report addresses proposed mitigations for handling drainage.

Applicable Ordinance(s):
(Selected portions)

10-13A-1: Purpose

The city finds that the health, safety and the general public welfare of the residents of the city will be promoted by establishing standards for the development and excavation of hillside and slope areas located in the city so as to minimize soil and slope instability and erosion, to minimize the adverse effects of grading, cut and fill operations, to preserve the character of the city's hillsides, and to otherwise supplement and amplify the city subdivision and zoning ordinances. The provisions herein are designated to accomplish the following:

- A. Prohibit development of uses which would likely result in a hazardous situation due to slope instability, rock falls or excessive soil erosion.
- B. Provide for safe vehicular circulation and access.
- C. Encourage the location, design and development of building sites in a manner that will minimize the scarring and erosion effects of cutting, filling and grading of hillsides.

Percent Natural Slope	Dwelling Units (DU) / Acre
0-19	See underlying zone
20-29	2 DU/acre, provided the units are clustered on 30 percent (30%) or less of the land area within this slope category. 70 percent of this slope category shall remain undisturbed. The 70 percent area is based upon the overall area/development rather than per lot. Also see subsections A1, A2, and A3 of this section.
30-39	1 DU/10 acres, provided no more than 5 percent (5%) of the site is disturbed, and 95 percent of the site remains undisturbed. If the cumulative area is at least 1 acre but less than 10 acres, the cumulative area shall be allowed 1 DU.
40	Development is not permitted (0%), except as provided for in subsection A4 of this section.

- D. Encourage preservation of open space by encouraging clusters or other design techniques to preserve the natural terrain.
- E. Where hillside excavation does occur, require that buildings be located in the cut area to minimize the visual effects of scarring. (1998 Document § 10A-1)

Section 10-13A-4: Density and Disturbance Standards

- A. Schedule: In furtherance of the purposes set forth above, density and site disturbance within the hillside development overlay zone shall comply with the following schedule. Any portion of a development parcel having a slope greater than forty percent (40%) shall not be included in the calculation of the area of such parcel for the purposes of determining conformity with the density requirements below:

- A.4.** The city council, after considering the recommendation from the hillside review board, and from the planning commission may approve the removal of small hills which contain slopes forty percent (40%) or greater subject to determining the application conforms to all of the following requirements:
 - a. The hill is not contiguous to nor part of a major hillside formation, and
 - b. The removal of such landform will not create a negative aesthetic impact in the opinion of the city council, and
 - c. The land area is zoned for residential, commercial, or industrial development. (Ord. 2013-01-001, 1-3-2013)

Section 10-13A-5: Slope and Slope Areas Determined

- B. Procedure: The location of the natural twenty percent (20%), thirty percent (30%) and forty percent (40%) slopes for the purposes of this article shall be determined using the following procedure: (Ord. 2005-07-007, 7-21-2005)
- 3. Determination of Slope Areas for Density Calculations: Using the contour maps, slopes shall be calculated in intervals no greater than forty feet (40') along profile lines. Points identified as slopes of twenty percent (20%), thirty percent (30%), and forty percent (40%) shall be located on the contour map and connected by a continuous line. That area bounded by said lines and intersecting property lines shall be used for determining dwelling unit density. Small washes or rock outcrops which have slopes distinctly different from surrounding property and not part of the contiguous topography may be excluded from slope determination if, in the opinion of the hillside review board, the exclusion of such small areas from slope determination will not be contrary to the overall purpose of this article. For the purpose of determining developable areas and allowable densities, previously disturbed hillside areas shall be considered on a pre-disturbance natural slope basis, where feasible, as

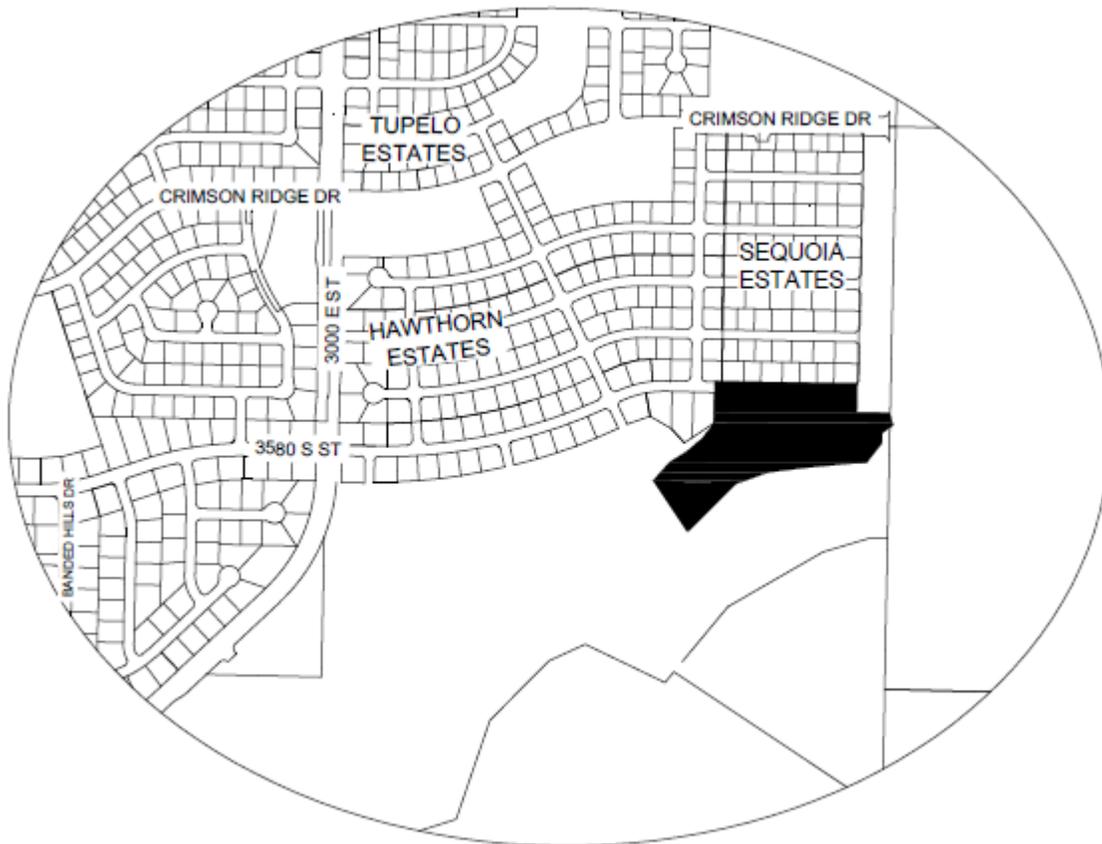
proposed by the applicant's engineer and approved by the hillside review board. Where a property owner restores a previously disturbed area to a natural or near natural condition, the area may be included within a required no disturbance area. (Ord. 2005-07-007, 7-21-2005)

HSRB Motion:

The hillside board recommends approval of this project to add an eight inch (8") water line within a previously disturbed trail in the hillside overlay zone located within the proposed Juniper Cove subdivision with the findings that the proposed areas to be removed are insignificant and are not contiguous and that construction fencing shall be installed to protect the limits of disturbance, and to particularly protect the area in vicinity to the 40% plus slope area. The proposed area is depicted on sheet U-3.

PC:

The Planning Commission recommends approval including the hillside board's comments.



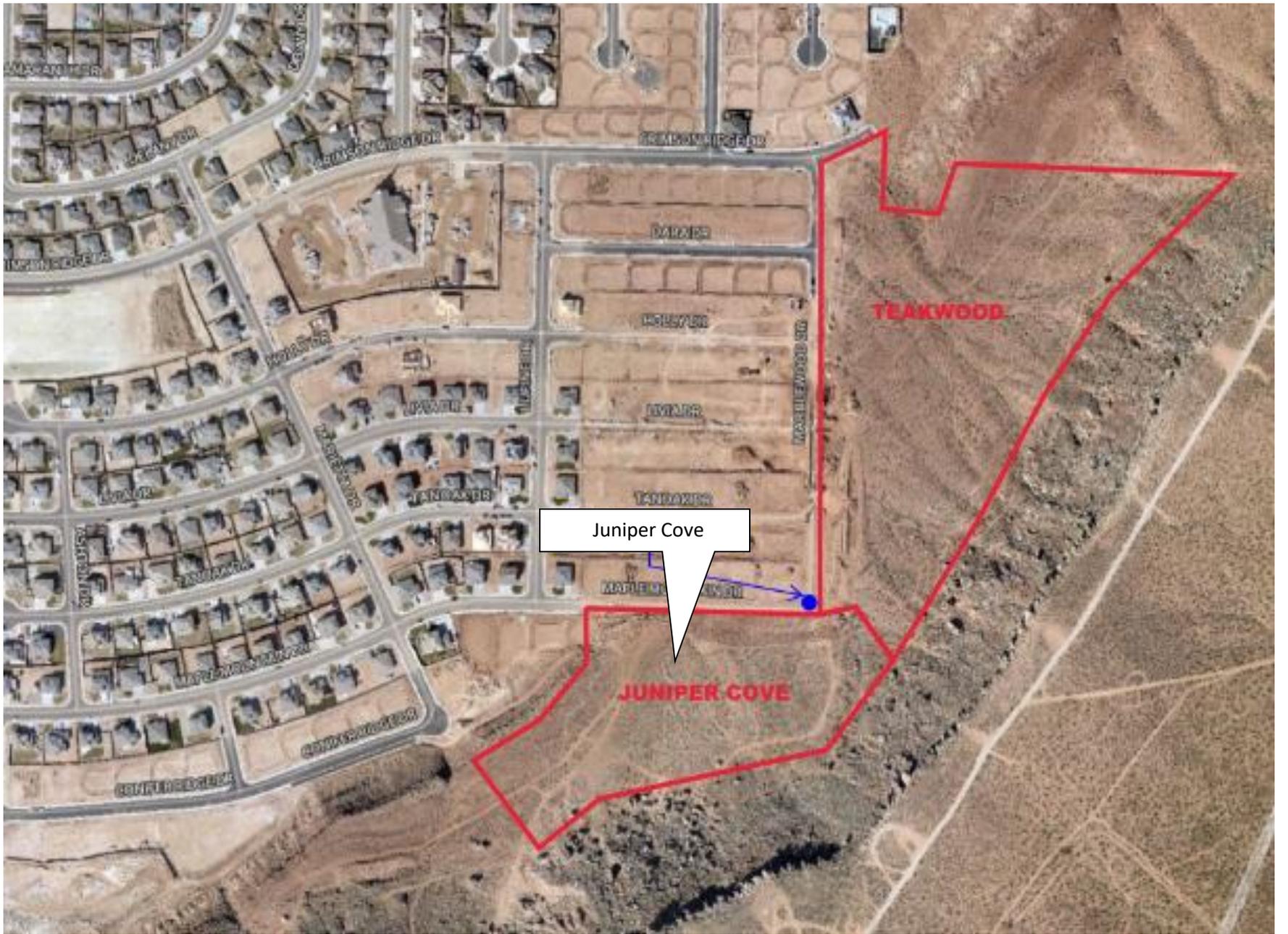
City Council

2019-HS-002

8 inch water line
(Juniper Cove)

Vicinity - Aerial Map





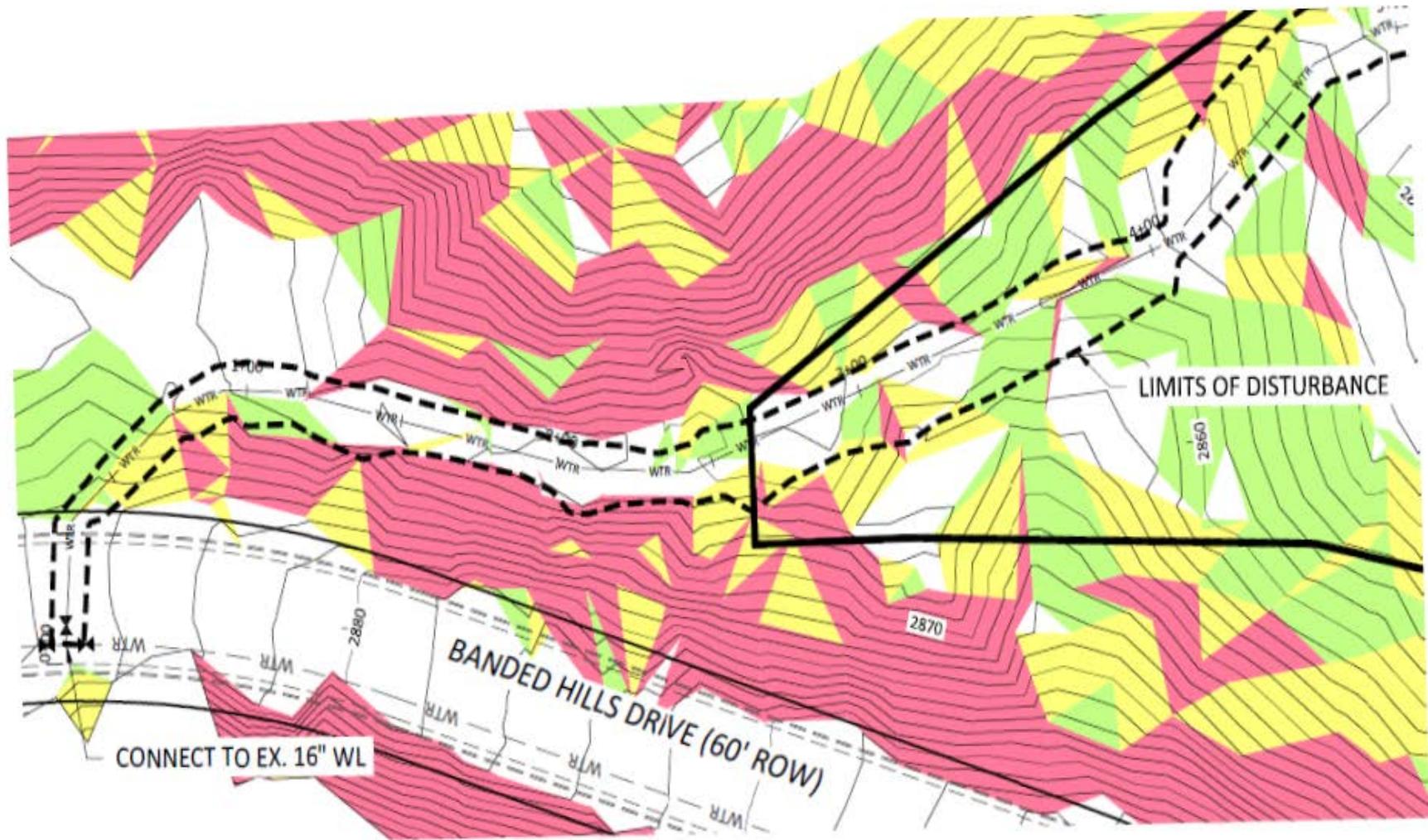
Juniper Cove

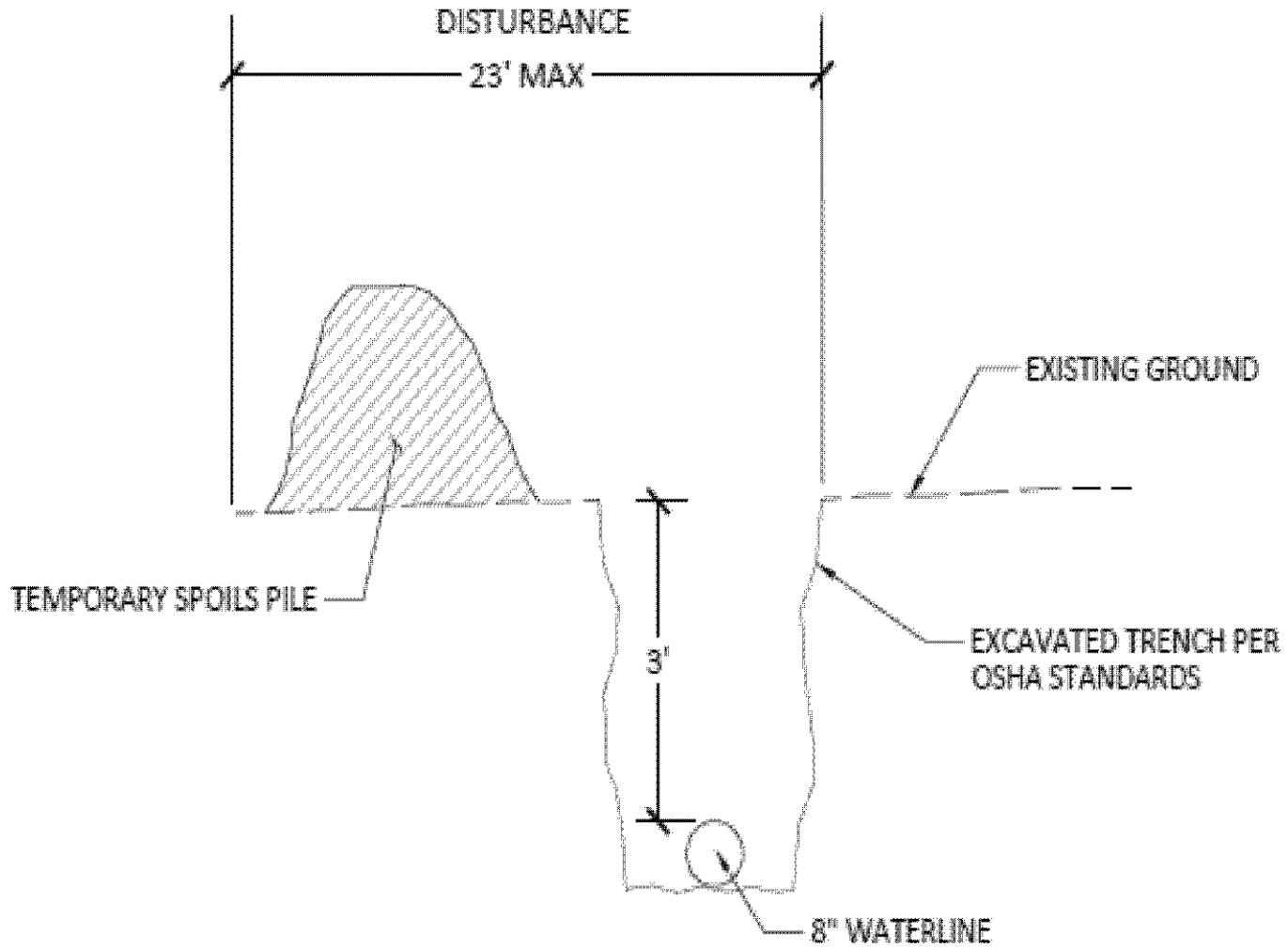
TEAKWOOD

JUNIPER COVE

8" Water Line Location







DRAFT

Agenda Item Number : **17**

Request For Council Action

Date Submitted 03/13/2019 09:02 AM

**Proposed City Council
Date** 03/21/2019

Applicant Alliance Consulting.

Subject Consider a request for a Hillside Development Permit to allow for the development of a proposed West Access Road (Cloud Drive) for the Tech Ridge Development.

Background This is a request for a Hillside Development Permit to allow for the construction of an access road from the west side to the Tech Ridge development. This permit will allow the removal of insignificant slope areas for the proposed roadway.

Proposed Resolution TBD

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

Requested by Carol Davidson

File Attachments ccpacketwestaccessroadhillside031319090205.pdf

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** NA

Approved in Budget? N/A **Amount:**

HILLSIDE REVIEW BOARD AGENDA REPORT: **06/13/2018** (*Preliminary meeting*)

HILLSIDE REVIEW BOARD AGENDA REPORT: **11/14/2018**

PLANNING COMMISSION MEETING: **03/19/2019**

CITY COUNCIL MEETING: 03/21/2019

HILLSIDE DEVELOPMENT PERMIT

West Access Road – Tech Ridge

Case No. 2018-HS-003

Request: A request for a Hillside Development Permit to allow development of a “West Access Road” for the “Tech Ridge Development.”

Project: The purpose of this project is to develop a second access roadway.

Owner: City of St George & Gary W Carter LTD

Applicant: Tech Ridge LLC c/o Isaac Barlow

APN: SG-6-2-36-4101, 40002, 310012, & 25-201

Location: Located on the west side of “Tech Ridge” and east of “Indian Hills Drive.”

Zone: OS (Open Space) and R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size)

Powers & Duties: Section 10-13A-12.B.1 of the “Hillside Review Board Powers and Duties” states that the hillside board can make recommendations for approval, conditional approval, and denial to the Planning Commission (PC) and City Council (CC).

Permit required: Section 10-13A-6:A requires that all major development (i.e, cut greater than 4’, etc.) on slopes above 20% requires a ‘hillside development permit’ granted by the City Council upon recommendation from the Hillside Review Board and the Planning Commission.

Applicable Ordinance(s):

(Selected portions)

10-13A-1: Purpose

The city finds that the health, safety and the general public welfare of the residents of the city will be promoted by establishing standards for the development and excavation of hillside and slope areas located in the city so as to minimize soil and slope instability and erosion, to minimize the adverse effects of grading, cut and fill operations, to preserve the character of the city's hillsides, and to otherwise supplement and amplify the city subdivision and zoning ordinances. The provisions herein are designated to accomplish the following:

- A. Prohibit development of uses which would likely result in a hazardous situation due to slope instability, rock falls or excessive soil erosion.
- B. Provide for safe vehicular circulation and access.
- C. Encourage the location, design and development of building sites in a manner that will minimize the scarring and erosion effects of cutting, filling and grading of hillsides.
- D. Encourage preservation of open space by encouraging clusters or other design techniques to preserve the natural terrain.
- E. Where hillside excavation does occur, require that buildings be located in the cut area to minimize the visual effects of scarring. (1998 Document § 10A-1)

Section 10-13A-4: Density and Disturbance Standards

- A. Schedule: In furtherance of the purposes set forth above, density and site disturbance within the hillside development overlay zone shall comply with the following schedule. Any portion of a development parcel having a slope greater than forty percent (40%) shall not be included in the calculation of the area of such parcel for the purposes of determining conformity with the density requirements below:

Percent Natural Slope	Dwelling Units (DU) / Acre
0-19	See underlying zone
20-29	2 DU/acre, provided the units are clustered on 30 percent (30%) or less of the land area within this slope category. 70 percent of this slope category shall remain undisturbed. The 70 percent area is based upon the overall area/development rather than per lot. Also see subsections A1, A2, and A3 of this section.
30-39	1 DU/10 acres, provided no more than 5 percent (5%) of the site is disturbed, and 95 percent of the site remains undisturbed. If the cumulative area is at least 1 acre but less than 10 acres, the cumulative area shall be allowed 1 DU.
40	Development is not permitted (0%), except as provided for in subsection A4 of this section.

- A.4. The city council, after considering the recommendation from the hillside review board, and from the planning commission may approve the removal of small hills which contain slopes forty percent (40%) or greater subject to determining the application conforms to all of the following requirements:
 - a. The hill is not contiguous to nor part of a major hillside formation, and
 - b. The removal of such landform will not create a negative aesthetic impact in the opinion of the city council, and
 - c. The land area is zoned for residential, commercial, or industrial development. (Ord. 2013-01-001, 1-3-2013)

Section 10-13A-5: Slope and Slope Areas Determined

- B. Procedure: The location of the natural twenty percent (20%), thirty percent (30%) and forty percent (40%) slopes for the purposes of this article shall be determined using the following procedure: (Ord. 2005-07-007, 7-21-2005)
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Staff Comments:

1. Hillside Permit - A hillside permit is required per ordinance and the HSRB has made recommendations for the PC & CC for the permit (*see motion*).
2. Zoning – For this project, no zone change is proposed because the roadway project would fit into the existing OS & R-1-10 zones.
3. Development – It's proposed to develop a two-lane roadway (*from Tech Ridge down to Indian Hills Drive*)
4. Geotechnical Investigation – All earthworks shall comply with the recommendations and mitigations presented in Geotech Report No. 2180295 dated October 19, 2018.
5. Drainage – Although the final drainage report was not completed at the time of the on-site hillside meeting, a drainage letter dated November 1, 2018, was presented to the hillside board (*attached to this report*) to staff, and the developer, and the hillside board discussed in detail the methodologies to be considered during staff's plan review process.

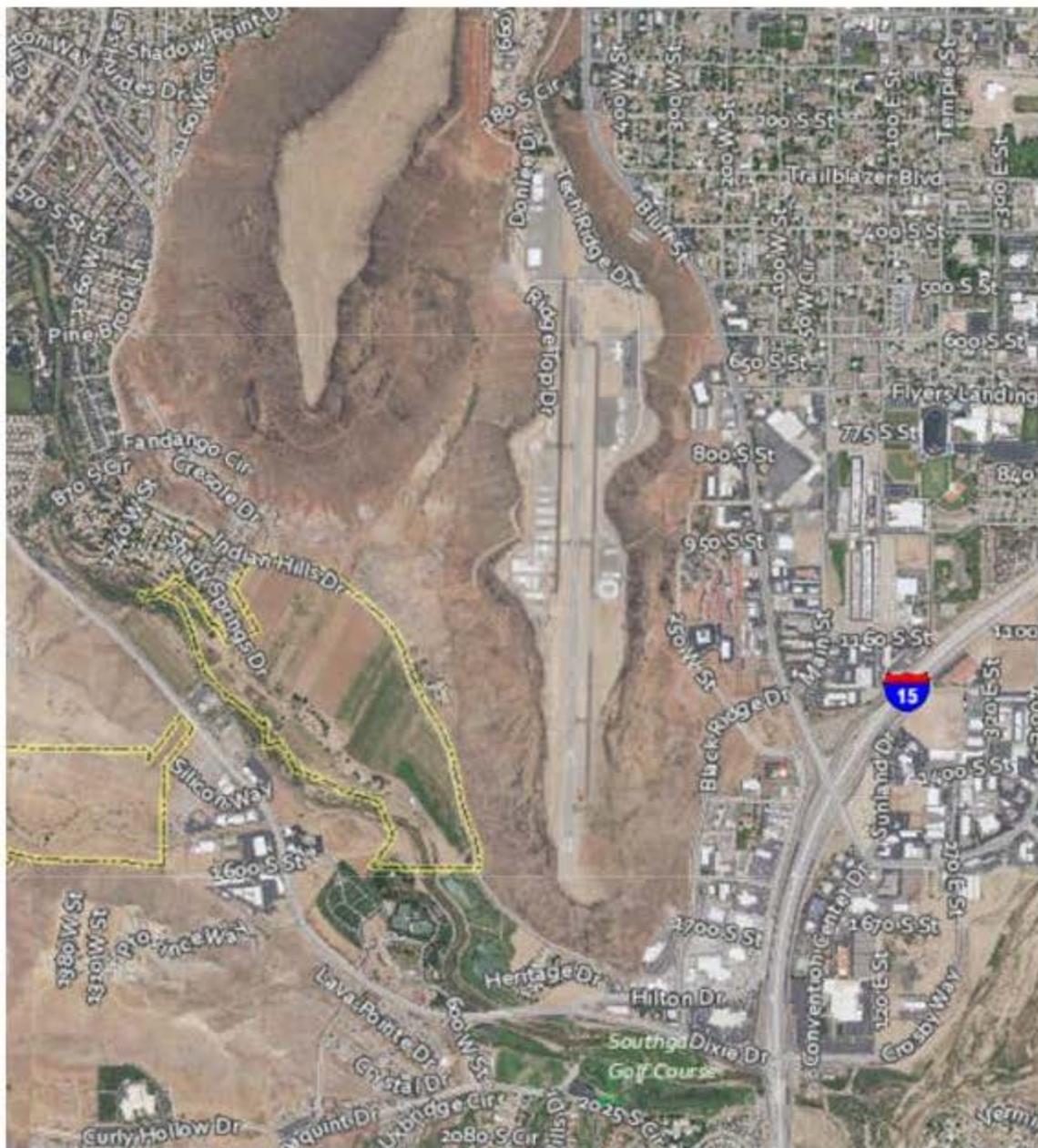
HSRB Motion: The Hillside Review Board recommends approval of the hillside permit with the following recommended conditions and comments:

1. Permit Approval - A motion to recommend approval of a hillside permit to remove insignificant slope areas to allow development of a roadway. This removal is justified with the **findings** that the areas within the identified “limits of disturbance” per Section 10-13A-4.A.4.a) are not contiguous nor part of a major hillside formation, b) the removal of such areas will not create a negative aesthetic impact in the opinion of the City Council, and c) the land area is zoned for open space and residential development which would support the roadway. The applicant shall work with staff during the construction plan review process to address any rock fall hazards, geotechnical hazards, and drainage and sediment issues, and will follow the recommendations of the drainage report, geotechnical report, and rock fall report.
2. Geotechnical Investigation - The applicant shall comply with the recommendations and mitigations presented in **Geotech Report No. 2180295** dated October 19, 2018.
3. Drainage Report (*see drainage letter dated November 1, 2018 for more detailed information*) – The Tech Ridge ‘West Rim Drainage Control Concept Plan’ will be implemented in conjunction with the Tech Ridge development, the proposed temple trail subdivision, and with construction of the west access road. All drainage design will have the primary goal to collect, control, and convey drainage while maintaining slope stability, minimizing erosion, minimizing adverse effects of grading operations, and to preserve the natural character of the existing hillside.
4. Future ‘Top Park’ Area – It’s critical that the applicant shall also design the future park area on the top of Tech Ridge to collect water using ‘best practice’ methods to collect and convey irrigation water away from the site without creating saturation, slippage, erosion, etc.
5. Utilities - Containment – Utilities which carry water, storm water, or sewage shall all be designed to the satisfaction of the City’s engineering staff such that all piping shall be continuous without seams or breaks which will prevent leaks and erosion. The piping may be designed above ground or below ground. If an above ground system is used, it shall not exceed 30 inches in height above ground and shall be mitigated to be screened or hidden from sight.
6. Rock Color – All rock installed along the roadway alignment shall match in color and composition the native basalt (*lava rock*) which is native to the immediate area. The applicant shall either install harvested rock or spray rock placed to match the native material.

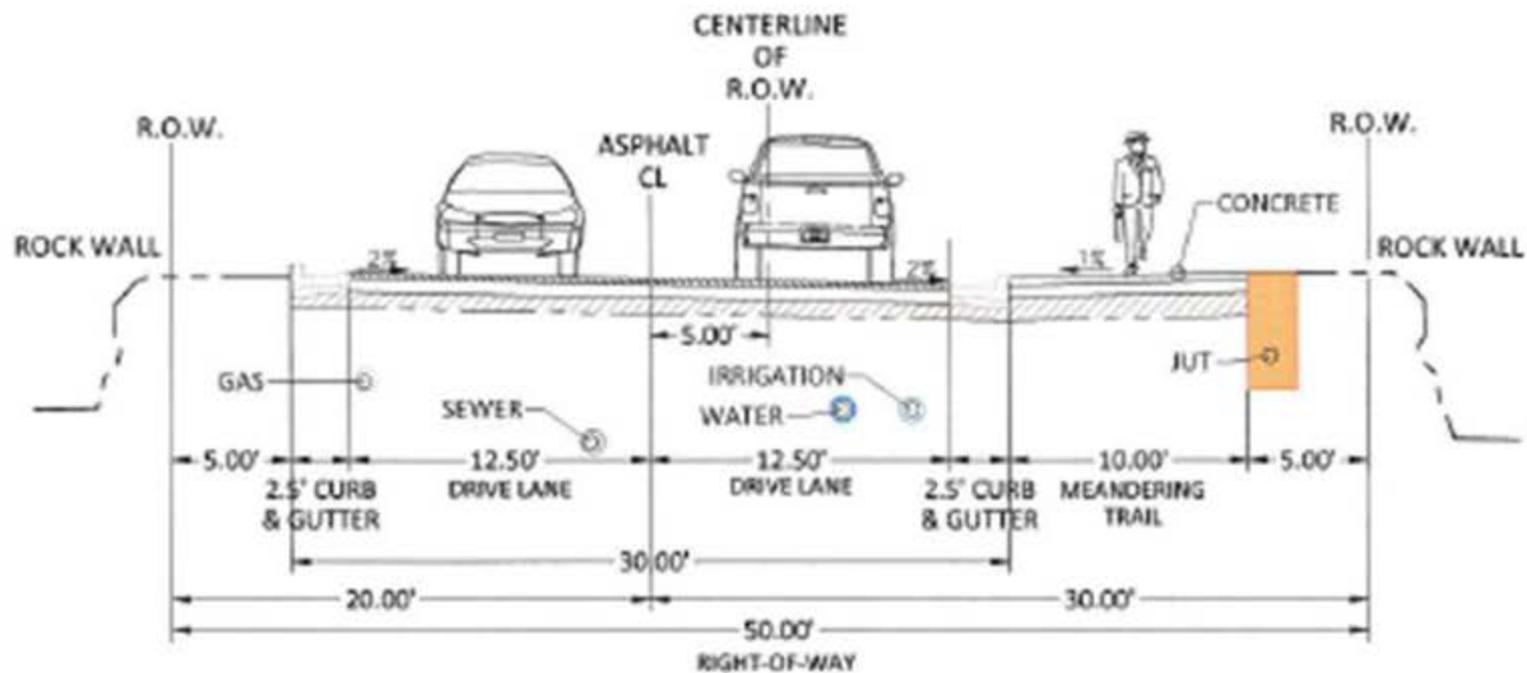
2018-HS-003
West Access Road
(Cloud Drive)

Indian Hills Drive to Tech Ridge

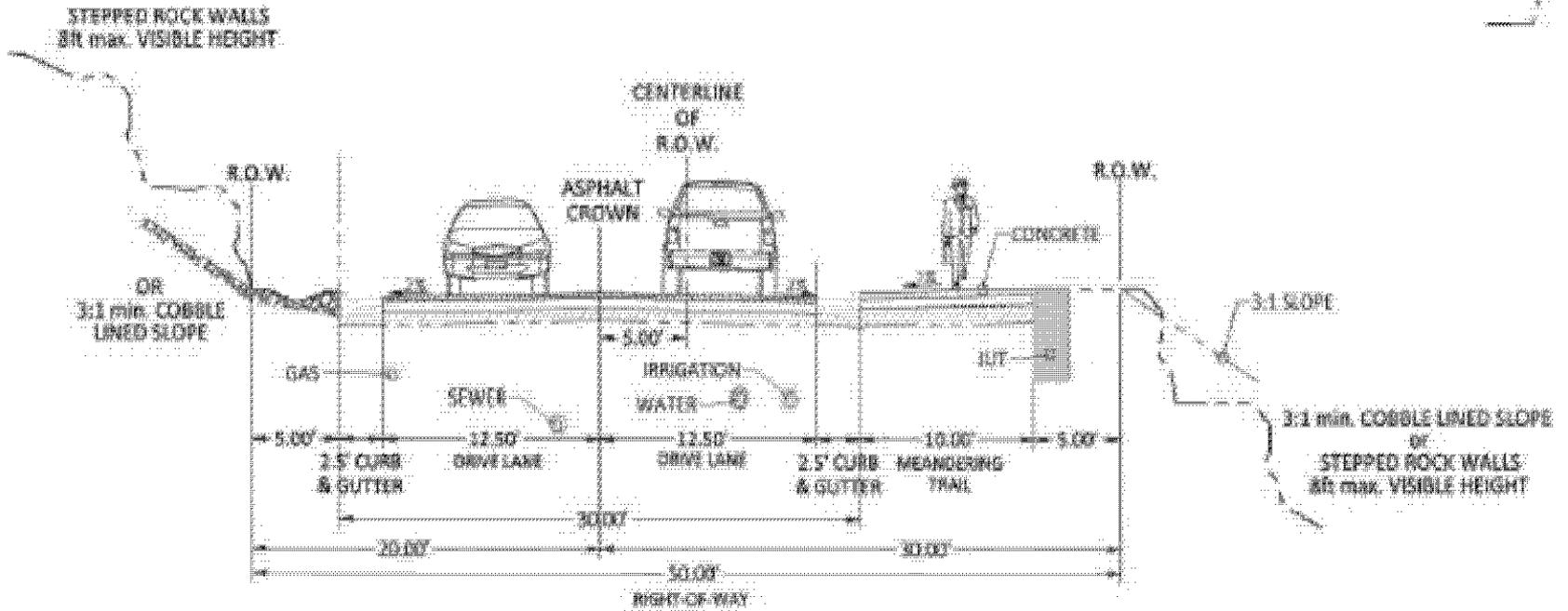
Vicinity - Aerial Map



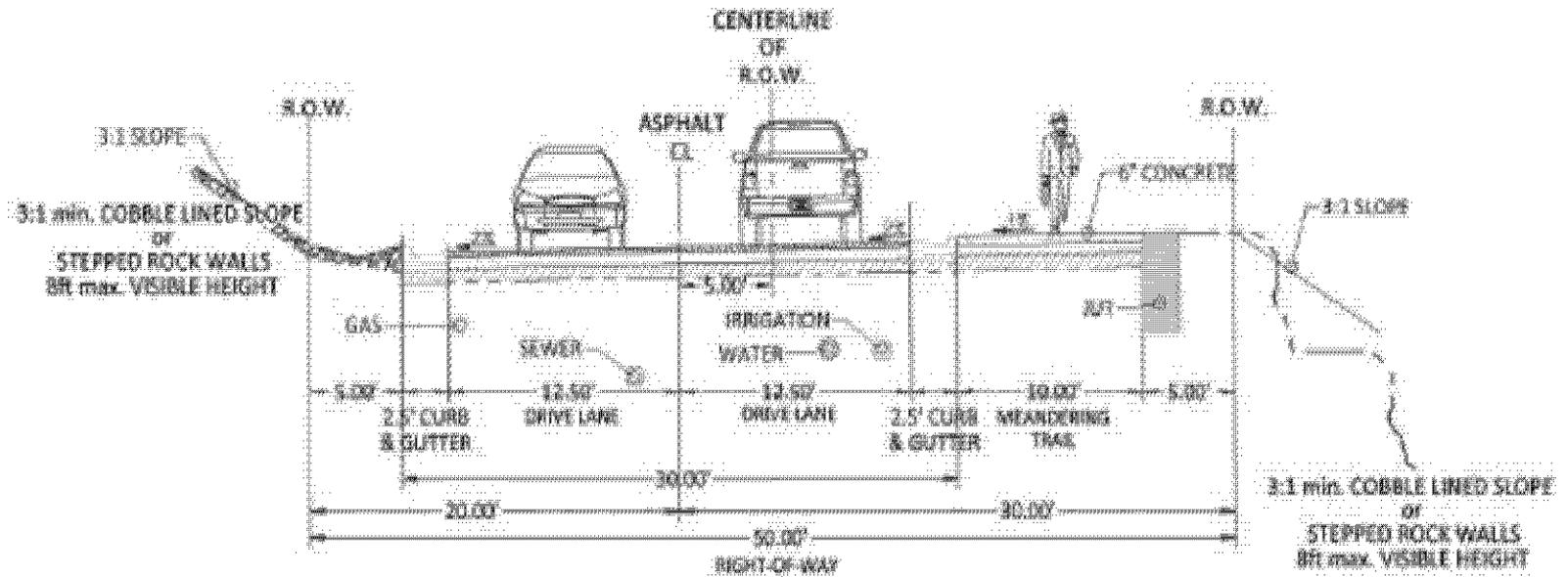
Roadway Cross Section Details



TECH RIDGE ACCESS ROAD
50' R.O.W. Right Super
Sta. 0+00 - 19+80



TECH RIDGE ACCESS ROAD
 50' R.O.W. CROWNED
 Sta. 19+80 - 31+50



TECH RIDGE ACCESS ROAD
 50' R.O.W. Left Super
 Sta. 31+50 - 54+00

Street Views (*Indian Hills Drive*)

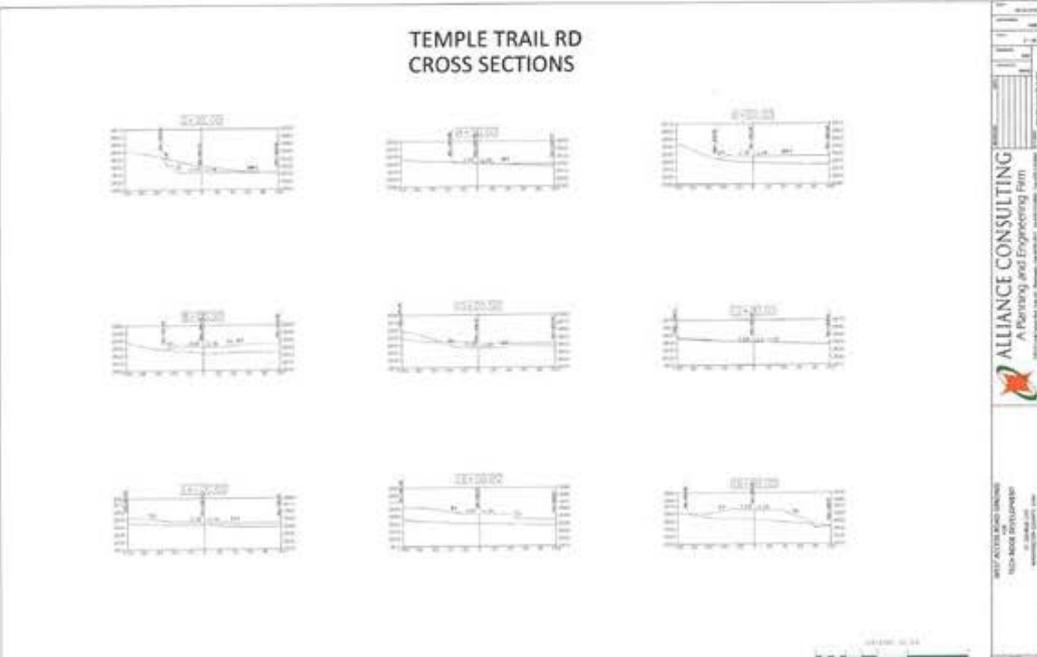
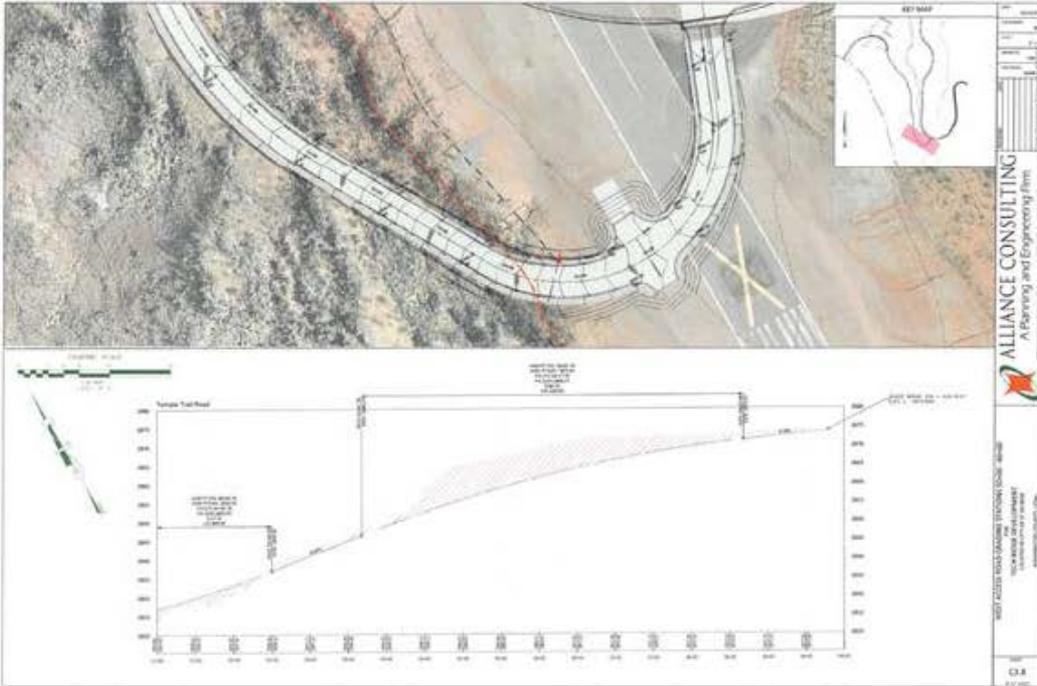




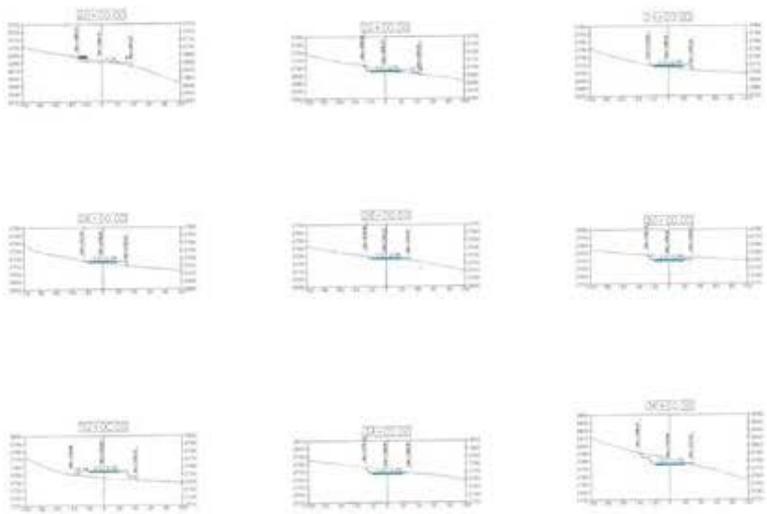


Grading Overview



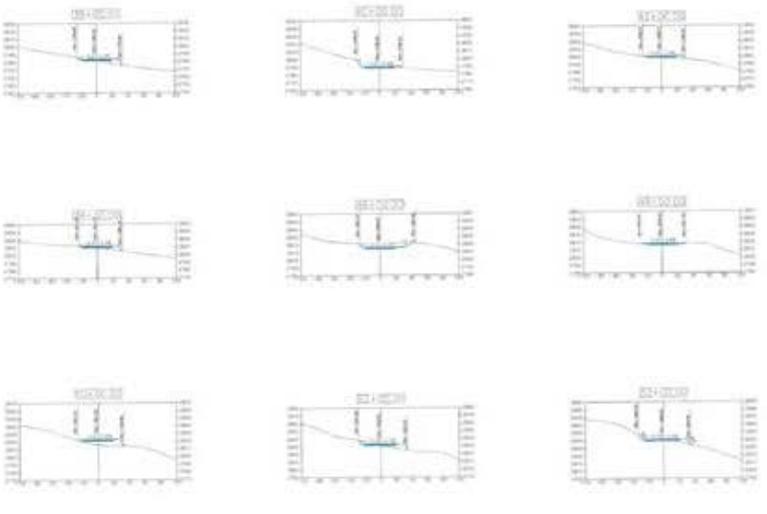


TEMPLE TRAIL RD CROSS SECTIONS



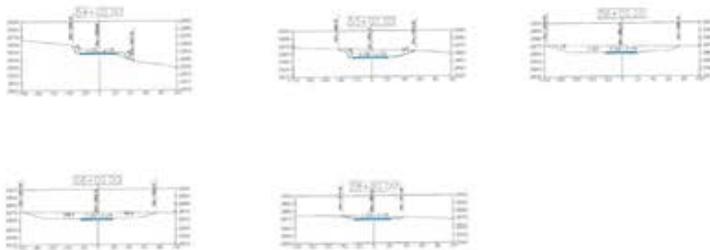

ALLIANCE CONSULTING
 A Planning and Engineering Firm
 4800 West 12th Street, Suite 100, Denver, CO 80202
 Phone: 303.733.8800
 Fax: 303.733.8801
 Website: www.allianceconsulting.com

TEMPLE TRAIL RD CROSS SECTIONS




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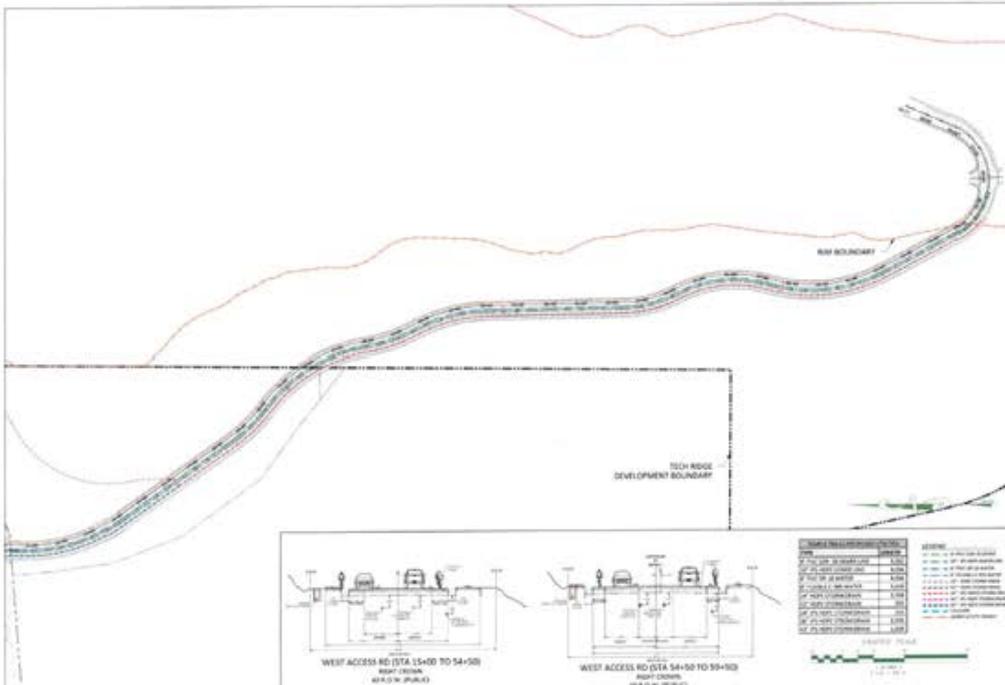
TEMPLE TRAIL RD CROSS SECTIONS



ALLIANCE CONSULTING
A Planning and Engineering Firm

WEST VALLEY ROADWAY
TECHNICAL DEVELOPMENT

DATE: 11/11/2014
DRAWN: J. [unreadable]
CHECKED: [unreadable]



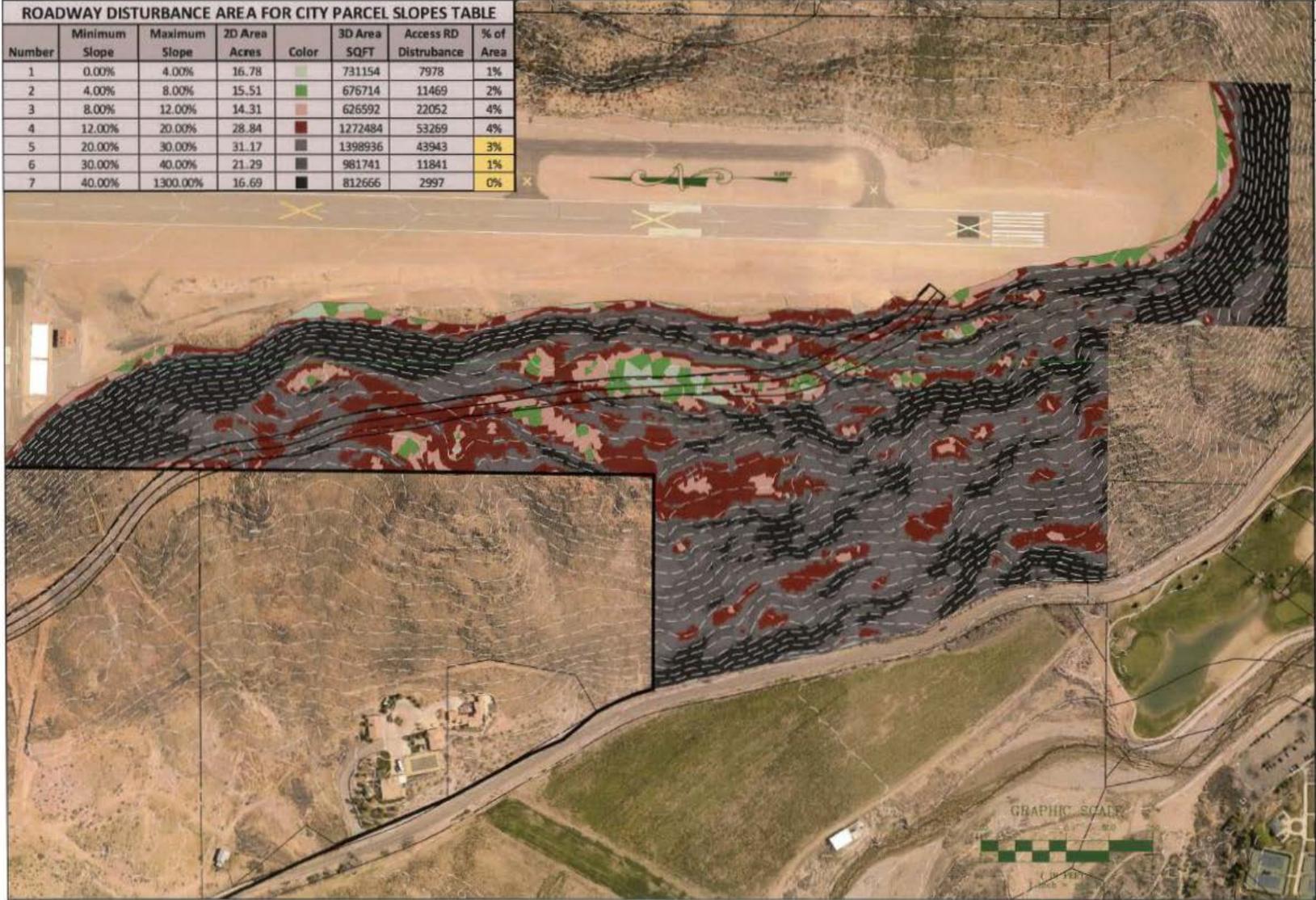
ITEM	DESCRIPTION	DATE
1	PLAN VIEW	11/11/2014
2	CROSS SECTIONS	11/11/2014
3	LEGEND	11/11/2014
4	SCALE	11/11/2014
5	TITLE BLOCK	11/11/2014

ALLIANCE CONSULTING
A Planning and Engineering Firm

TEMPLE TRAIL ROADWAY
TECHNICAL DEVELOPMENT

DATE: 11/11/2014
DRAWN: J. [unreadable]
CHECKED: [unreadable]

ROADWAY DISTURBANCE AREA FOR CITY PARCEL SLOPES TABLE							
Number	Minimum Slope	Maximum Slope	2D Area Acres	Color	3D Area SQFT	Access RD Disturbance	% of Area
1	0.00%	4.00%	16.78	Light Green	731154	7978	1%
2	4.00%	8.00%	15.51	Green	676714	11469	2%
3	8.00%	12.00%	14.31	Light Red	626592	22052	4%
4	12.00%	20.00%	28.84	Red	1272484	53269	4%
5	20.00%	30.00%	31.17	Dark Grey	1398936	43943	3%
6	30.00%	40.00%	21.29	Black	981741	11841	1%
7	40.00%	1300.00%	16.69	Black	812666	2997	0%



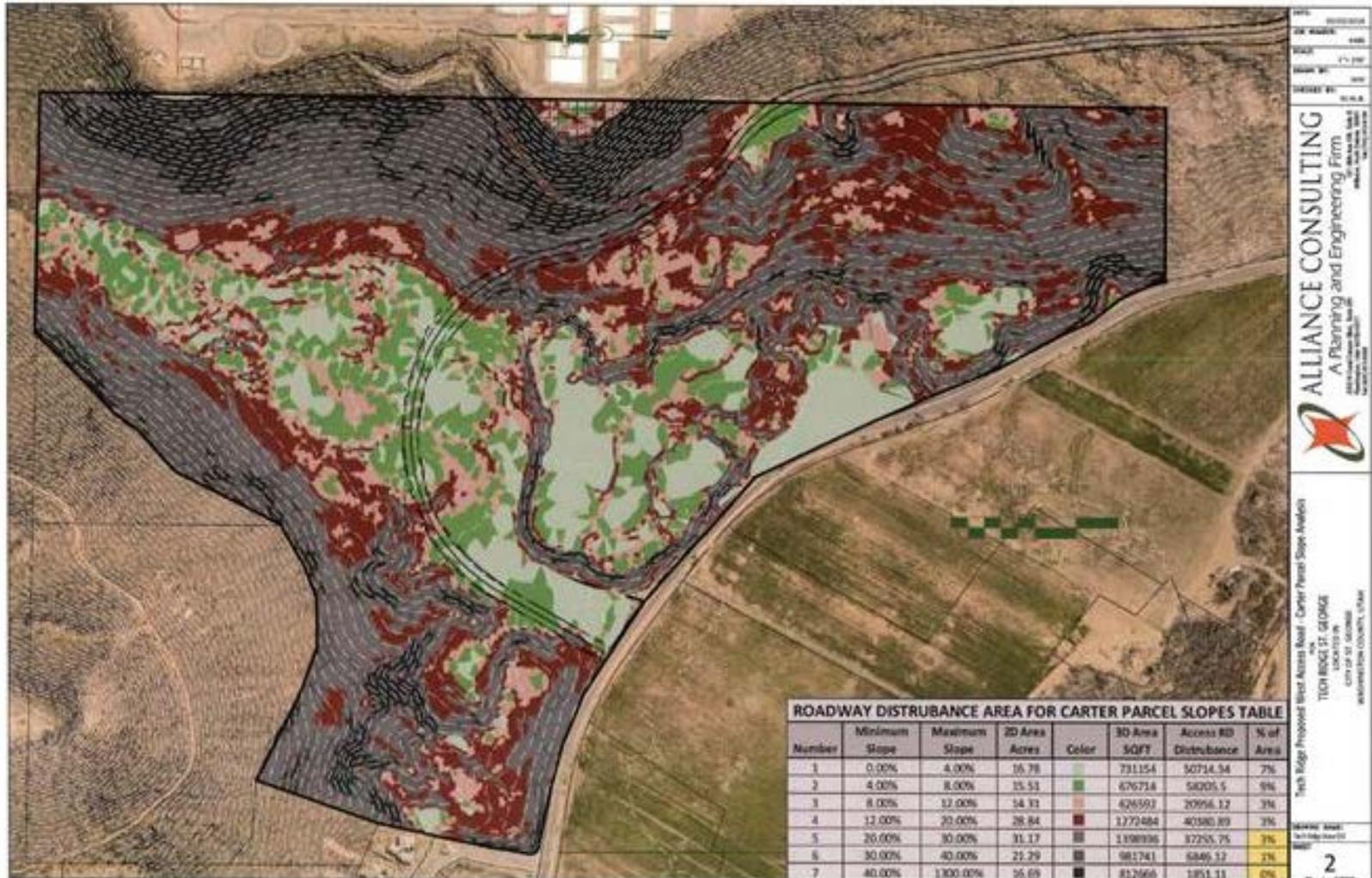
DATE: 03/02/2018
 JOB NUMBER: 4489
 SCALE: 1" = 250'
 DRAWN BY: JAW
 CHECKED BY: M.W.B.
ALLIANCE CONSULTING
 A Planning and Engineering Firm
 2024 S. WASHINGTON ST., SUITE 100
 WASHINGTON, WY 83403
 TEL: (307) 837-1888

Tech Ridge Proposed West Access Road - City Parcel Slope Analysis
 TECH RIDGE ST., GEORGE
 LOCATED IN
 CITY OF GEORGE
 WASHINGTON COUNTY, UTAH

DRAWING NAME:
 Tech Ridge East (1)
 SHEET
1
 OF 1 SHEETS

Property Slope Analysis

Sheet 2



Geotechnical Report

(Cover only is shown; the full report is 55 pages long and is in the HSRB packet and in the project case file)



GEOTECHNICAL INVESTIGATION

**TECH RIDGE SOUTH ACCESS ROAD
ST. GEORGE, UTAH**

PREPARED FOR:

**TECH RIDGE, LLC
446 SOUTH MALL DRIVE
ST. GEORGE, UTAH 84790**

ATTENTION: ISAAC BARLOW



ALLIANCE CONSULTING
A Planning and Engineering Firm

November 1, 2018

Hillside Review Board
City of St. George
175 N 200 E
St George, UT 84770

RE: Tech Ridge West Rim Drainage Control Concept Plan

To whom it may concern,

The purpose of this letter is to describe the Tech Ridge West Rim Drainage Control Concept Plan and is intended to accompany application to the Hillside Review Board for development within the City of St. George Hillside Development Overlay Zone (West Black Ridge). This plan will be implemented in conjunction with Tech Ridge Development, Temple Trail Subdivision, and construction of the West Access Road. Design of proposed development has been conducted in an effort to preserve the health, safety, and general welfare of the public. This has been accomplished with effort to maintain slope stability, minimize erosion, minimize adverse effects of grading operations, and to preserve the natural character of the existing hillside.

Proposed development is shown generally in the *Exhibit C1.1*. Tech Ridge Development will occur entirely atop the plateau in the location of the former St. George Municipal Airport, which does not contain hillside slopes exceeding 20%. Temple Trail Subdivision will disturb approximately 43 acres of land in the valley immediately west and of the former airport, approximately 15% of which includes hillside slopes exceeding 20%. The West Access Road is designed to provide access between Indian Hills Drive and Tech Ridge Development at the top of the plateau. Development of this road will disturb about 4.8 acres of land, with approximately 29% occurring within areas of steep slope exceeding 20%.

Presently, no drainage facility improvements exist within the proposed Temple Trail Subdivision and West Access Road areas. The nearest existing storm drain improvements are within the Indian Hills Drive corridor, which includes a 36-inch storm drain pipe. The area is primarily in an un-developed, native condition with a small natural drainage wash meandering through the valley west of Tech Ridge. This drainage wash is normally dry and receives stormwater runoff from the Tech Ridge and West Black Ridge hillside areas to the north, east, and west of the proposed Temple Trail Subdivision. This wash currently discharges into the Indian Hills Drive corridor.

The primary goal of the drainage control plan is to collect, control, convey, and discharge stormwater runoff in a safe and effective manner. All proposed drainage facilities will be designed to convey runoff from the 100-yr storm frequency event. One design feature that will be utilized to accomplish this goal is a proposed large detention basin that will be located immediately north of the proposed Temple Trail Subdivision, as shown in *Exhibit C1.1*. This basin will collect runoff from a large portion of the drainage basin upstream of the Temple Trail Subdivision, including a significant area of the Tech Ridge development. Stormwater will be metered at the outlet of this basin in such a way that the post-development site discharge into Indian Hills Drive is less than the pre-development discharge. It is also proposed to construct a graded drainage channel designed to convey stormwater from the detention basin to Indian Hills Drive. This drainage channel will generally follow the flow path of the existing natural drainage wash, meandering through the Temple Trail Subdivision. Metered pond outflow along with runoff from adjacent areas throughout the Temple Trail Subdivision will be

conveyed through this drainage channel. Offsite stormwater runoff from the steep slopes adjacent to Temple Trail Subdivision will be strategically routed through the subdivision and to the central drainage channel.

Stormwater runoff from Tech Ridge atop the plateau will be conveyed down the hillside slope at three primary points of concentration; these points are labeled CP1, CP2, and CP3 on the attached *Exhibit C1.1*; it is proposed to convey this runoff directly down the hillslope without prior detention in an effort to utilize the detention facility previously mentioned. An overland storm drain let-down structure is proposed to convey runoff from CP1 to the proposed detention pond. This let-down structure will be designed to closely follow the contours of the existing hillside. As indicated in *Exhibit C1.1*, an underground stormdrain pipe is proposed to be constructed from CP2 to the West Access Road, down the slope along an existing unpaved access trail. This storm drain will tie into the proposed storm drain system along the West Access Road corridor, which will be designed to convey runoff from CP3 to the central drainage channel previously mentioned. The storm drain system along the West Access Road will be designed as a water-tight system to prevent subsurface leakage into the roadway embankment in an effort to maintain slope stability.

By implementing the proposed drainage control concept plan, the object will be to prevent an increase in stormwater runoff to properties downstream of the proposed development above pre-development conditions. The primary point of site discharge will not change from where it has historically been, which is located where the natural drainage wash intersects with Indian Hills Drive. It is the intent of this plan to satisfy the requirements of the Hillside Review Board in review of application for development of the Temple Trail Subdivision and the West Access Road. Should you have any questions or concerns regarding this plan, please feel free to contact us. Thank you for your assistance in reviewing this project.

Best Regards,

A handwritten signature in blue ink that reads "Deloss Hammon". The signature is written in a cursive, flowing style.

Deloss Hammon, P.E.

DRAFT

Agenda Item Number : **18**

Request For Council Action

Date Submitted 03/13/2019 03:54 PM

**Proposed City Council
Date** 03/21/2019

Applicant Gail Maxwell

Subject Consider a request for a Hillside Development permit to allow additional development within the Stone Cliff subdivision.

Background The applicant seeks a Hillside Development permit to expand the Stone Cliff subdivision by adding additional single-family homes.

Proposed Resolution The Planning Commission recommends approval.

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

Requested by Carol Davidson

File Attachments ccpacketstonecliffhillside031319155435.pdf

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** NA

Approved in Budget? N/A **Amount:**

Hillside Permit

HILLSIDE REVIEW BOARD AGENDA REPORT: **10/17/2018**
PLANNING COMMISSION MEETING: **11/27/2018**
CITY COUNCIL MEETING: **03/21/2019**

HILLSIDE DEVELOPMENT PERMIT

Stone Cliff Expansion

Case No. 2018-HS-005

Request: A request for a Hillside Development Permit to allow development of a proposed single family residential development within Stone Cliff.

Project: The purpose of this project is to expand residential development in compliance with the hillside ordinance.

Owner: Traveller / Stone Cliff LC

Representative: Gail Maxwell

Engineer: L.R. Pope Engineering

APN: SG-5-2-34-3411, SG-5-2-34-3361, SG-5-2-34-339, and SG-5-2-34-327

Location: Located south of 1450 South Street (*see exhibits*).

Stone Cliff Slopes: There are four parcels within the Stone Cliff development (*see attached graphics*) that have slopes that are greater than 19%. For this hillside development permit, the applicant is proposing to disturb only Parcel #1.

Acreeage(s): 19-29% Slope Range

The four (4) subject parcels in Stone Cliff have a total combined area of 15.29 acres which are within the 19-29% slope range. Per the hillside ordinance, the owner can disturb up to 30% of this 15.79 acres or a total of 4.74 acres.

30-39% Slope Range

The four (4) subject parcels in Stone Cliff also have a total combined area of 10.75 acres which are within the 29-39% slope range. Per the hillside ordinance, the owner can disturb up to 5% of this 10.75 acres or a total of 0.54 acres.

Parcel #1 (Breakdown)

Parcel #1 is the very north parcel which backs up against 1450 South Street. It's called the "Subject Parcel" and consists of 6.77 acres. From 0-19% slope there is 3.30 acres, from 19-29% slope there is 2.99 acres, and from 29-39% slope there is 0.42 acres. It's proposed to disturb all of Parcel #1(100%). All guidelines for retaining walls, drainage, and construction will have to meet city codes.

Summary

The owner is proposing to disturb 2.99 acres of the 19-29% slope and 0.42 acres of the 29-40% slope. Both of these slope disturbances are proposed only for Parcel #1. This will leave 1.75 acres of the 19-29% slope and 0.12 acres of the 29-39% slope areas that can be disturbed in the future within parcels #2, #3, and #4 (*which if proposed could result in another hillside permit request*).

Zone: R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size)
(*Reference Case No. 2018-ZCA-046 to change to PD-R*)

General Plan: LDR (Low Density Residential)

Adjacent zones: The site is surrounded by R-1-10 zoning

Powers & Duties: Section 10-13A-12.B.1 of the “Hillside Review Board Powers and Duties” states that the hillside board can make recommendations for approval, conditional approval, and denial to the Planning Commission (PC) and City Council (CC).

Permit required: Section 10-13A-6:A requires that all major development (i.e., cut greater than 4', etc.) on slopes above 20% requires a ‘hillside development permit’ granted by the City Council upon recommendation from the Hillside Review Board and the Planning Commission.

Geotechnical: A geotechnical investigation was prepared by Landmark Testing & Engineering on September 25, 2018 (*Project No. 18242*). This report addresses soil and subsurface water conditions.

Drainage: A “Drainage Study” dated August 21, 2018, was prepared by L.R. Pope Engineering, Inc.. The report is an analysis of on-site and off-site hydrology under current conditions and with proposed development of the site. The report addresses proposed mitigations for handling drainage.

Applicable Ordinance(s):

(*Selected portions*)

10-13A-1: Purpose

The city finds that the health, safety and the general public welfare of the residents of the city will be promoted by establishing standards for the development and excavation of hillside and slope areas located in the city so as to minimize soil and slope instability and erosion, to minimize the adverse effects of grading, cut and fill operations, to preserve the character of the city's hillsides, and to otherwise supplement and amplify the city subdivision and zoning ordinances. The provisions herein are designated to accomplish the following:

- A. Prohibit development of uses which would likely result in a hazardous situation due to slope instability, rock falls or excessive soil erosion.
- B. Provide for safe vehicular circulation and access.

- C. Encourage the location, design and development of building sites in a manner that will minimize the scarring and erosion effects of cutting, filling and grading of hillsides.
- D. Encourage preservation of open space by encouraging clusters or other design techniques to preserve the natural terrain.
- E. Where hillside excavation does occur, require that buildings be located in the cut area to minimize the visual effects of scarring. (1998 Document § 10A-1)

Section 10-13A-4: Density and Disturbance Standards

- A. Schedule: In furtherance of the purposes set forth above, density and site disturbance within the hillside development overlay zone shall comply with the following schedule. Any portion of a development parcel having a slope greater than forty percent (40%) shall not be included in the calculation of the area of such parcel for the purposes of determining conformity with the density requirements below:

Percent Natural Slope	Dwelling Units (DU) / Acre
0-19	See underlying zone
20-29	2 DU/acre, provided the units are clustered on 30 percent (30%) or less of the land area within this slope category. 70 percent of this slope category shall remain undisturbed. The 70 percent area is based upon the overall area/development rather than per lot. Also see subsections A1, A2, and A3 of this section.
30-39	1 DU/10 acres, provided no more than 5 percent (5%) of the site is disturbed, and 95 percent of the site remains undisturbed. If the cumulative area is at least 1 acre but less than 10 acres, the cumulative area shall be allowed 1 DU.
40	Development is not permitted (0%), except as provided for in subsection A4 of this section.

A.4. The city council, after considering the recommendation from the hillside review board, and from the planning commission may approve the removal of small hills which contain slopes forty percent (40%) or greater subject to determining the application conforms to all of the following requirements:

- a. The hill is not contiguous to nor part of a major hillside formation, and
- b. The removal of such landform will not create a negative aesthetic impact in the opinion of the city council, and
- c. The land area is zoned for residential, commercial, or industrial development. (Ord. 2013-01-001, 1-3-2013)

Section 10-13A-5: Slope and Slope Areas Determined

- B. Procedure: The location of the natural twenty percent (20%), thirty percent (30%) and forty percent (40%) slopes for the purposes of this article shall be determined using the following procedure: (Ord. 2005-07-007, 7-21-2005)
3. Determination of Slope Areas for Density Calculations: Using the contour maps, slopes shall be calculated in intervals no greater than forty feet (40') along profile lines. Points identified as slopes of twenty percent (20%), thirty percent (30%), and forty percent (40%) shall be located on the contour map and connected by a continuous line. That area bounded by said lines and intersecting property lines shall be used for determining-dwelling unit density. Small washes or rock outcrops which have slopes distinctly different from surrounding property and not part of the contiguous topography may be excluded from slope determination if, in the opinion of the hillside review board, the exclusion of such small areas from slope determination will not be contrary to the overall purpose of this article. For the purpose of determining developable areas and allowable densities, previously disturbed hillside areas shall be considered on a pre-disturbance natural slope basis, where feasible, as proposed by the applicant's engineer and approved by the hillside review board. Where a property owner restores a previously disturbed area to a natural or near natural condition, the area may be included within a required no disturbance area. (Ord. 2005-07-007, 7-21-2005)

Comments:

This request is for an expansion of Stone Cliff (*only in Parcel #1*).

There are two (2) existing older homes which are to be demolished. These are shown on the proposed lots 1727 and 1730.

PC Motion:

The Planning Commission recommends approval:

This permit is recommended for approval because it has been determined that the 20% - 39% slope areas found on Parcel #1 can be disturbed because the small washes or rock outcroppings on that parcel are not a part of a major hillside formation and are not distinctly different from the surrounding property and are not part of a contiguous topography. Such removal will not result in a negative aesthetic impact and the land is zoned and suitable for residential development. This recommendation is supported by the Hillside Ordinance particularly Section 10-13A-4.A.4.a. It's also found that Parcel #1 can be disturbed in its entirety (100%) because the areas within the 19-29% slope category and within the 29-39% slope category within parcel #1 are less than the 30% and 5% disturbance allowed per the hillside ordinance for the total area of parcels 1 thru 4. Furthermore, there is 1.75 acres of the 19-29% slope and 0.12 acres of the 29-39% slope areas that could be disturbed in the future within these parcels #2, #3, and #4 based on a future and separate hillside permit request.

The following are recommended conditions:

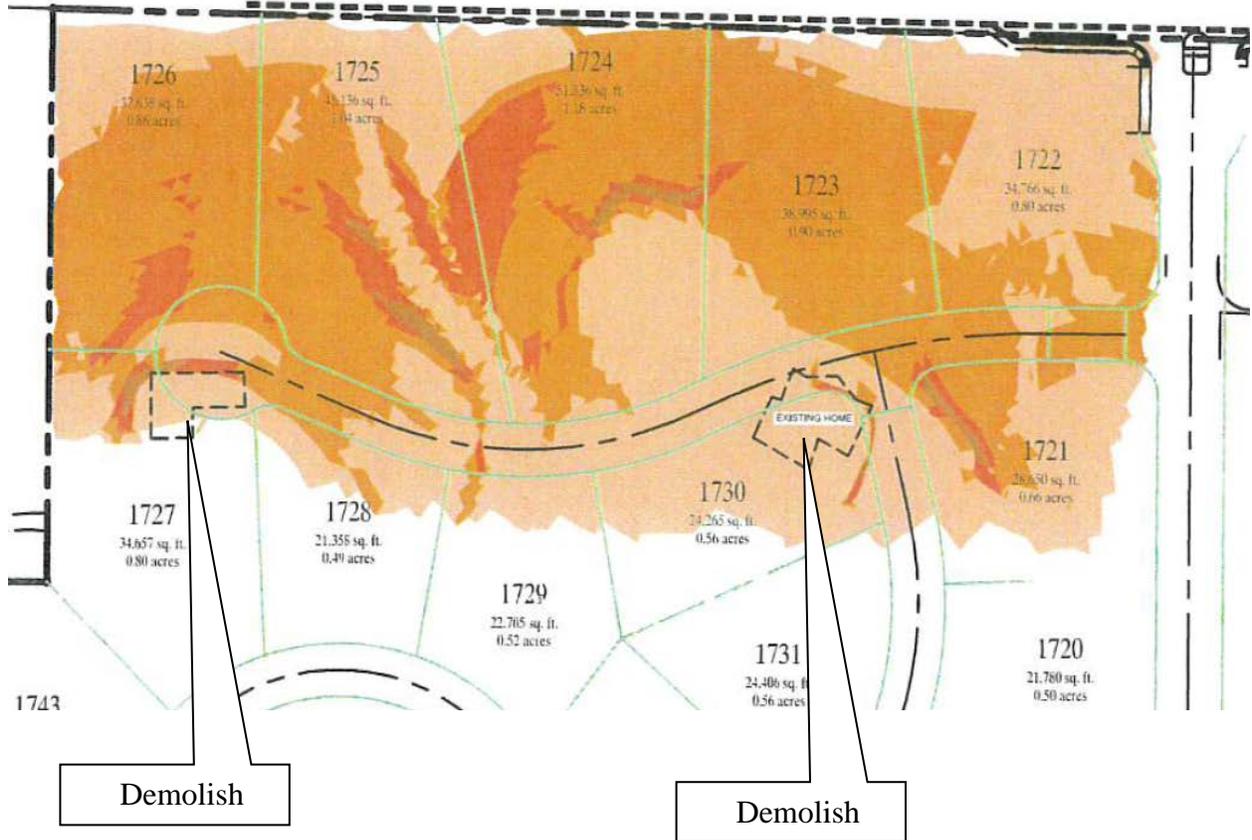
1. Hillside Permit - A hillside permit is required per ordinance and shall be processed as required by City staff.

2. Site Plan Review – The applicant shall submit a SPR (Site Plan Review) application with the required accompanying civil engineering plan set (*for plan review*) and work with staff as required.
3. Zoning – For development of this project, a zone change is required; See Case No. 2018-ZCA-046 in this agenda. (Which is a request to change from R-1-10 to the PD-R zone).
4. Drainage – Drainage shall comply with the ‘Drainage Study’ dated August 21, 2018, by L.R. Pope Engineering, Inc..
5. Geotechnical – All earthworks shall comply with the recommendations and mitigations presented in Landmark Testing & Engineering Geotech Report for project #18242 dated September 25, 2018.
6. Deed Restriction – Provide for review and approval to the City Attorney’ Office a deed restriction for recordation which demonstrates that the other parcel areas 2, 3, & 4 as presented will not be disturbed hillside areas in the future.



Existing Homes to be demolished (On Parcel #1)

1450 South Street



Google Map – Street Views



DEFINING THE SCOPE OF THE HILLSIDE APPLICATION

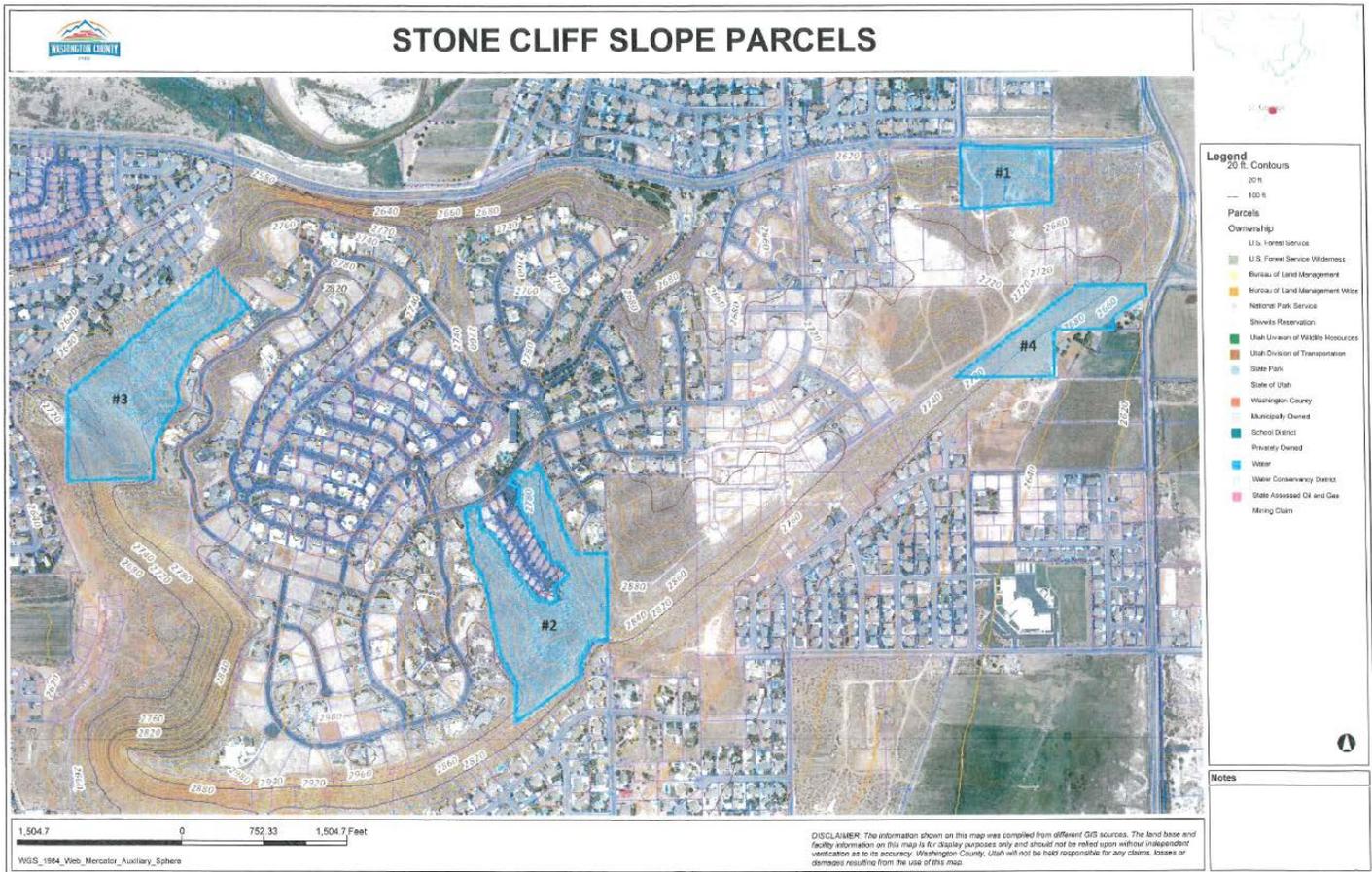
1. The hillside permit covers the very North parcel of the stone cliff development, This is labeled the SUBJECT PARCEL, consisting of 6.77 ac total. From 0 – 19% there is 3.30 ac, From 19-29% there is 2.99ac, from 29-40% there is .42 ac.
2. Parcels #4, parcel #2 and Parcel 8 west, are parcels within the Stone cliff project and are parcels we have not built, and we propose to exchange the slope analysis in those areas for the slopes in the subject property.
3. THE STONE CLIFF SLOPE ANALYSIS page gives the slopes between 19-29% and 29-40% for comparison
4. THE STONE CLIFF OVERALL MAP gives you the location of each of the parcels with in the Stone Cliff development.
5. THE SUBJECT PARCEL, has 2.99 ac between 19-29%, we have up to 15.79ac to offer in exchange for permitting purposes.

THE SUBJECT PROPERTY has .42 ac from 29-40%, we have .537ac to offer as an exchange for permitting purposes.
6. 100% of the proposed property will be disturbed, Guidelines for wall height, drainage and overall construction will meet city codes.
7. We feel that we can make this hill side a place of beauty, and a continuation of the standards we have met in the Stone Cliff Project.

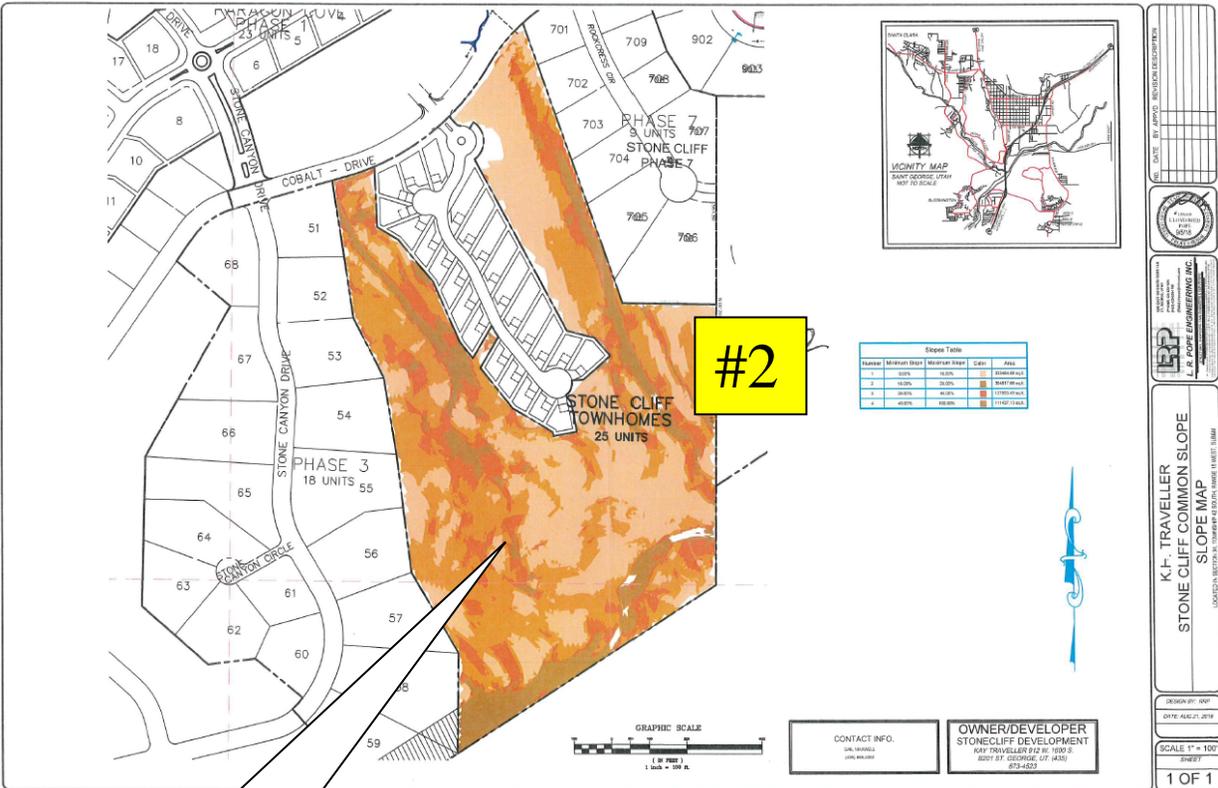
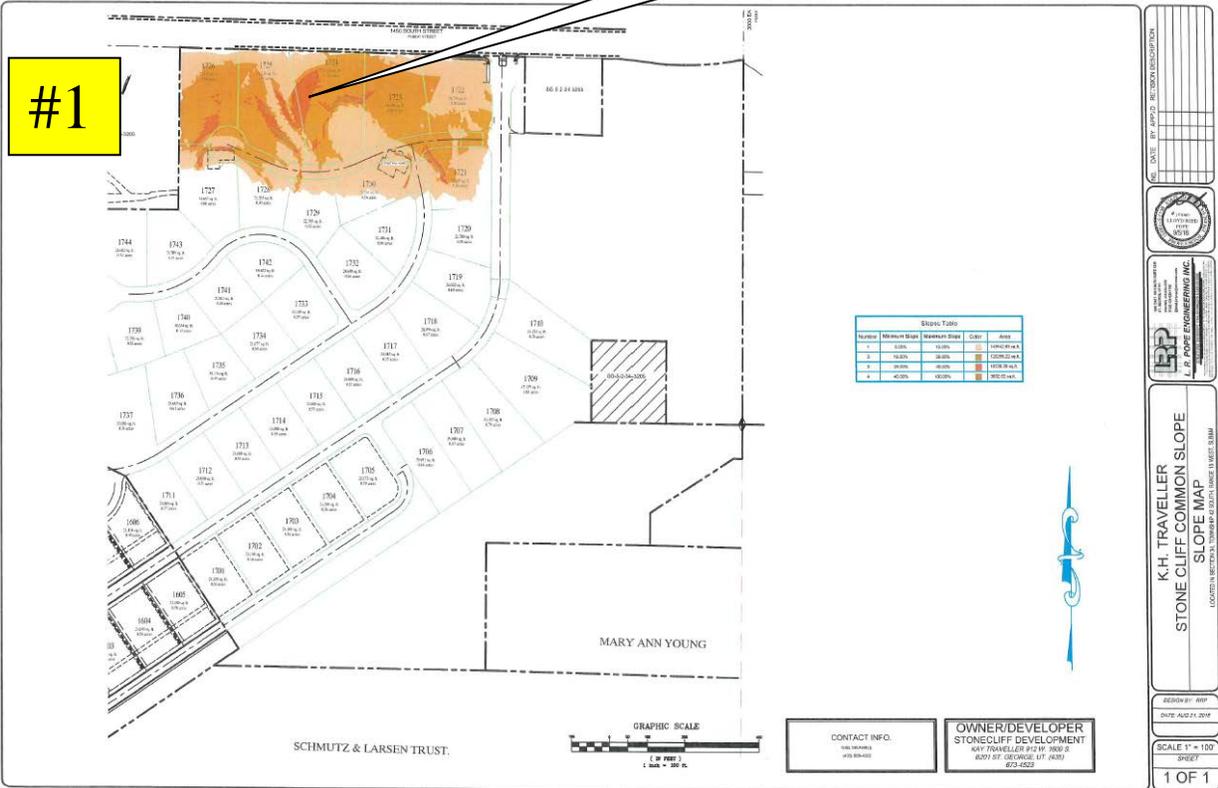
STONE CLIFF SLOPE ANALYSIS

#1	North slope subject parcel				
	19-29	=	130356	=	2.99ac
	29-40	=	18394	=	.42ac
#4	East slope #4				
	19-29	=	105957	=	2.43ac
	29-40	=	120836	=	2.77ac
#2	Townhomes # 2				
	19-29	=	304618	=	6.99ac
	29-40	=	137853	=	3.16ac
#3	phase 8, west				
	19-29	=	277275	=	6.37ac
	29-40	=	209542	=	4.81ac
Totals					
	19-29	=	687850	=	15.79
	29-40	=	468231	=	10.75
				=	.537 @ 5%

Note: This hillside request is to develop parcel area #1 only and areas #2, #3, & #4 were only used to calculate the resultant remaining undisturbed areas for Stone Cliff (to calculate the area and percentages of slopes that can be disturbed).



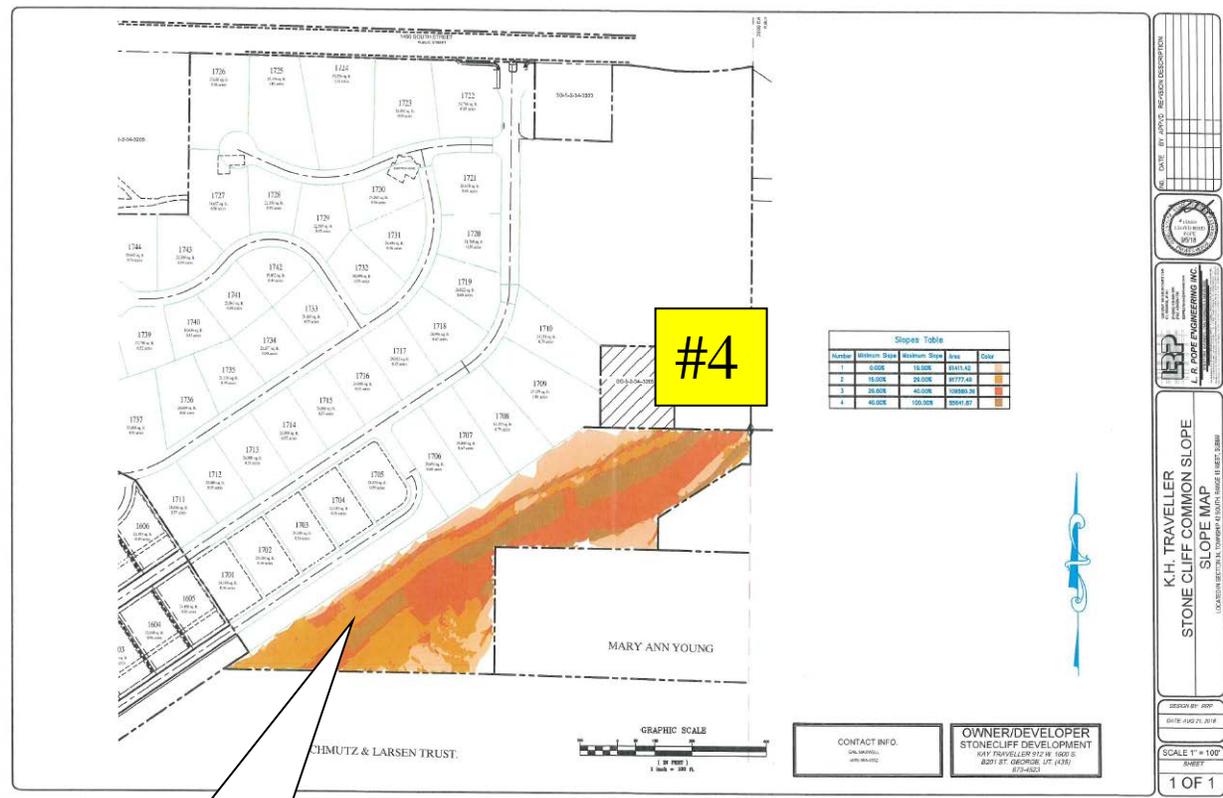
Requesting this parcel
 only can be disturbed



Will remain undisturbed

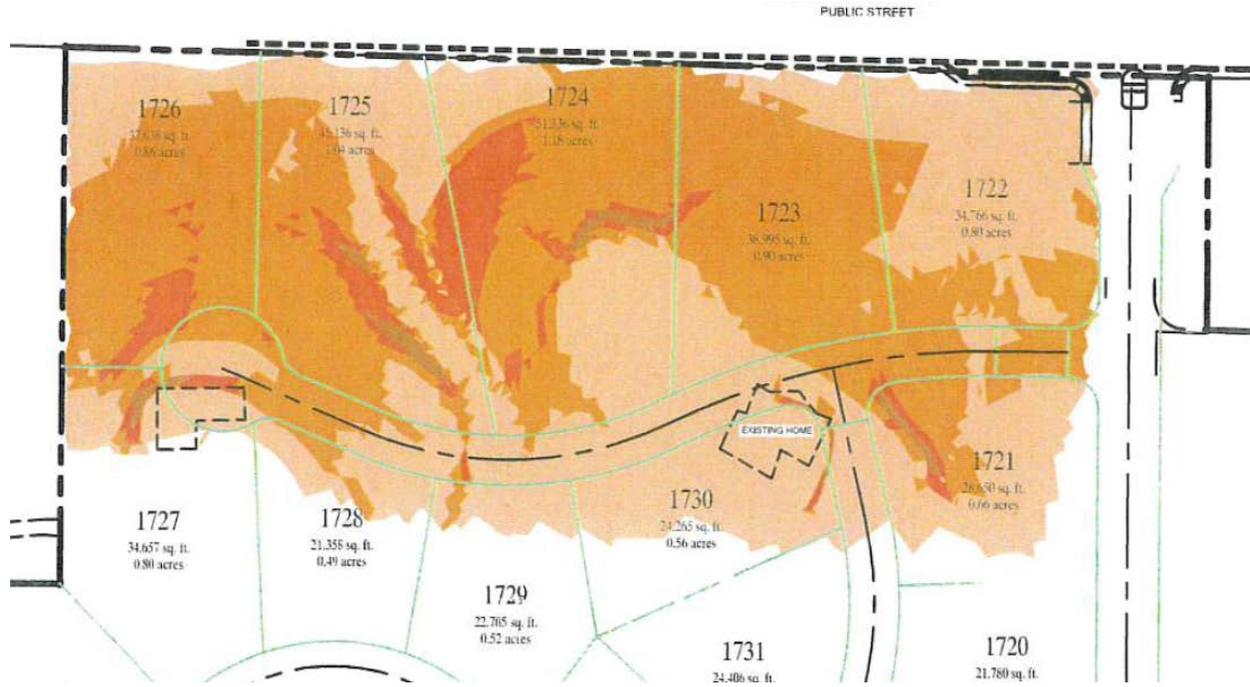


Will remain undisturbed



Will remain undisturbed

Area #1

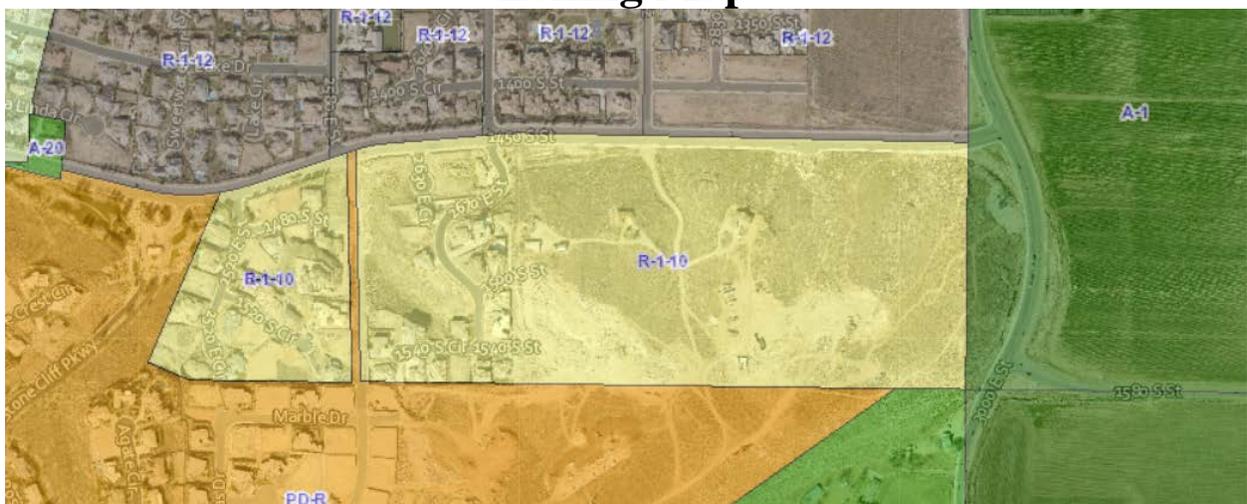


Slopes Table				
Number	Minimum Slope	Maximum Slope	Color	Area
1	0.00%	19.00%		143542.93 sq.ft.
2	19.00%	29.00%		129258.22 sq.ft.
3	29.00%	40.00%		18336.38 sq.ft.
4	40.00%	100.00%		3632.62 sq.ft.

Vicinity - Aerial Map



Zoning Map



Drainage Report

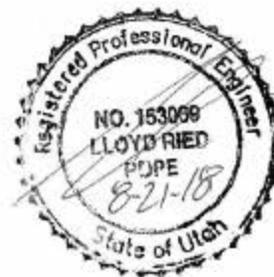
(Only the cover is shown; the full report is 405 pages and is in the HSRB packet and in the project case file)

DRAINAGE CONTROL PLAN & REPORT FOR STONE CLIFF PHASE 16 & 17 IN ST. GEORGE, UTAH

August 21, 2018



L.R. POPE ENGINEERING, Inc.
1240 EAST 100 SOUTH #15B
ST. GEORGE, UTAH 84790
435 628 1676



Geotechnical Investigation

(Only the cover is shown; the full report is 19 pages and is in the HSRB packet and also in the project case file)

GEOTECHNICAL INVESTIGATION REPORT

for

Stone Cliff Phase 17

St. George, Utah

Submitted to:

Traveller Development
Attn: Gail Maxwell
912 West 1600 South Building B, Suite 201
St. George, UT 84770

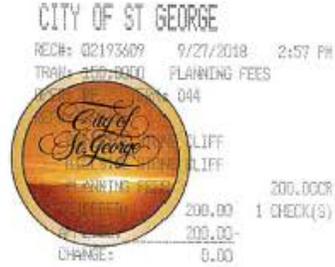
September 25, 2018

Landmark Testing & Engineering

Landmark Project No. 18242
795 East Factory Drive
St. George, Utah 84790

Application

HILLSIDE REVIEW
APPLICATION



FILE #: 2018 HS 005 FILING DATE: _____ RECEIVED BY: _____
FEE: \$200 FEES PAID: _____ PSR Date: _____

APPLICANT INFORMATION

LEGAL OWNER(S) OF SUBJECT PROPERTY: Traveller / Stone Cliff, LLC

MAILING ADDRESS: PO Box 592, St. George, UT 84771

PHONE: 435-705-3816 CELL: Same FAX: _____

APPLICANT: N/A
(If different than owner)

MAILING ADDRESS: N/A

PHONE: N/A CELL: N/A FAX: N/A

CONTACT PERSON/REPRESENTATIVE: N/A
(If different than owner)

MAILING ADDRESS: N/A

PHONE: N/A CELL: N/A FAX: N/A

PROPERTY INFORMATION

STREET ADDRESS OF PROPERTY: 1450 South 3000 East

ASSESSOR'S PARCEL NUMBER(S): SG-5-2-34-3411, SG-5-2-34-3361, SG-5-2-34-3399

ZONING: R-1-10 GENERAL PLAN: LDR

LEGAL DESCRIPTION: (Attach separate sheet if necessary) See attached.
Lot / Plat

EXISTING USE: Two existing older homes. To be demolished
Use of property and/or Buildings

PROPOSED USE: Expansion of existing Stone Cliff
Use of property and/or Buildings

SUBMITTAL “CHECK LIST”

Note: The applicant is responsible for familiarizing themselves with Title 10, Chapter 13-A “Hillside Development Overlay Zone” of the St. George City Code Zoning Regulations from which this check list was condensed.

Density and Disturbance Standards

Any area greater than 40% will not be reviewed for development.
 No portion of the parcel having a slope greater than 40% shall be included in the calculations for conformity with the density requirements shown below.

Complete the following checklist:

Submitted

Yes	No	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1-19%: See the underlying zone.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20-29%: 2 d.u. per acre, provided clustering is done on 30% or less of the land in this category. 70% remained undisturbed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	30-39%: 1 d.u. per 10 acres, provided no more than 5% of the site is disturbed. 95% is to remain undisturbed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	40% +: Development is not permitted.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Contour intervals, maps and calculations prepared by a professional civil engineer.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Engineer's certification and signature on reports and plans.

Slope Determination

The location of the natural 20%, 30%, or 40% is determined by a professional licensed engineer or surveyor who is to prepare contour maps, conduct a field survey, and calculate the slope area.

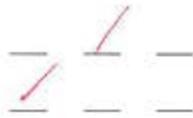
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Slope Analysis Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Contours at intervals no greater than five (5) feet.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Scale to be drawn at one-inch equals one hundred (1"= 100') feet scale maximum.

Lot Size

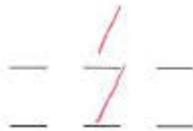
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lot size determined
-------------------------------------	--------------------------	--------------------------	---------------------

Site Plan

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A grading plan showing existing and proposed contours extending at least 100 feet beyond property has been submitted.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All excavations and fills conform to Appendix “K” of the Utah Uniform Building Standards Act rules and the current adopted edition of the International Building Code.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The height of cut(s) does not exceed 10'. (Combined height of cuts and fills does not exceed 20')



Detailed plans of all surface and subsurface drainage systems are shown.
 Location of existing and proposed streets, buildings, structures, and easements have been shown.



Detailed site plans and elevation drawings showing the location of all structures and mitigation of cuts or fills.
 Cross sections provided

Earth Moving Plan (Shall be prepared by a licensed Civil Engineer and shall include but not be limited to the following items)



Topography, 2' for tableland, 5' for steep slopes.



Terrain details



Proposed earth-moving details



Description of the method used to dispose of earth, etc.



A time table for each step of the project has been submitted. This shall include the starting and completion dates.



Drainage

A drainage control plan (study) has been prepared by a licensed Civil Engineer.

Geology & Soils Report (Study)

(Shall be prepared by a licensed professional engineer trained in geo-technical engineering) (A geology & soils report/study shall include but not be limited to the following items)



Slope stability analysis.



Foundation investigation.



Location and yield of springs.



Structural features.



Existence of surface hazards.



Conclusions and recommendations regarding effect of geological conditions.

Landscape & Vegetation Plan (Shall be prepared by a qualified professional prior to Final Plat and approved) (A landscape and vegetation plan shall include but not be limited to the following items)



Replant disturbed areas.



Types of retention to be used



Sprinkler plans and projected water usage.

Street Design



Street design conforms to City standards.

Submitted by

Kelby Traveller
 (Print Name)

[Signature]
 (Signature)

8-2-18
 (Date)

2018-HS-005

Stone Cliff Expansion

Acreage(s):

19-29% Slope Range

The four (4) subject parcels in Stone Cliff have a total combined area of 15.29 acres which are within the 19-29% slope range. Per the hillside ordinance, the owner can disturb up to 30% of this 15.79 acres or a total of 4.74 acres.

30-39% Slope Range

The four (4) subject parcels in Stone Cliff also have a total combined area of 10.75 acres which are within the 29-39% slope range. Per the hillside ordinance, the owner can disturb up to 5% of this 10.75 acres or a total of 0.54 acres.

Parcel #1 (Breakdown)

Parcel #1 is the very north parcel which backs up against 1450 South Street. It's called the "Subject Parcel" and consists of 6.77 acres. From 0-19% slope there is 3.30 acres, from 19-29% slope there is 2.99 acres, and from 29-39% slope there is 0.42 acres. It's proposed to disturb all of Parcel #1(100%). All guidelines for retaining walls, drainage, and construction will have to meet city codes.

Summary

The owner is proposing to disturb 2.99 acres of the 19-29% slope and 0.42 acres of the 29-40% slope. Both of these slope disturbances are proposed only for Parcel #1. This will leave 1.75 acres of the 19-29% slope and 0.12 acres of the 29-39% slope areas that can be disturbed in the future within parcels #2, #3, and #4 (*which if proposed could result in another hillside permit request*).





STONE CLIFF SLOPE PARCELS



- Legend**
- 20 ft. Contours
 - 20%
 - 100%
 - Parcels**
 - Ownership**
 - U.S. Forest Service
 - U.S. Forest Service Wilderness
 - Bureau of Land Management
 - National Land Management White
 - Natchez Park Service
 - Shoshone Reservation
 - Utah Division of Wildlife Resources
 - Utah Division of Transportation
 - State Park
 - State of Utah
 - Washington County
 - Municipally Owned
 - School District
 - Privately Owned
 - Wear
 - Water Conservancy District
 - State Assessed Oil and Gas
 - Mining Claim

1,504.7 0 752.33 1,504.7 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

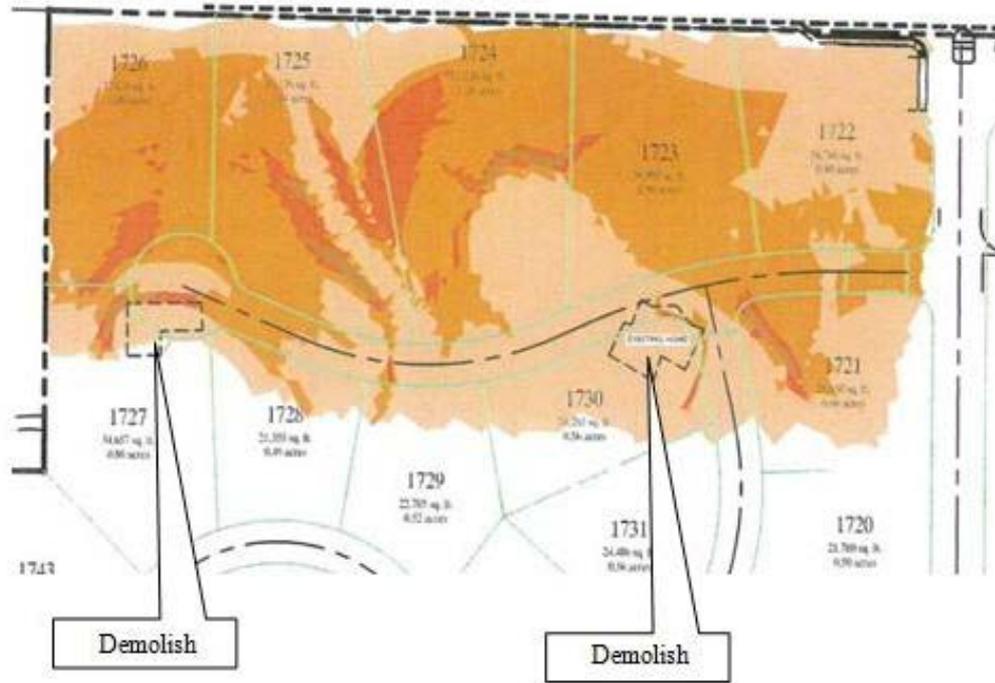
DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.

Notes

Existing Homes to be demolished

(Parcel #1)

1450 South Street

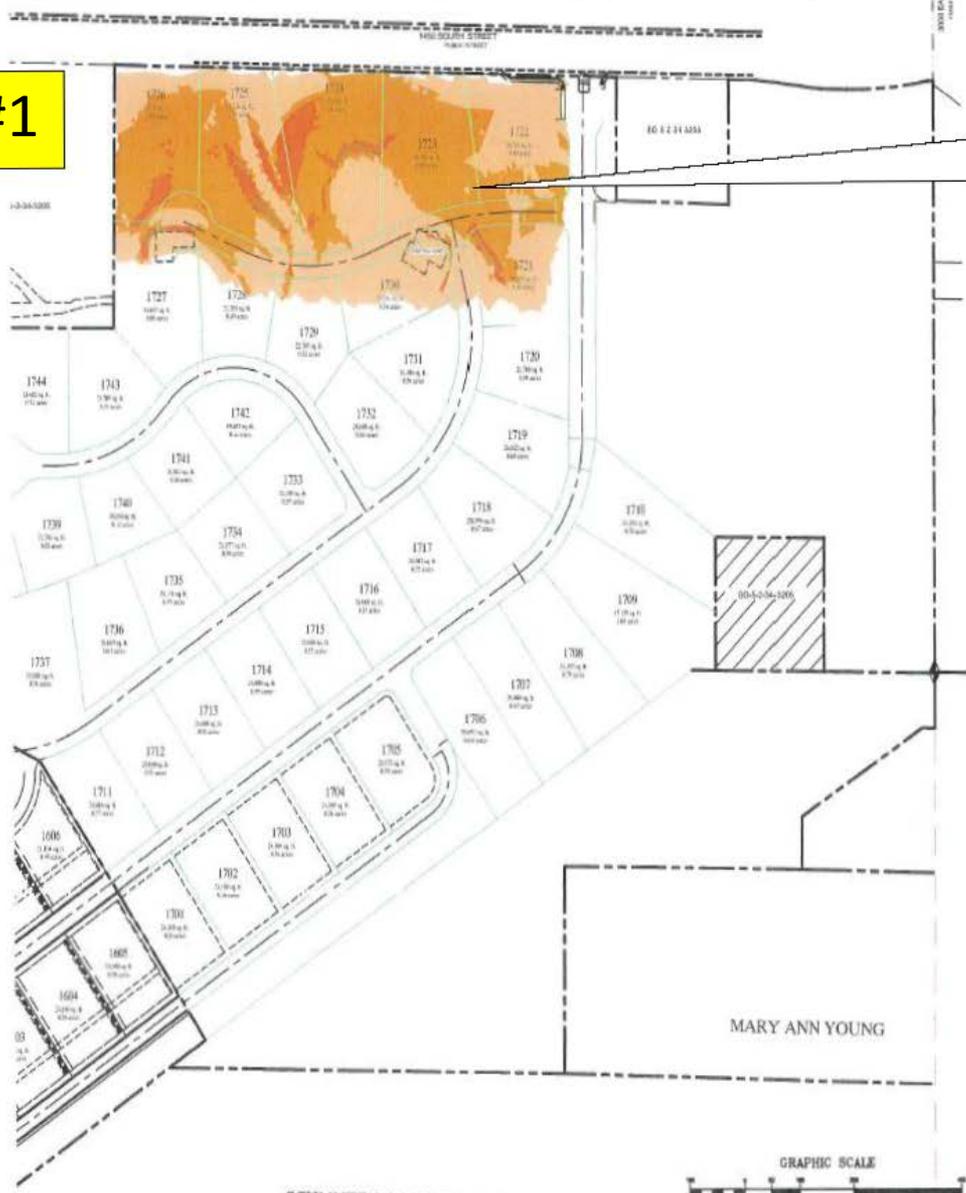


Google Map – Street Views



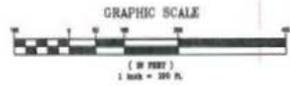
#1

Requesting this parcel only can be disturbed



Slope Table				
Number	Minimum Slope	Maximum Slope	Color	Area
1	4.00%	14.00%	[Light Orange]	1,000 sq. ft. & less
2	14.00%	20.00%	[Orange]	1,000 sq. ft. & less
3	20.00%	40.00%	[Dark Orange]	4,000 sq. ft. & less
4	40.00%	49.00%	[Red]	800 sq. ft.

SCHMUTZ & LARSEN TRUST.



CONTACT INFO.
 VIA HARVEY
 408-89-4522

OWNER/DEVELOPER
 STONECLIFF DEVELOPMENT
 KAY TRAVELLER #12 BY 200 S
 AUSTY ST. GEORGE, UT, 84301
 872-4523

NO.	DATE	BY	APP'D	REVISION DESCRIPTION

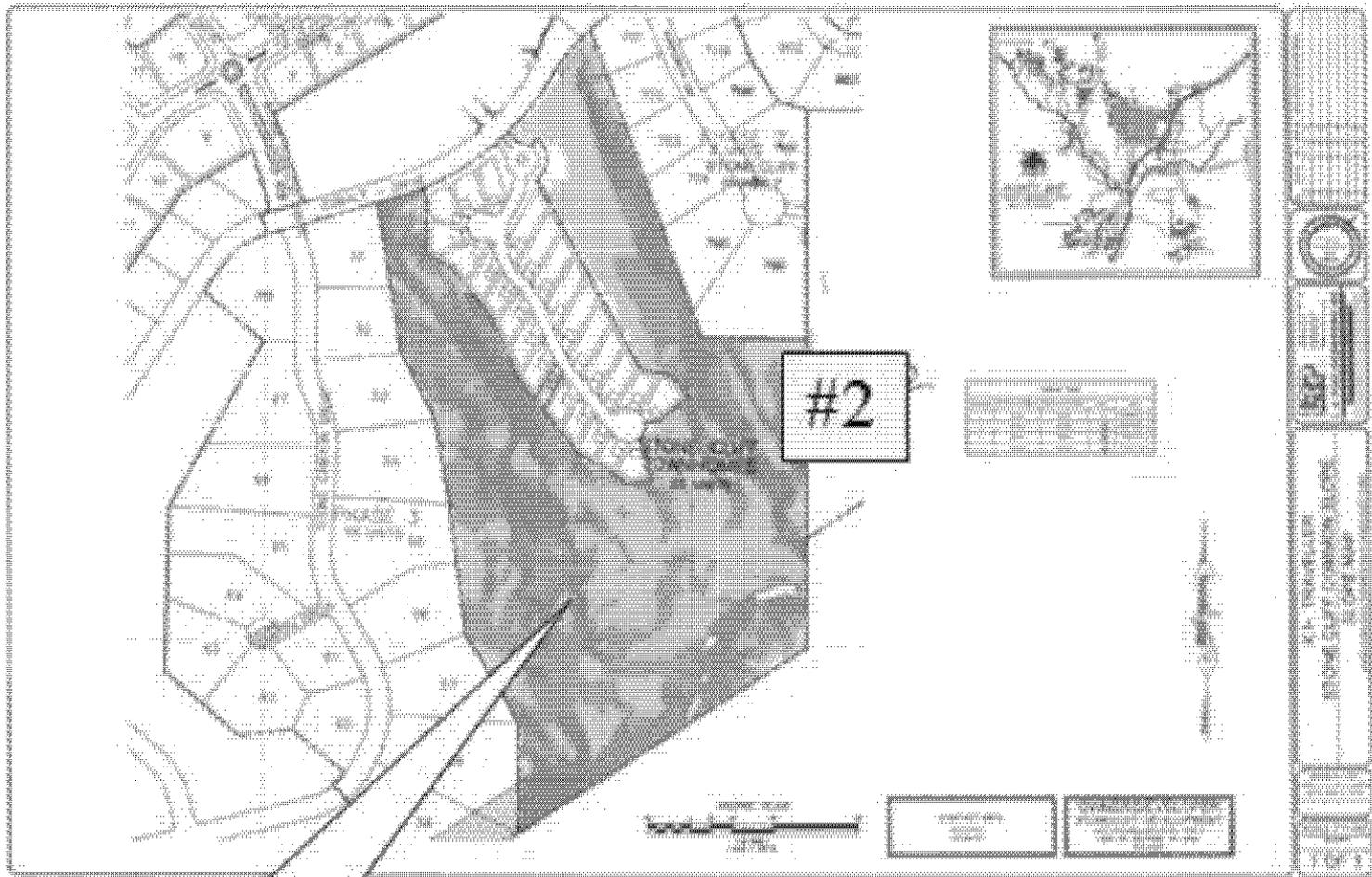


K.H. TRAVELLER
 STONE CLIFF COMMON SLOPE
 SLOPE MAP
 LOCATED IN SECTION 33, TOWNSHIP 43 SOUTH, RANGE 10 WEST, 10 EAST

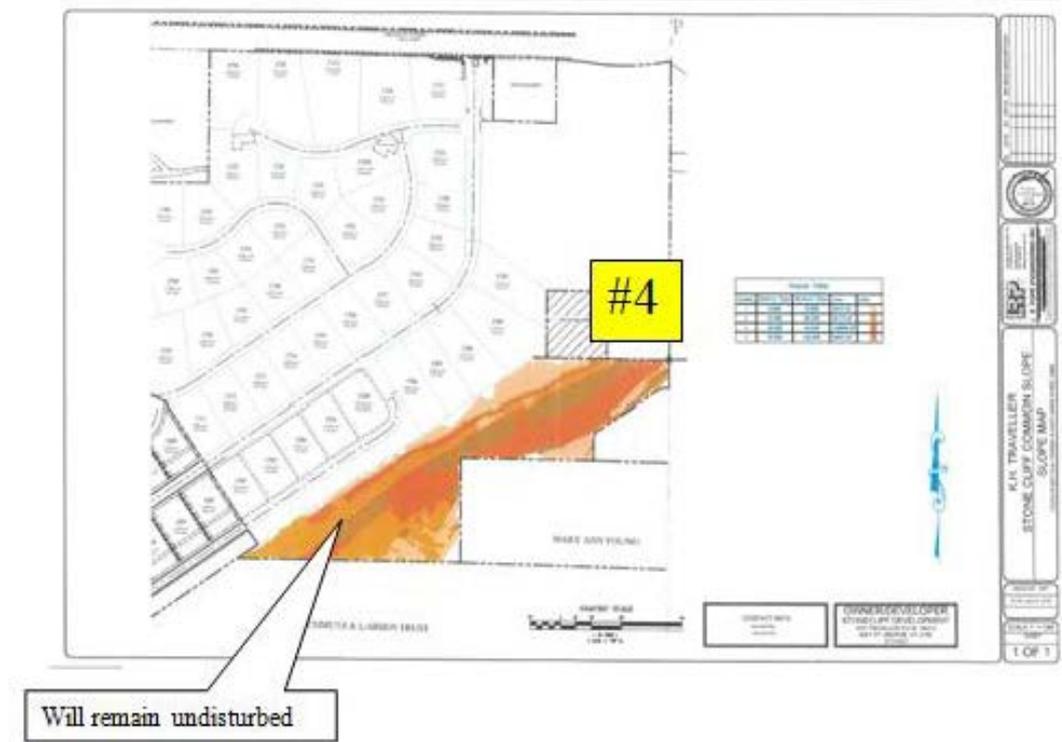
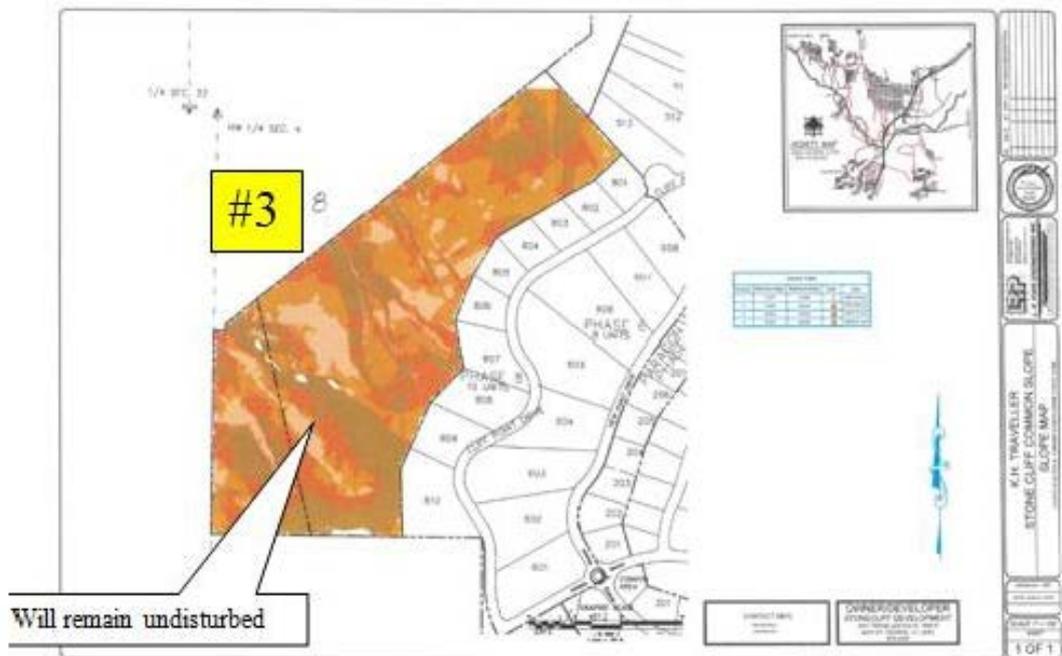
DESIGN BY: RFP
 DATE: ALSO 21, 2018

SCALE 1" = 100'
 SHEET

1 OF 1



Will remain undisturbed



DRAFT

Agenda Item Number : **19**

Request For Council Action

Date Submitted 03/13/2019 12:28 PM

**Proposed City Council
Date** 03/21/2019

Applicant Steve Kamlowky, Development Solutions

Subject Consider a request for a Hillside Development Permit to allow for the development of one (1) additional lot to the Banded Hills subdivision.

Background This Hillside Development Permit request will be adding one new lot (Lot 12) to a previously approved single family residential development on "Banded Hills Drive" This area is within the hillside overlay, but was not specifically looked at or considered with the previous related hillside permit.

Proposed Resolution The Planning Commission recommends approval.

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

Requested by Carol Davidson

File Attachments pcpacketbandedhillsrevised031319122853.pdf

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** NA

Approved in Budget? N/A **Amount:**

Hillside Permit

HILLSIDE REVIEW BOARD AGENDA REPORT: 02/20/2019
PLANNING COMMISSION MEETING: 02/26/2019
CITY COUNCIL MEETING: 03/21/2019

HILLSIDE DEVELOPMENT PERMIT

Banded Hills - REVISED

Case No. 2019-HS-001

Background: Current Request - This is a revision to a previously approved hillside permit. This change is the addition of one (1) new residential lot; Lot No. 12.

Previous Hillside - Previously Case No. 2018-HS-002 was approved by the City Council on May 5, 2018.

Previous Zone Change - Previously Case No. 2018-ZC-048 “Maple Estates Phase 6” was approved by City Council on January 3, 2019. This was a change from OS (Open Space) to R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) zoning (*to accommodate Lot 12*) The total area changed in zoning was just 0.16 acres.

Reference – Case No. 2019-PPA-006 “Amended Preliminary Plat – Banded Hills” is on this same council agenda.

Request: A request for a Hillside Development Permit to allow development of the additional Lot 12 to a previously approved single family residential development on “Banded Hills Drive” (*for Maple estates Phase 6*).

Project: The purpose of this project is to add one new lot (Lot 12) to the previously approved eleven (11) residential lots in compliance with the hillside ordinance. This area is within the hillside overlay, but was not specifically looked at or considered with the previous related hillside permit.

Owner: Quality Development

Representative: Steve Kamlowsky

Engineer: Development Solutions Group

APN: SG-5-3-15-311

Location: Located at approximately 2915 E Banded Hills Drive (*generally located between Copper Cliff Drive and Banded Hills Drive*)

Acreage: Previous - Previously approved for the eleven (11) lot subdivision site was 13.25 acres with a disturbed area of 8.93 acres.
This Request - Lot 12 = 0.45 acres
[*Total developable area combined = 9.38 acres*]

Zone: R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size)

Adjacent zones: North = OS & R-1-10
South = ASBP (Airport)
East = OS
West = R-1-10

Powers & Duties: Section 10-13A-12.B.1 of the “Hillside Review Board Powers and Duties” states that the hillside board can make recommendations for approval, conditional approval, and denial to the Planning Commission (PC) and City Council (CC).

Permit required: Section 10-13A-6:A requires that all major development (i.e., cut greater than 4’, etc.) on slopes above 20% requires a ‘hillside development permit’ granted by the City Council upon recommendation from the Hillside Review Board and the Planning Commission.

Geotech: A Geological Hazard Assessment and Preliminary Geotechnical Report was prepared by AGECE (*Applied Geotechnical Engineering Consultants, Inc.*) on February 23, 2018 (*Project No. 2172452*). The report includes a summary of conditions and recommended investigations and mitigations to occur with development. Note: Report revised 1/17/2019 to include Lot 12.

Rockfall: AGECE prepared a rockfall report with recommendations for mitigations; its included in the “Geologic-Hazard Study” report dated February 13, 2018. Note: revised to include Lot 12.

Drainage: A “Drainage Study” dated March 26, 2018, was prepared by Development Solutions Group, Inc. The report is an analysis of on-site and off-site hydrology under current conditions and with proposed development of the site. The report addresses proposed mitigations for handling drainage. Note: Report revised 1/21/2019 to include Lot 12.

Applicable Ordinance(s):
(*Selected portions*)

10-13A-1: Purpose

The city finds that the health, safety and the general public welfare of the residents of the city will be promoted by establishing standards for the development and excavation of hillside and slope areas located in the city so as to minimize soil and slope instability and erosion, to minimize the adverse effects

of grading, cut and fill operations, to preserve the character of the city's hillsides, and to otherwise supplement and amplify the city subdivision and zoning ordinances. The provisions herein are designated to accomplish the following:

- A. Prohibit development of uses which would likely result in a hazardous situation due to slope instability, rock falls or excessive soil erosion.
- B. Provide for safe vehicular circulation and access.
- C. Encourage the location, design and development of building sites in a manner that will minimize the scarring and erosion effects of cutting, filling and grading of hillsides.
- D. Encourage preservation of open space by encouraging clusters or other design techniques to preserve the natural terrain.
- E. Where hillside excavation does occur, require that buildings be located in the cut area to minimize the visual effects of scarring. (1998 Document § 10A-1)

Section 10-13A-4: Density and Disturbance Standards

- A. Schedule: In furtherance of the purposes set forth above, density and site disturbance within the hillside development overlay zone shall comply with the following schedule. Any portion of a development parcel having a slope greater than forty percent (40%) shall not be included in the calculation of the area of such parcel for the purposes of determining conformity with the density requirements below:

Percent Natural Slope	Dwelling Units (DU) / Acre
0-19	See underlying zone
20-29	2 DU/acre, provided the units are clustered on 30 percent (30%) or less of the land area within this slope category. 70 percent of this slope category shall remain undisturbed. The 70 percent area is based upon the overall area/development rather than per lot. Also see subsections A1, A2, and A3 of this section.
30-39	1 DU/10 acres, provided no more than 5 percent (5%) of the site is disturbed, and 95 percent of the site remains undisturbed. If the cumulative area is at least 1 acre but less than 10 acres, the cumulative area shall be allowed 1 DU.
40	Development is not permitted (0%), except as provided for in subsection A4 of this section.

- A.4.** The city council, after considering the recommendation from the hillside review board, and from the planning commission may approve the removal of small hills which contain slopes forty percent (40%) or

greater subject to determining the application conforms to all of the following requirements:

- a. The hill is not contiguous to nor part of a major hillside formation, and
- b. The removal of such landform will not create a negative aesthetic impact in the opinion of the city council, and
- c. The land area is zoned for residential, commercial, or industrial development. (Ord. 2013-01-001, 1-3-2013)

Section 10-13A-5: Slope and Slope Areas Determined

B. Procedure: The location of the natural twenty percent (20%), thirty percent (30%) and forty percent (40%) slopes for the purposes of this article shall be determined using the following procedure: (Ord. 2005-07-007, 7-21-2005)

3. Determination of Slope Areas for Density Calculations: Using the contour maps, slopes shall be calculated in intervals no greater than forty feet (40') along profile lines. Points identified as slopes of twenty percent (20%), thirty percent (30%), and forty percent (40%) shall be located on the contour map and connected by a continuous line. That area bounded by said lines and intersecting property lines shall be used for determining dwelling unit density. Small washes or rock outcrops which have slopes distinctly different from surrounding property and not part of the contiguous topography may be excluded from slope determination if, in the opinion of the hillside review board, the exclusion of such small areas from slope determination will not be contrary to the overall purpose of this article. For the purpose of determining developable areas and allowable densities, previously disturbed hillside areas shall be considered on a pre-disturbance natural slope basis, where feasible, as proposed by the applicant's engineer and approved by the hillside review board. Where a property owner restores a previously disturbed area to a natural or near natural condition, the area may be included within a required no disturbance area. (Ord. 2005-07-007, 7-21-2005)

HSRB Motion:

The hillside board recommends approval of Lot 12 as presented in both the plans and as staked on site with the requirement that the rock fall hazard report shall be updated to include Lot 12, and that drainage shall be designed and incorporated into the retaining wall construction. This recommendation is made with the findings that the proposed areas to be removed are insignificant and are not contiguous and that the significant ridgeline shall be protected in place as shown and that a 40 ft. no disturb area shall be established. The proposed areas are depicted on sheet SAM-1.

PC:

The Planning Commission recommends approval including the hillside board's comments.

City Council

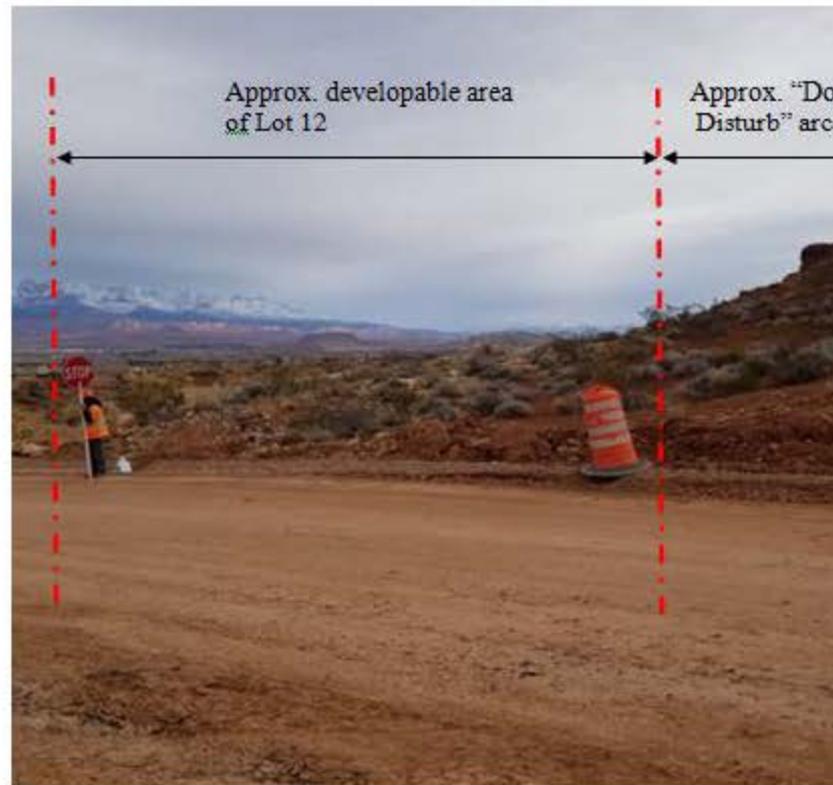
2019-HS-001

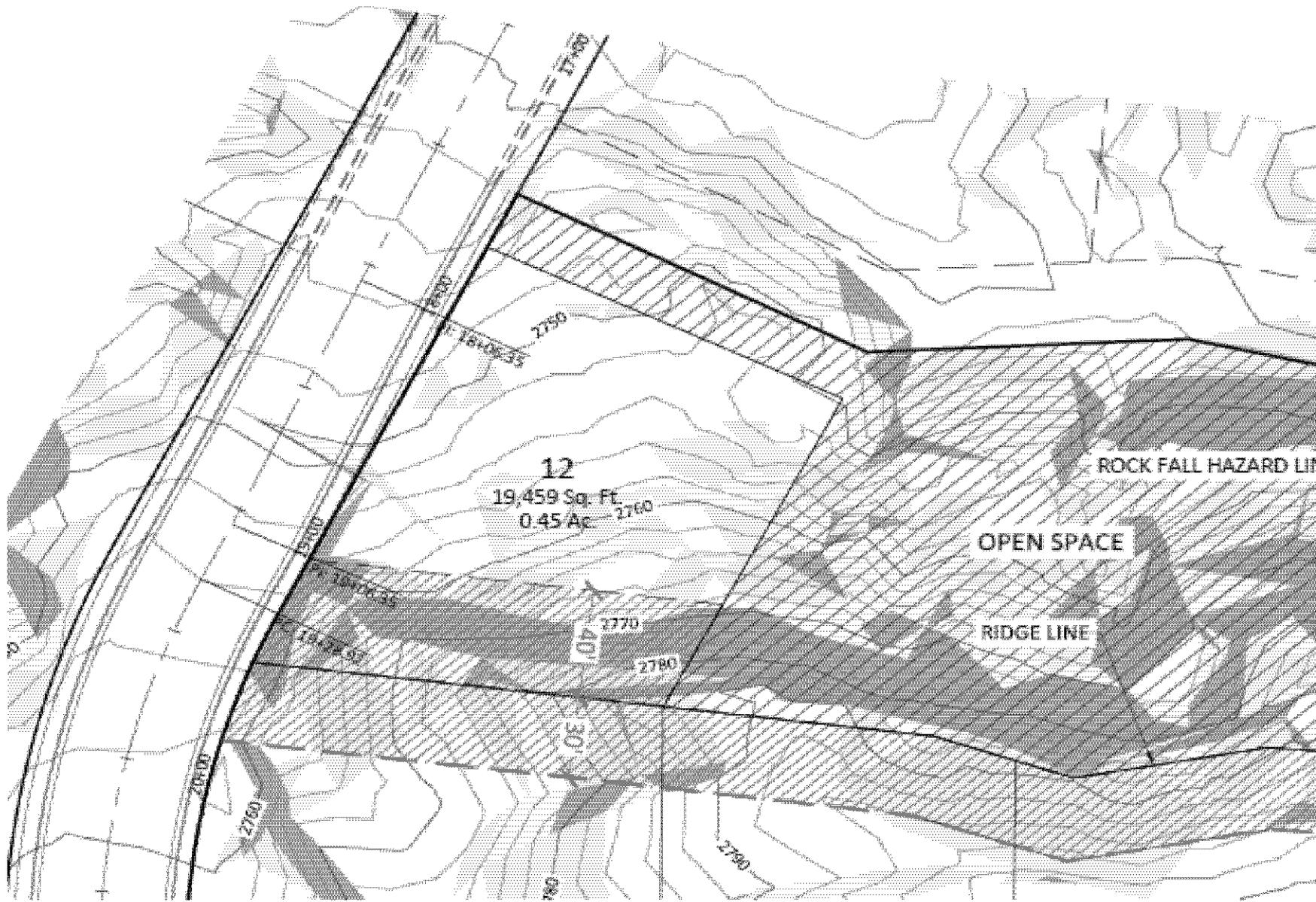
Lot 12 on Banded Hills Drive

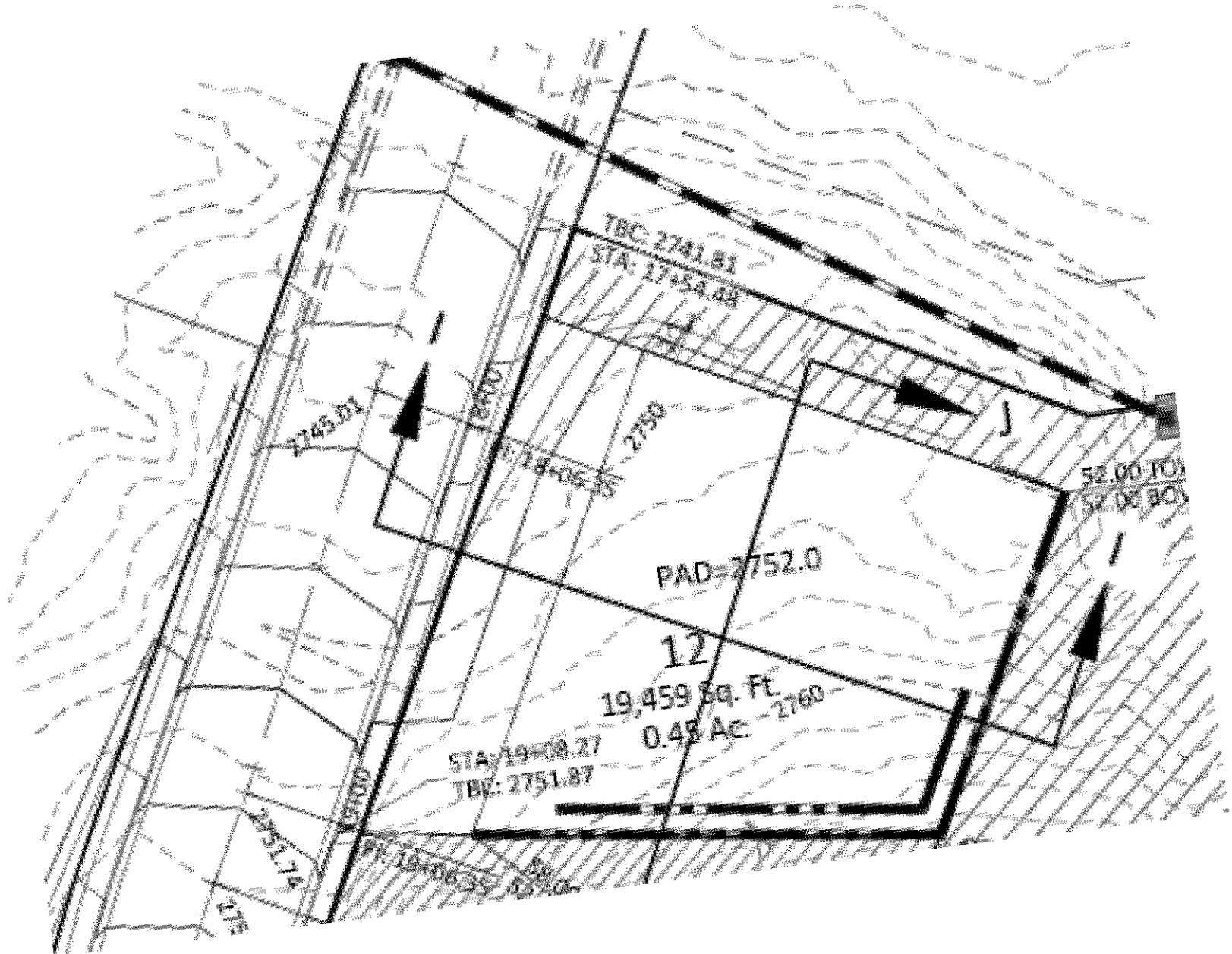
(Maple Estates Phase 6)

**Hillside Photos – Wednesday Feb. 20, 2019
(Lot 12 area)**

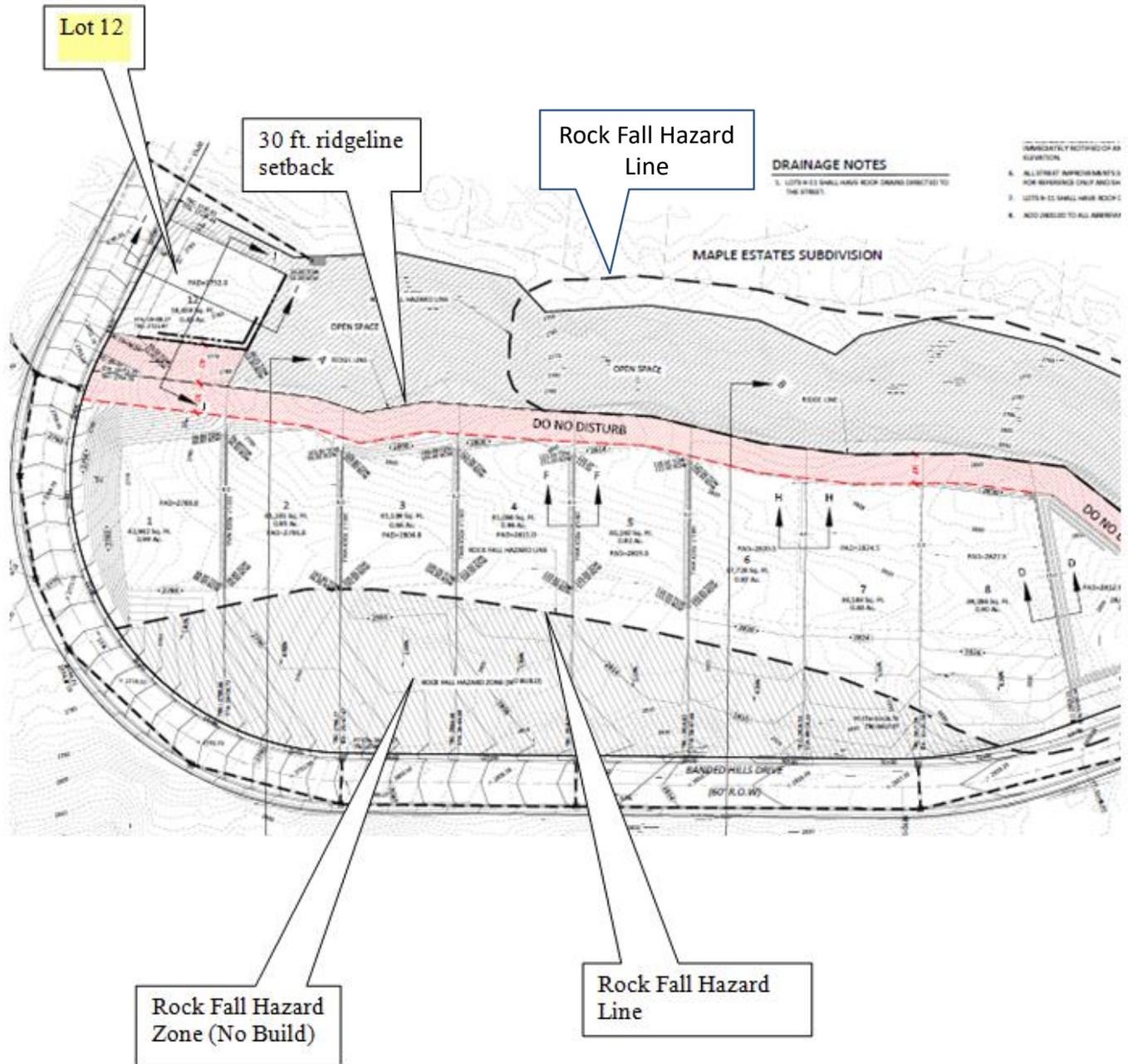








Detail – Grading Plan



DRAFT

Agenda Item Number : **20**

Request For Council Action

Date Submitted 03/13/2019 12:23 PM

**Proposed City Council
Date** 03/21/2019

Applicant Development Solutions

Subject Consider approval of the amended preliminary plat for Banded Hills.

Background This request is to amend the Banded Hills plat to add one more lot. This will allow the Banded Hills plat to go from an 11-lot subdivision to a 12-lot subdivision.

Proposed Resolution The Planning Commission recommends approval.

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

Requested by Carol Davidson

File Attachments ccpacketbandedhillsp031319122323.pdf

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** NA

Approved in Budget? N/A **Amount:**

PLANNING COMMISSION AGENDA REPORT: 02/26/2019
CITY COMMISSION MEETING: 03/21/2019

Preliminary Plat - Amended
Banded Hills
Case No. 2019-PPA-006

- Request:** To approve an amended Preliminary Plat for a 12-lot residential subdivision known as Banded Hills
- Location:** North on Banded Hills Drive, south of Maple Estates subdivision
- Area:** 13.25 acres
- Applicant:** Development Solutions Group on behalf of Quality Development, Steve Kamlowksy
- Zoning:** R-1-10 (Single-Family Residential, 10,000 sq ft minimum lot size) with the Hillside Overlay
- General Plan:** LDR (Low Density Residential)



Adjacent Zones:	North	R-1-10 (Single-family Residential, 10,000 sq ft min)
	South	OS (Open Space), Hillside Overlay
	East	OS (Open Space), Hillside Overlay
	West	R-1-10 (Single-family Residential, 10,000 sq ft min)

Background:

This request is to amend the Banded Hills plat to add one more lot. This will allow the Banded Hills plat to go from an 11-lot subdivision to a 12-lot subdivision. On 1/3/2019, the City Council changed the zone on a .16-acre parcel to allow for this one lot. The density for this amended plat will be .9 dwelling units per acre.

This subdivision is in the Hillside Overlay. A Hillside permit (2019-HS-001) for this plat will need to be approved in order for this plat to be approved.

Recommendation:

Staff would like to ensure that this project is developed in a manner that is in the best interest of the health, safety, and welfare of the citizens; and therefore, recommends approval of this Preliminary Plat with the following conditions:

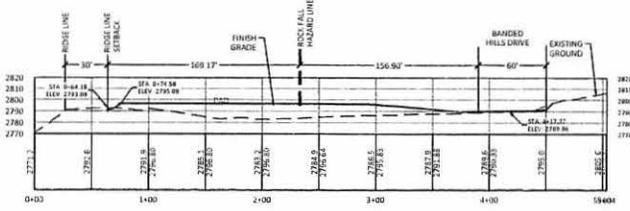
1. A hillside permit is approved for this location.
2. The ownership of the open space will be acceptable to the City.

Alternatives:

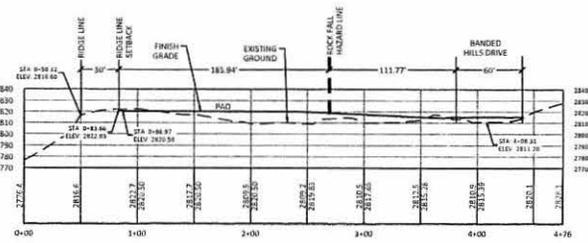
1. Recommend approval of this Preliminary Plat.
2. Recommend approval with conditions of this Preliminary Plat.
3. Recommend denial of this Preliminary Plat.
4. Table the proposed Preliminary Plat to a specific date.

Planning Commission Motion:

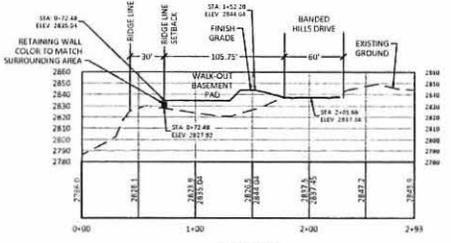
The Planning Commission recommends approval of the Amended Preliminary Plat of Banded Hills with the conditions mentioned by staff and upon legal review for the do not disturb area, and if this area is included in the lot.



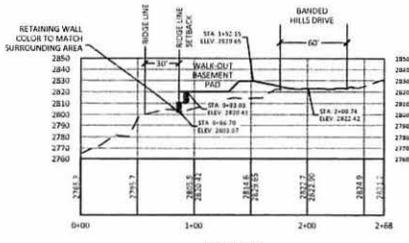
SECTION A
H: 1"=50'
V: 1"=50'



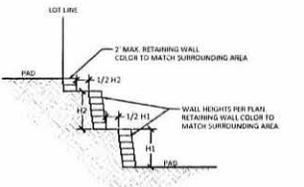
SECTION B
H: 1"=50'
V: 1"=50'



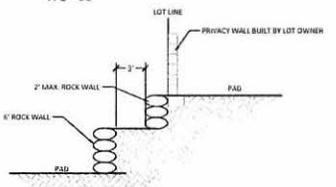
SECTION C
H: 1"=50'
V: 1"=50'



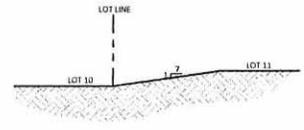
SECTION E
H: 1"=50'
V: 1"=50'



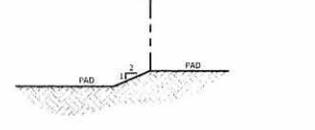
SECTION D
N.T.S.



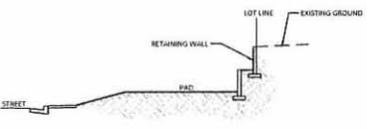
SECTION F
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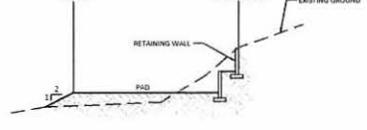
SECTION G
N.T.S.



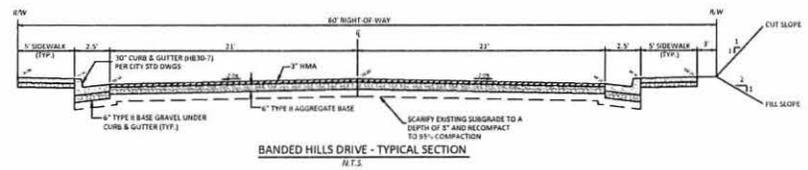
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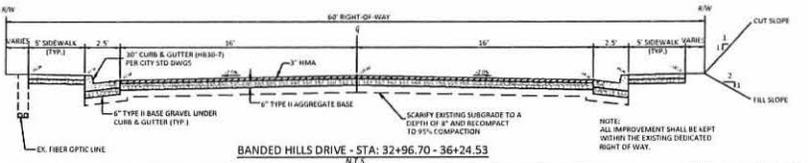
SECTION I
N.T.S.



SECTION J
N.T.S.



BANDIED HILLS DRIVE - TYPICAL SECTION
N.T.S.



BANDIED HILLS DRIVE - STA: 32+96.70 - 36+24.53
N.T.S.



BANDIED HILLS
SUBDIVISION
LOCATED IN ST. GEORGE, UTAH
SECTIONS & DETAILS

DEVELOPMENT SOLUTIONS GROUP
LAND PLANNING, LAND SURVEYING, CIVIL ENGINEERING
135 East St. George Blvd. Suite 202
St. George, UT 84770
Office: (435) 632-2121
www.dsg-engineers.com



DATE	3/21/21
PREP	SP
DRAWN BY	SP
CHECKED BY	SP
INCHES BY	SP
PROJECT NO.	20-022
SCALE	1"=50'
SHEET NUMBER	

DT-1

Amended Preliminary Plat

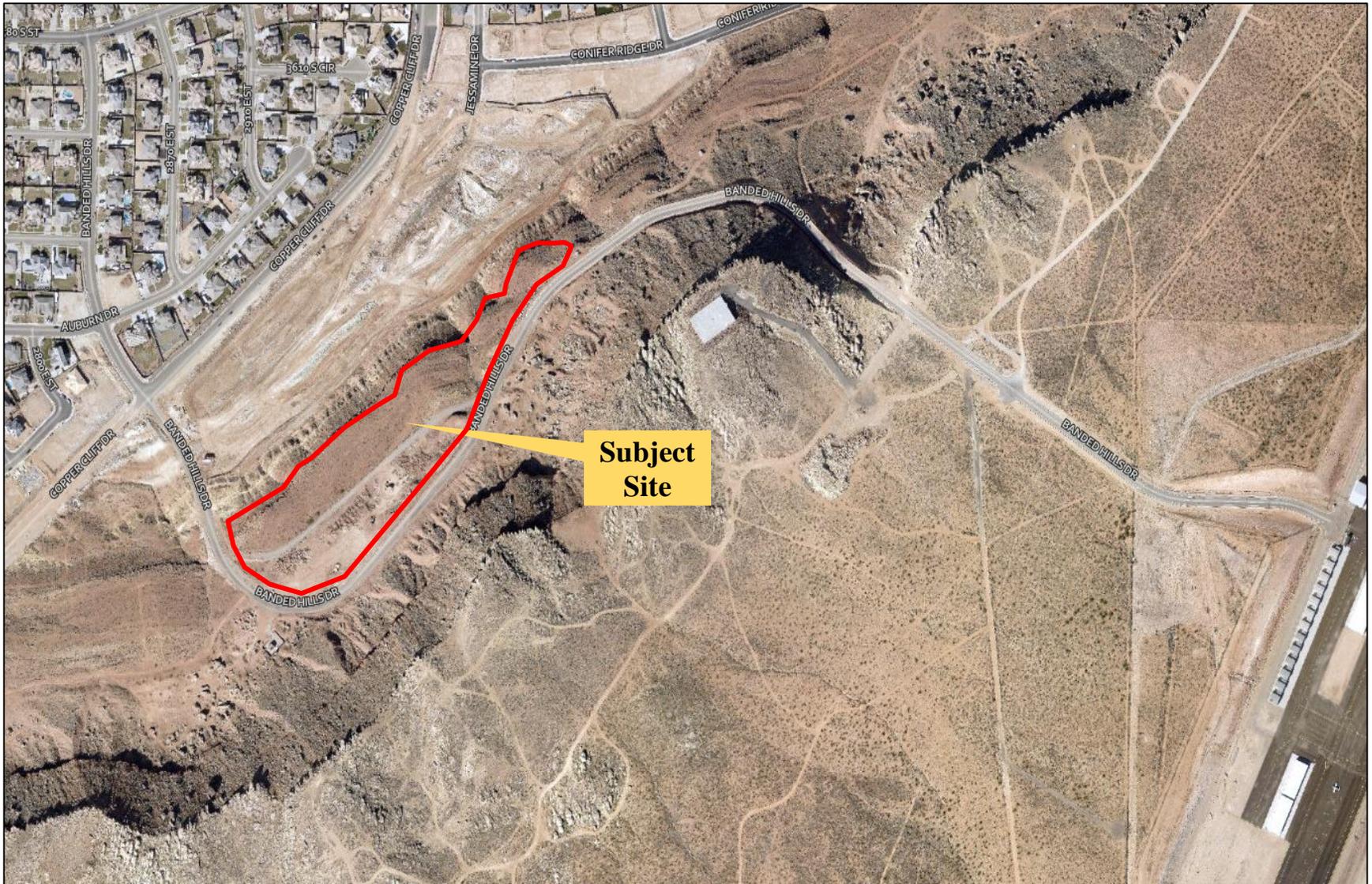
Banded Hills

Location: North on Banded Hills Drive,
south of Maple Estates
subdivision

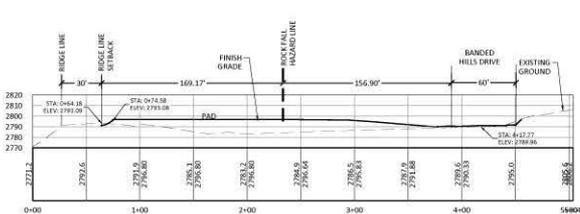
Area: 13.25 acres

Case #: 2019-PPA-006

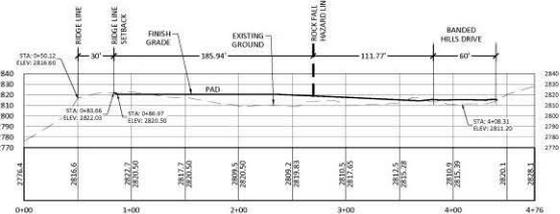
Banded Hills Aerial



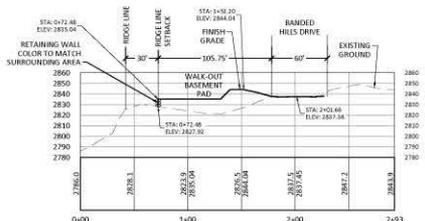
Banded Hills



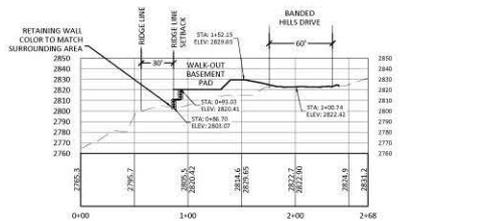
SECTION A
H: 1"=50'
V: 1"=50'



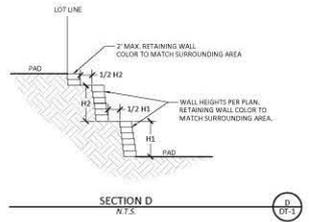
SECTION B
H: 1"=50'
V: 1"=50'



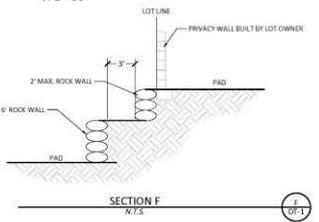
SECTION C
H: 1"=50'
V: 1"=50'



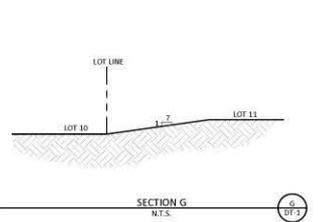
SECTION E
H: 1"=50'
V: 1"=50'



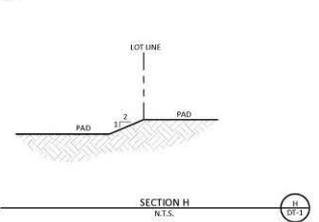
SECTION D
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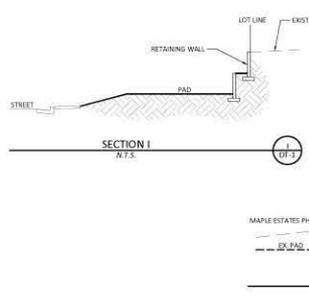
SECTION F
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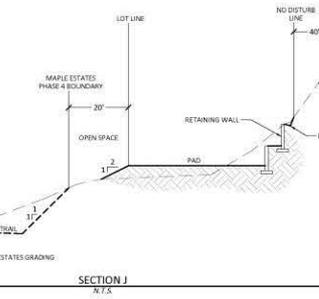
SECTION G
N.T.S.



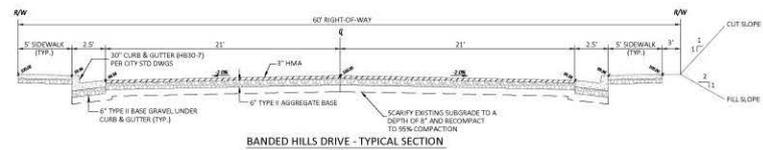
SECTION H
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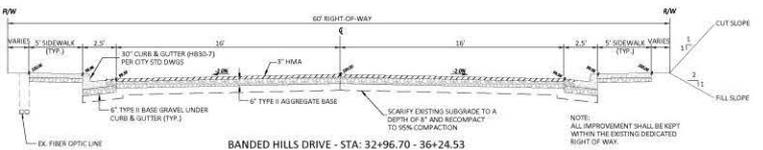
SECTION I
N.T.S.



SECTION J
N.T.S.



BANDED HILLS DRIVE - TYPICAL SECTION
N.T.S.



BANDED HILLS DRIVE - STA: 32+96.70 - 36+24.53
N.T.S.

NOTE:
ALL IMPROVEMENT SHALL BE KEPT WITHIN THE EXISTING DEDICATED RIGHT OF WAY.



NO.	DESCRIPTION	DATE	APP'D

PROJECT NAME:
BANDED HILLS
SUBDIVISION
LOCATED IN ST. GEORGE, UTAH
SHEET NAME:
SECTIONS & DETAILS

DEVELOPMENT SOLUTIONS GROUP
LAND DESIGNERS, LAND SURVEYORS, CIVIL ENGINEERS
320 East St. George Blvd Suite #101
St. George, UT 84770
Office (435) 638-2121
www.devsolutions.com



DATE:	2/25/24
PM:	SK
DRAWN BY:	SK
DESIGNED BY:	SK
CHECKED BY:	SK
PROJECT NO.:	25-024
SCALE:	1"=50'

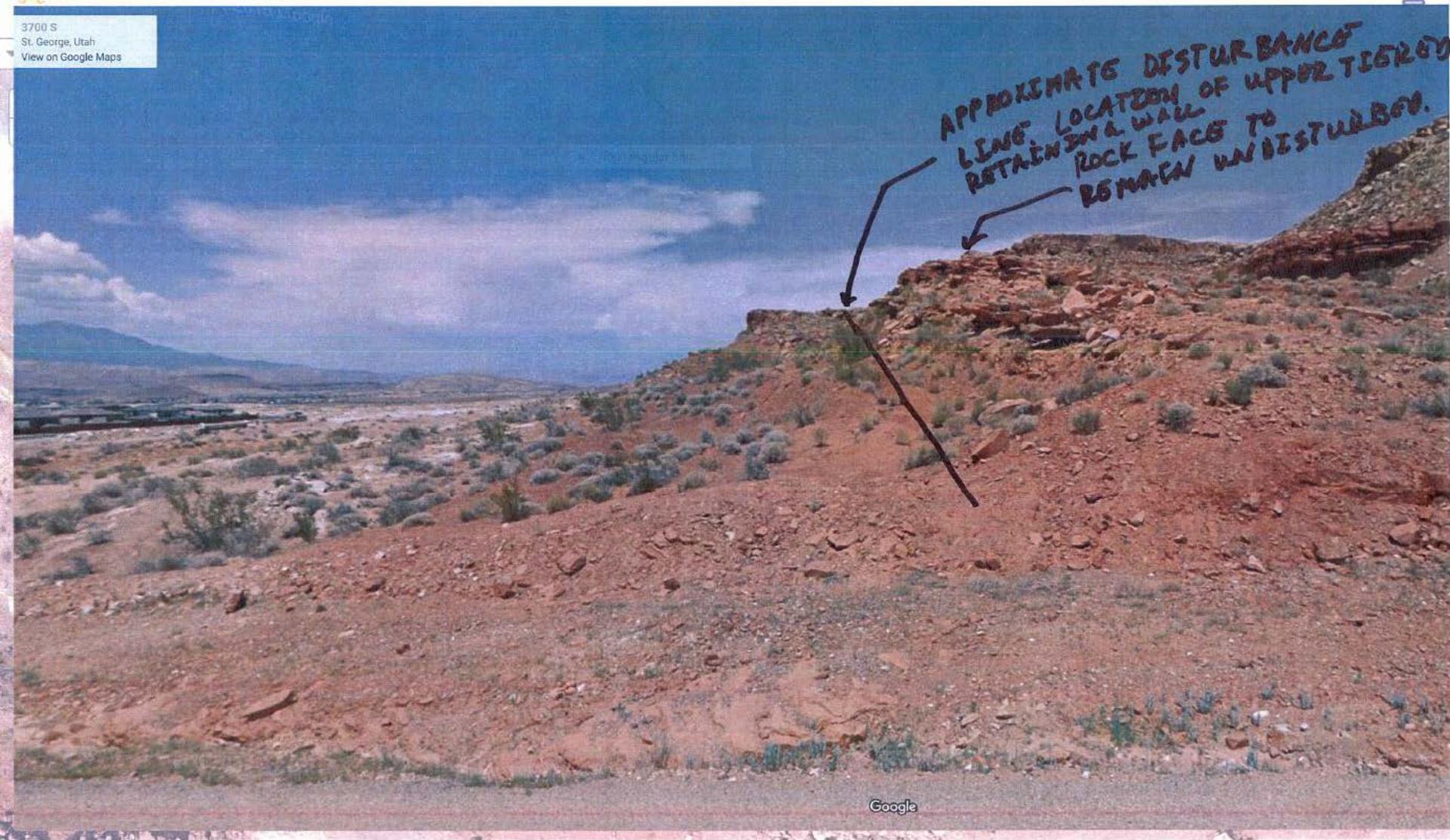
SHEET NUMBER:
DT-1
2 OF 2 TOTAL

Banded Hills

3700 S
St. George, Utah
View on Google Maps

APPROXIMATE DISTURBANCE
LINE. LOCATION OF UPPER TIERED
RETAINING WALL
ROCK FACES TO
REMAIN UNDISTURBED.

Google



DRAFT

Agenda Item Number : **21**

Request For Council Action

Date Submitted 03/13/2019 12:34 PM

**Proposed City Council
Date** 03/21/2019

Applicant Premier Design

Subject Consider approval of the preliminary plat for Amira at Green Valley.

Background This proposed preliminary plat is for an existing development. The units in this development have been operating as hotel units. However, they have been built to allow them to be turned into condominiums. The applicants are proposing to condominiumize this development.

Proposed Resolution The Planning Commission recommends approval.

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

Requested by Carol Davidson

File Attachments ccpacketamirapp031319123453.pdf

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** NA

Approved in Budget? N/A **Amount:**

PLANNING COMMISSION AGENDA REPORT: 02/26/2019
CITY COUNCIL MEETING: 03/21/2019

Preliminary Plat
Amira at Green Valley
Case No. 2019-PP-009

- Request:** To approve a Preliminary Plat for a 51-lot residential subdivision to be known as Amira at Green Valley
- Location:** 1999 W. Canyon View Drive
- Area:** 5.94 acres
- Applicant:** Premier Design on behalf of GVS Holdings, LLC, Eric McFadden
- Zoning:** PD-R (Planned Development Residential)
- General Plan:** MDR (Medium Density Residential)



Adjacent Zones:	North	PD-R (Planned Development Residential)
	South	PD-R (Planned Development Residential)
	East	PD-R (Planned Development Residential)
	West	PD-R (Planned Development Residential)

Background:

This proposed preliminary plat is for an existing development. The units in this development have been operating as hotel units. However, they have been built to allow them to be turned into condominiums. The applicants are proposing to condominiumize this development.

Recommendation:

Staff would like to ensure that this project is developed in a manner that is in the best interest of the health, safety, and welfare of the citizens; and therefore, recommends approval of this Preliminary Plat with the following condition:

1. A permanent access easement is recorded to allow each unit to have access through the Vue at Green Valley and the Residences at Green Valley.
2. The rezoning from the R-1-10 to the PD-R zone is approved.
3. The driveway width will need to be extended to 25' wide for the entire length.

Alternatives:

1. Recommend approval of this Preliminary Plat.
2. Recommend approval with conditions of this Preliminary Plat.
3. Recommend denial of this Preliminary Plat.
4. Table the proposed Preliminary Plat to a specific date.

Planning Commission Motion:

The Planning Commission recommends approval of the Preliminary Plat of Amira at Green Valley with the condition mentioned by staff and the additional condition that the parking reduction is granted for the units.



SITE DATA

- 1.) CURRENT ZONING = PD-R (SHORT TERM RENTALS ALLOWED)
- 2.) GENERAL PLAN = MEDIUM DENSITY RESIDENTIAL
- 3.) TOTAL AREA SQUARE FOOTAGE = 250,747 SQ.FT. // 5.94 ACRES = 100%
- 4.) OVERALL BUILDING AREA = 47,032 SQ.FT. // 1.06 ACRES = 18.2%
- 5.) OVERALL IMPERVIOUS AREA (PARKING, SIDEWALKS, PATIOS, ROADWAYS) = 86,032 SQ.FT. // 1.95 ACRES = 33.3%
- 6.) OVERALL LANDSCAPING AREA / OPEN SPACE = 87,664 SQ.FT. // 2.01 ACRES = 33.9%
- 7.) RECREATION AREA = 10,000 SQ.FT. REQUIRED // 38,019 SQ.FT. PROVIDED = 0.87 ACRES = 14.6%
- 8.) DENSITY = 6.58 UNITS PER ACRE // TOTAL UNITS = 51
- 9.) BUILDING HEIGHT = UP TO 35' MAXIMUM
- 10.) PARKING REQUIRED = 1.5 SPACES PER UNIT = 77 SPACES REQUIRED // 77 SPACES PROVIDED
 GUEST PARKING REQUIRED = 1 SPACE / 3 UNITS = 17 SPACES REQUIRED // 17 SPACES PROVIDED
 TOTAL PARKING REQUIRED = 94 SPACES REQUIRED / 94 SPACES PROVIDED

LEGEND

- = PRIVATE AREA
- = LIMITED COMMON AREA
- = COMMON AREA
- = PROPERTY LINE
- = FUTURE UNITS OR AMENITIES

PROPERTY INFO

PROPERTY ADDRESS = 1999 W CANYON VIEW DRIVE
ST. GEORGE, UTAH 84770

CIVIL ENGINEERS:

PREMIER DESIGN & ENGINEERING
75 EAST 100 NORTH
IVINS, UTAH 84738
(435) 313-2267
CONTACT: MARC FONGER / ERIC MCFADDEN

OWNER // DEVELOPER:

GVS HOLDINGS LLC
1999 W CANYON VIEW DRIVE
ST. GEORGE, UTAH 84770
(435) 705-4474
CONTACT: DAVID NASAL



LEGAL DESCRIPTION:

DESCRIPTION OF AMIRA CONDOMINIUMS LOCATED IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN

BEGINNING AT A POINT ON THE EAST LINE OF THE COTTAGES SOUTH PHASE 1, SAID POINT ALSO BEING NORTH 00°46'55" EAST 804.16 FEET ALONG THE SECTION LINE AND NORTH 88°11'05" WEST 750.02 FEET FROM THE EAST QUARTER CORNER OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 34°14'32" WEST 23.77 FEET AND NORTH 09°35'40" WEST 354.92 FEET AND NORTH 01°17'24" EAST 146.03 FEET ALONG THE EAST SOUTHERLY LINE OF THE COTTAGES SOUTH PHASE 1 TO THE SOUTHERLY RIGHT-OF-WAY LINE OF CANYON VIEW DRIVE THENCE SOUTH 80°58'30" EAST 213.77 FEET TO A POINT ON A 604.23' RADIUS BOW-TANGENT CURVE TO THE LEFT BACKED POINT BEARS NORTH 01°53'34" EAST, THENCE 209.43 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 181°07'16", THENCE LEAVING SAID RIGHT-OF-WAY LINE SOUTH 16°26'02" EAST 34.41 FEET, THENCE SOUTH 33°52'37" EAST 116.50 FEET, THENCE SOUTH 12°03'11" WEST 18.49 FEET, THENCE SOUTH 34°18'12" EAST 83.34 FEET TO THE NORTH LINE OF THE LOFTS PHASE 1, THENCE SOUTH 55°46'23" WEST 34.28 FEET, THENCE SOUTH 30°38'36" WEST 26.29 FEET, THENCE SOUTH 50°46'23" WEST 55.07 FEET, THENCE SOUTH 02°48'31" WEST 56.68 FEET, THENCE SOUTH 50°46'23" WEST 67.81 FEET, THENCE LEAVING THE NORTH LINE OF THE LOFTS PHASE 1 NORTH 34°11'50" WEST 119.03 FEET, THENCE SOUTH 50°46'21" WEST 512.15 FEET, THENCE NORTH 34°14'18" WEST 2.81 FEET, THENCE SOUTH 50°49'45" WEST 6.20 FEET, THENCE NORTH 34°14'15" WEST 1.20 FEET, THENCE SOUTH 58°45'45" WEST 203.26 FEET TO THE POINT OF BEGINNING, CONTAINING 5.94 ACRES



AMIRA at Green Valley

A CONDOMINIUM DEVELOPMENT
LOCATED IN THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 42 SOUTH,
RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN

DATE:	10/06/2019
DRAWN BY:	C.A.M.
CHECKED BY:	M.K.F.
CLIENT:	GVS/MLC



SCALE: 1" = 50'

PRELIMINARY PLAT
AMIRA AT GREEN VALLEY
GVS HOLDINGS, LLC
ST. GEORGE, UTAH 84770



SHEET
PP

Preliminary Plat

Amira at Green Valley

Location: 1999 W. Canyon View Drive

Area: 5.94 acres

Case #: 2019-PP-009

Amira at Green Valley Aerial



DRAFT

Agenda Item Number : **22**

Request For Council Action

Date Submitted 03/06/2019 02:05 PM

Proposed City Council Date 03/21/2019

Applicant Scott Woolsey, Alpha Engineering

Subject Consider approval of a final subdivision plat for Crimson Meadows Phase 1 Subdivision.

Background This request is to consider a Final Subdivision Plat for an 18 Lot residential subdivision that is located at 3210 East St. and Blue Quartz Dr. (1720 South); Zoning is RE-20 (Residential Estates 20,000 SQ/FT minimum lot size).

Proposed Resolution City staff and Planning Commission recommend approval

Cost \$

City Manager Recommendation NULL

Action Taken NULL

Requested by Todd Jacobsen

File Attachments crimsonmeadowsphase1030619140553.pdf

Approved by Legal Department? Yes

Approved by City Admin Services? NA

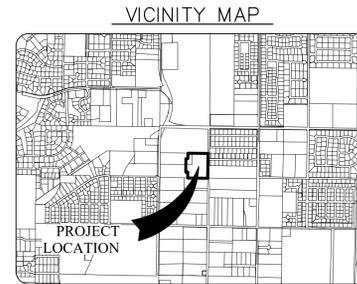
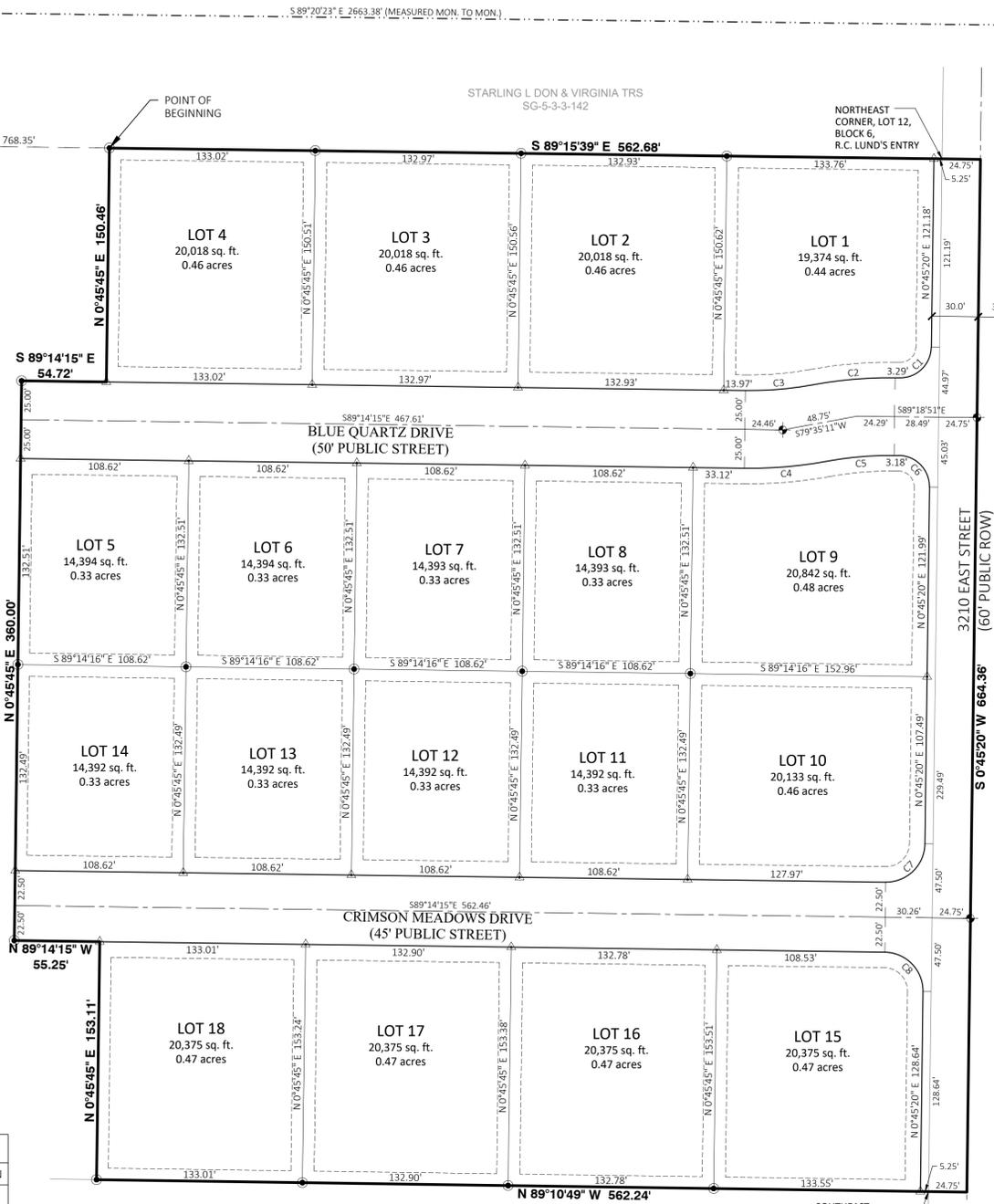
Approved in Budget? N/A **Amount:**

CRIMSON MEADOWS PHASE 1 SUBDIVISION

AN 18 LOT RESIDENTIAL SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 3,
TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, ST. GEORGE CITY, UTAH

NORTH 1/4 CORNER
SECTION 3,
T43S, R15W,
SLB&M
H.C.N. # 205/A-15-42-15
(FND CONCRETE CYLINDER
NO CAP)

NORTHEAST CORNER
SECTION 3,
T43S, R15W,
SLB&M
H.C.N. # 343
(FND RING & LID MONUMENT)



SURVEYOR'S CERTIFICATE

I, SCOTT P. WOOLSEY, PROFESSIONAL UTAH LAND SURVEYOR NUMBER 174919, HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT AND HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED HEREON IN ACCORDANCE WITH SECTION 17-23-17 AND HEREBY CERTIFY ALL MEASUREMENTS AND DESCRIPTIONS ARE CORRECT. MONUMENTS HAVE BEEN SET AS REPRESENTED ON THIS PLAT.

CRIMSON MEADOWS PHASE 1 SUBDIVISION

AND THAT SAID TRACT OF LAND HAS BEEN SUBDIVIDED INTO LOTS AND PUBLIC STREETS, AND EASEMENTS AND SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BOUNDARY DESCRIPTION

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 0°42'05" WEST 695.52 FEET ALONG THE QUARTER SECTION LINE; THENCE SOUTH 89°15'39" EAST 768.35 FEET TO AND ALONG THE NORTH LINE OF LOTS 7 AND 12, BLOCK 6, R.C. LUND'S ENTRY TO THE POINT OF BEGINNING; THENCE SOUTH 89°15'39" EAST 562.68 FEET ALONG THE NORTH LINE OF LOT 12 TO A POINT ON THE SIXTEENTH SECTION LINE AND EASTERLY MUNICIPAL BOUNDARY LINE OF THE CITY OF ST. GEORGE; THENCE SOUTH 0°45'20" WEST 664.36 FEET ALONG THE SAID SIXTEENTH SECTION LINE AND EASTERLY MUNICIPAL BOUNDARY OF THE CITY OF ST. GEORGE; THENCE NORTH 89°10'49" WEST 562.24 FEET TO AND ALONG THE SOUTH LINE OF LOT 13, BLOCK 6, R.C. LUND'S ENTRY; THENCE NORTH 0°45'45" EAST 153.11 FEET; THENCE NORTH 89°14'15" WEST 55.25 FEET; THENCE NORTH 0°45'45" EAST 360.00 FEET; THENCE SOUTH 89°14'15" EAST 54.72 FEET; THENCE NORTH 0°45'45" EAST 150.46 FEET TO THE POINT OF BEGINNING.

CONTAINS 9.03 ACRES.

DATE _____

OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC STREETS & UTILITY & DRAINAGE EASEMENTS TO BE HEREAFTER KNOWN AS:

CRIMSON MEADOWS PHASE 1 SUBDIVISION

FOR GOOD AND VALUABLE CONSIDERATION RECEIVED, DOES HEREBY DEDICATE AND CONVEY TO THE CITY OF ST. GEORGE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS PUBLIC ROADS AND UTILITY, AND DRAINAGE EASEMENTS. ALL LOT, STREETS, AND EASEMENTS ARE AS NOTED OR SHOWN ON THIS PLAT. THE OWNER DOES HEREBY CONVEY AND WARRANT TO THE CITY OF ST. GEORGE, TITLE TO ALL PROPERTY DEDICATED AND CONVEYED TO PUBLIC USE HEREIN AGAINST THE CLAIMS OF ALL PERSONS.

IN WITNESS I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____, 2019.

BY: _____
M. KENT FOOTE, MANAGER
M & F PROPERTIES, LLC

BY: _____
JONATHAN T. PIKE, MAYOR
CITY OF ST. GEORGE

ACKNOWLEDGMENT

State of _____)
County of _____)

On this _____ day of _____ A.D. 2019, personally appeared M. Kent Foote, Manager of M & F Properties, LLC, a Nevada Limited Liability Company, proved on the basis of satisfactory evidence to be the person whose name is subscribed to in this document, and acknowledged he executed the same.

Notary Public Full Name: _____
Commission Number: _____
My Commission Expires: _____
A Notary Public Commissioned in Utah

Notary Public (signature) _____
No stamp required (Utah Code 46-1-16(6))

ACKNOWLEDGMENT

State of Utah)
County of Washington)

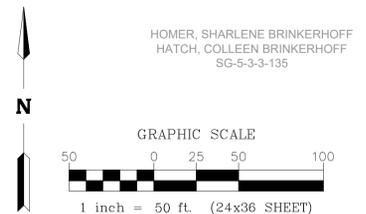
On this _____ day of _____ A.D. 2019, appeared before me Jonathan T. Pike, Mayor of the City of St. George, who being duly sworn did say that the within and foregoing instrument was signed by him on behalf of said municipal corporation by authority of a resolution of its City Council, and said Jonathan T. Pike did duly acknowledge to me that said corporation executed the same.

Notary Public Full Name: _____
Commission Number: _____
My Commission Expires: _____
A Notary Public Commissioned in Utah

Notary Public (signature) _____
No stamp required (Utah Code 46-1-16(6))

AN 18 LOT RESIDENTIAL SUBDIVISION LOCATED IN ST. GEORGE, UTAH
SECTION 3, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN
CRIMSON MEADOWS PHASE 1
SUBDIVISION

PARCEL CURVE DATA					
SEGMENT	LENGTH	RADIUS	DELTA	CHORD	CH LEN
C1	31.39'	20.00'	89°55'49"	N45°43'15"E	28.27'
C2	53.27'	275.00'	11°05'58"	S85°08'10"W	53.19'
C3	43.89'	225.00'	11°10'34"	N85°10'28"E	43.82'
C4	53.64'	275.00'	11°10'34"	N85°10'28"E	53.56'
C5	43.59'	225.00'	11°05'58"	S85°08'10"W	43.52'
C6	31.44'	20.00'	90°04'11"	N44°16'45"W	28.30'
C7	39.27'	25.00'	90°00'25"	N45°45'33"E	35.36'
C8	39.27'	25.00'	89°59'35"	N44°14'27"W	35.35'



GENERAL NOTES & RESTRICTIONS

- There exists a 10.00 foot public utility and drainage easement along all street side property lines and a 7.50 foot public utility and drainage easement along all side and back lot lines unless otherwise noted. No buildings or structures, e.g. pools, walls, or fences, will be allowed to be built in the easement area and the owner bears the risk of loss or damage to those improvements resulting from the exercise of the easement rights.
- A Geotechnical investigation was performed by Applied Geotechnical Engineering Consultants, Inc. The investigation results and specific recommendations for the construction of foundations, floor slabs, and exterior flatwork are compiled in a report dated October 17, 2018. This report is available from the developer and a copy is on file with the City of St. George. Owners, builders, and contractors should become familiar with this report and comply with its specific recommendations as special considerations may be required for structures and landscaping.

BASIS OF BEARING

THE BASIS OF BEARING IS SOUTH 0°42'05" WEST, BETWEEN THE NORTH QUARTER CORNER AND THE CENTER QUARTER CORNER OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN.

LEGEND

- SECTIONAL MONUMENTATION (TYPE LOCATION ETC. AS SHOWN ON THE PLAT)
- CLASS 1 (RING & LID) MONUMENT SET WITH THIS PLAT
- SPECIFIES PROPERTY CORNER MONUMENT TO BE SET (ALPHA ENG. REBAR & CAP)
- SPECIFIES PROPERTY CORNER MONUMENT TO BE SET (MAG NAIL IN WALK SET AT 4' OFFSET FROM PROPERTY LINE).
- CENTERLINE
- EASEMENT LINE

912-23 FINAL PLAT.DWG (JANUARY 2019)	Approval of the Community Development Director	Engineer's Approval	Approval as to Form	Approval of the Planning Commission	Approval and Acceptance by the City of St. George, Utah	Treasurer Approval
	I, Community Development Director for the City of St. George, have this the _____ day of _____ A.D. 20____ reviewed the above subdivision Final Plat and recommended the same for acceptance by the City of St. George, UT.	The heron subdivision Final Plat has been reviewed and is approved in accordance with the information on file in this office this _____ day of _____ A.D. 20____	Approved as to Form, this the _____ day of _____ A.D. 20____	On this the _____ day of _____ A.D. 20____ the Planning Commission of the City of St. George, having reviewed the above subdivision Final Plat and having found that it complies with the requirements of the City's Planning Ordinances, and by authority of said Commission hereby approve said subdivision for acceptance by the City of St. George, UT.	We, the Mayor and City Council of the City of St. George, UT, have reviewed the above subdivision Final Plat and by authorization of said City Council, record in the minutes of its meeting of the _____ day of _____ A.D. 20____ hereby accept said Final Plat with all commitments and obligations pertaining thereto.	I, Washington County Treasurer, certify on this _____ day of _____ A.D. 20____ that all taxes, special assessments, and fees due and owing on this subdivision Final Plat have been paid in full.
43 South 100 East, Suite 100 • St George, Utah 84770 T: 435.628.6500 • F: 435.628.6553 • alphaengineering.com	Community Development Director City of St. George	Engineer City of St. George	City Attorney City of St. George	Chairman Planning Commission City of St. George	Attest: City Recorder City of St. George	Washington County Treasurer

DRAFT

Agenda Item Number : **23**

Request For Council Action

Date Submitted 03/15/2019 08:49 AM

Proposed City Council Date 03/21/2019

Applicant Brad Peterson, Development Solutions Group

Subject Consider approval of a final subdivision plat for Desert Cove Phase 3.

Background Note - this item was tabled during the February 21, 2019 meeting in order to obtain further information regarding drainage along the hillside. This request is to consider a Final Subdivision Plat for a 19 Lot residential subdivision that is located along Broken Rock Way and mesa Rock Drive; Zoning is R-1-10 (Single-Family Residential 10,000 sq. ft. lot sizes).

Proposed Resolution Approval

Cost \$

City Manager Recommendation NULL

Action Taken NULL

Requested by Todd Jacobsen

File Attachments desertcoveph3031519084909.pdf

Approved by Legal Department? Yes

Approved by City Admin Services? NA

Approved in Budget? N/A **Amount:**

PLANNING COMMISSION AGENDA REPORT: 02/12/2019

FINAL SUBDIVISION PLAT

Desert Cove Phase 3

Case No. 2018-FP-082

Request: Consider a 19 Lot Residential Condominium Final Subdivision Plat

Representative: Brad Petersen, Development Solutions
120 East St. George Blvd, Suite #300
St. George, UT 84770

Property: Located at Broken Rock Way and Mesa Rock Drive (at approximately 3840 East and 6250 South)

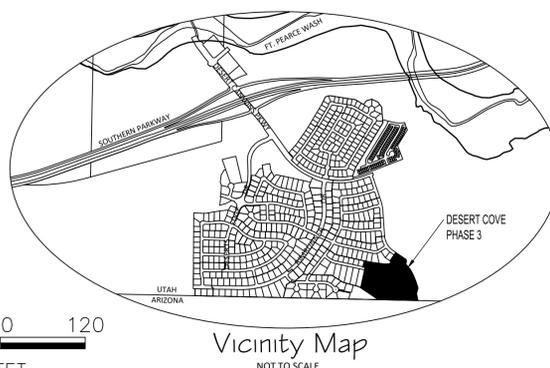
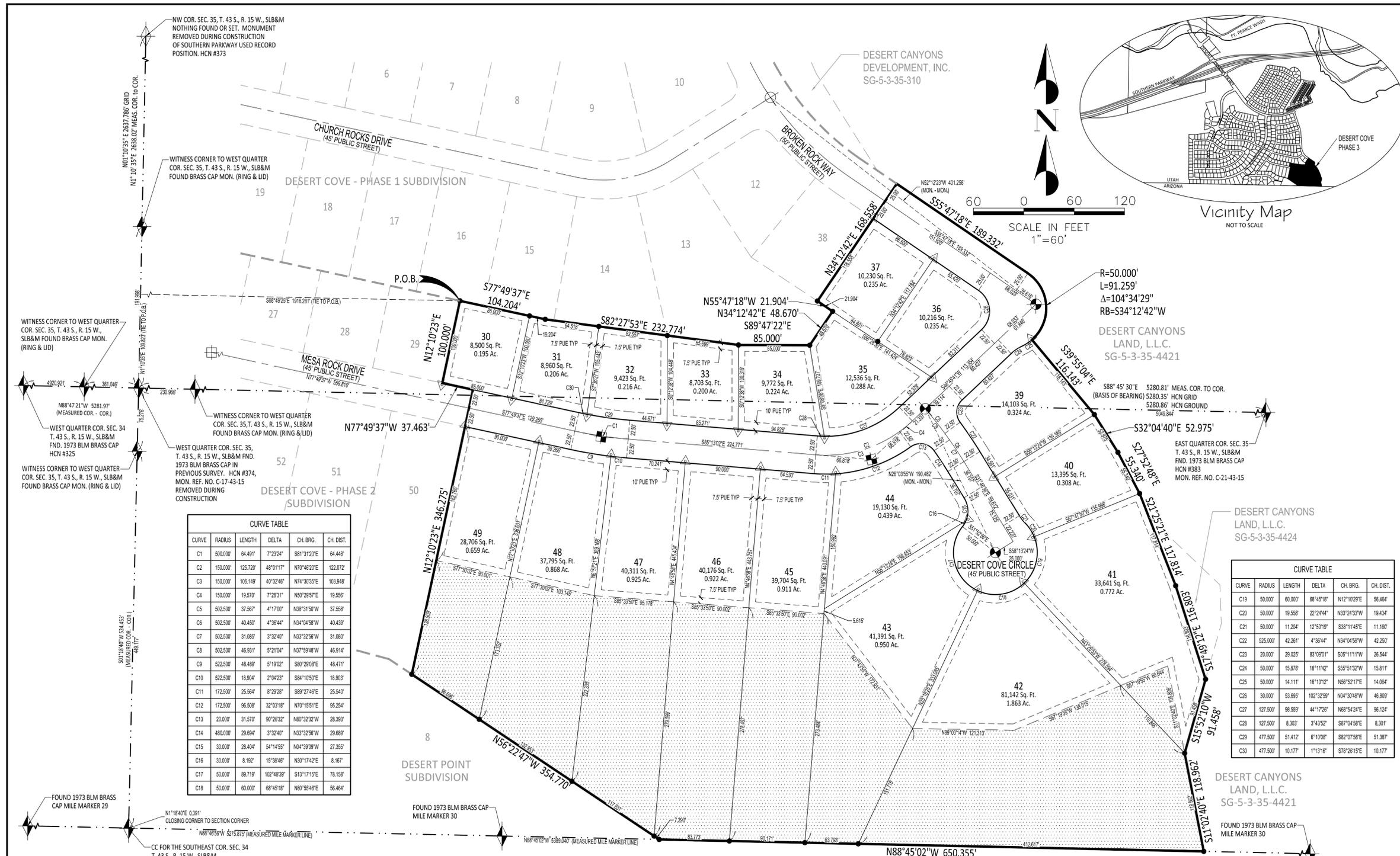
Zone: R-1-10

Staff Comments: All aspects of this Final Subdivision Plat were carefully looked at and reviewed by the Public Works Department staff, Community Development Department staff, and Legal Department staff and it meets all the Preliminary Subdivision Plat conditions and approvals.

This Final Subdivision Plat is ready for Planning Commission's consideration for approval.

Staff Recommendation: Recommend APPROVAL to City Council of this Final Subdivision Plat for Desert Cove Phase 3 and authorize the Chairman to sign.

Background: This request is to consider a Final Subdivision Plat for a 19 Lot residential condominium subdivision that is located Broken Rock Way and Mesa Rock Drive; Zoning is R-1-10 (Single-Family Residential 10,000 SQ/FT minimum lot size).



SURVEYOR'S CERTIFICATE:

I, D. BRADFORD PETERSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 362255, IN ACCORDANCE WITH TITLE 8, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAN AND DESCRIBED BELOW, HAVE VERIFIED ALL MEASUREMENTS, HAVE PLACED MONUMENTS AS SHOWN IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, PUBLIC STREETS, AND EASEMENTS HEREAFTER KNOWN AS:

DESERT COVE - PHASE 3

I FURTHER CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, THE LOTS SHOWN ON THIS PLAN MEET THE CURRENT ZONING ORDINANCE.

DATE: _____

LEGAL DESCRIPTION:

BEGINNING AT A POINT ON THE SOUTHERLY BOUNDARY OF THE DESERT COVE - PHASE 1 SUBDIVISION AND THE NORTHEASTELY BOUNDARY CORNER OF THE DESERT COVE - PHASE 2 SUBDIVISION, AS RECORDED AND ON FILE WITH THE WASHINGTON COUNTY RECORDER'S OFFICE, SAID POINT BEING NORTH 01°10'35" EAST ALONG THE SECTION LINE, A DISTANCE OF 109.823 FEET AND SOUTH 88°49'25" EAST 1916.281 FEET FROM THE WEST QUARTER CORNER OF SECTION 35, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, (BASIS OF BEARING BEING SOUTH 88°45'30" EAST ALONG THE QUARTER SECTION LINE BETWEEN THE WEST QUARTER CORNER AND THE EAST QUARTER CORNER OF SAID SECTION 35), AND RUNNING THENCE ALONG SAID DESERT COVE - PHASE 1 SUBDIVISION BOUNDARY THE FOLLOWING (6) SIX COURSES: (1) SOUTH 77°49'37" EAST 104.204 FEET; (2) SOUTH 82°27'53" EAST 232.774 FEET; (3) SOUTH 89°47'22" EAST 85.000 FEET; (4) NORTH 34°12'42" EAST 48.670 FEET; (5) NORTH 55°47'18" WEST 21.904 FEET; AND (6) NORTH 34°12'42" EAST 168.558 FEET; THENCE SOUTH 55°47'18" EAST 189.332 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 50,000 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 104°34'29", A DISTANCE OF 91.259 FEET; THENCE SOUTH 39°55'08" EAST 116.143 FEET; THENCE SOUTH 32°04'40" EAST 52.975 FEET; THENCE SOUTH 27°52'48" EAST 55.340 FEET; THENCE SOUTH 21°25'21" EAST 117.814 FEET; THENCE SOUTH 17°49'12" EAST 116.803 FEET; THENCE SOUTH 15°52'10" WEST 91.458 FEET; THENCE SOUTH 11°02'40" EAST 118.962 FEET; THENCE NORTH 88°45'02" WEST 650.355 FEET TO THE SOUTHEASTELY BOUNDARY CORNER OF THE DESERT POINT SUBDIVISION, AS RECORDED AND ON FILE WITH THE WASHINGTON COUNTY RECORDER'S OFFICE; THENCE NORTH 56°22'47" WEST ALONG SAID SUBDIVISION BOUNDARY, A DISTANCE OF 354.770 FEET TO THE SOUTHEASTELY BOUNDARY CORNER OF SAID DESERT COVE - PHASE 2 SUBDIVISION; THENCE ALONG SAID SUBDIVISION BOUNDARY THE FOLLOWING (3) THREE COURSES: (1) NORTH 12°10'23" EAST 346.275 FEET; (2) NORTH 77°49'37" WEST 37.463 FEET; AND (3) NORTH 12°10'23" EAST 100.000 FEET TO THE POINT OF BEGINNING.

CONTAINS 526,007 SQ. FT., (12.075 ACRES)

OWNER'S DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER OF ALL THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC STREETS AND EASEMENTS HEREAFTER KNOWN AS:

DESERT COVE - PHASE 3

FOR GOOD AND VALUABLE CONSIDERATION RECEIVED, THE UNDERSIGNED OWNER DOES HEREBY DEDICATE AND CONVEY TO THE CITY OF ST. GEORGE FOR PERPETUAL USE OF THE PUBLIC, ALL PARCELS OF LAND SHOWN ON THIS PLAN AS PUBLIC STREETS AND EASEMENTS. ALL LOTS, PUBLIC STREETS, AND EASEMENTS ARE AS NOTED OR SHOWN. THE OWNER DOES HEREBY WARRANT TO THE CITY OF ST. GEORGE ITS SUCCESSORS AND ASSIGNS, TITLE TO ALL PROPERTY DEDICATED AND CONVEYED TO PUBLIC USE HEREIN AGAINST THE CLAIMS OF ALL PERSONS. LOTS SHOWN ON THIS PLAN ARE SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, OF DESERT COVE SUBDIVISION, RECORDED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER ON THE 7th DAY OF MARCH, 2016, ENTRY NO. 20160009443, SAID DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ARE HEREBY INCORPORATED AND MADE PART OF THIS PLAN.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____, 20____.

DESERT CANYONS DEVELOPMENT, INC.
BY: CURT GORDON, PRESIDENT

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
COUNTY OF WASHINGTON }

ON THIS THE _____ DAY OF _____, 20____, BEFORE ME _____ A NOTARY PUBLIC, PERSONALLY APPEARED CURT GORDON, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

CURVE	RADIUS	LENGTH	DELTA	CH. BRG.	CH. DIST.
C1	500.000	64.491	7°23'24"	S81°31'20"E	64.446
C2	150.000	125.720	48°01'17"	N10°48'20"E	122.072
C3	150.000	106.149	40°32'44"	N14°30'35"E	103.948
C4	150.000	19.570	7°28'31"	N50°29'57"E	19.566
C5	502.500	37.587	4°17'00"	N38°31'50"W	37.568
C6	502.500	40.450	4°36'44"	N34°04'58"W	40.439
C7	502.500	31.065	3°32'40"	N33°32'56"W	31.060
C8	502.500	46.931	5°21'04"	N37°59'48"W	46.914
C9	522.500	48.489	5°19'02"	S80°29'08"E	48.471
C10	522.500	18.904	2°04'23"	S84°10'50"E	18.903
C11	172.500	25.564	8°29'28"	S89°27'48"E	25.540
C12	172.500	96.508	32°03'18"	N10°15'51"E	96.254
C13	20.000	31.570	90°28'32"	N80°32'32"W	28.363
C14	480.000	29.694	3°32'40"	N33°32'56"W	29.689
C15	30.000	28.404	54°14'55"	N04°39'09"W	27.355
C16	30.000	8.192	15°38'46"	N00°17'42"E	8.167
C17	50.000	89.719	102°48'39"	S13°17'15"E	78.158
C18	50.000	60.000	88°45'18"	N80°55'48"E	56.454

CURVE	RADIUS	LENGTH	DELTA	CH. BRG.	CH. DIST.
C19	50.000	60.000	88°45'18"	N12°10'23"E	56.454
C20	50.000	19.558	22°24'44"	N33°24'33"W	19.434
C21	50.000	11.204	12°50'19"	S38°14'45"E	11.180
C22	525.000	42.281	4°36'44"	N34°04'58"W	42.259
C23	20.000	28.025	83°09'01"	S05°11'11"W	26.544
C24	50.000	15.878	18°11'42"	S59°51'32"W	15.811
C25	50.000	14.111	16°10'12"	N56°52'17"E	14.064
C26	30.000	53.695	102°32'59"	N04°30'48"W	46.809
C27	127.500	96.559	44°17'26"	N68°54'24"E	96.124
C28	127.500	8.303	3°43'52"	S87°04'58"E	8.301
C29	477.500	51.412	6°10'08"	S82°07'58"E	51.387
C30	477.500	10.177	1°13'16"	S78°28'16"E	10.177

GENERAL NOTES AND RESTRICTIONS

- THERE EXISTS A 10.00 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG ALL STREET SIDE PROPERTY LINES AND A 7.50 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG ALL SIDE AND BACK LOT LINES UNLESS OTHERWISE NOTED. NO BUILDINGS OR STRUCTURES, E.G. POOLS, WALLS, OR FENCES, WILL BE ALLOWED TO BE BUILT IN THE EASEMENT AREA AND THE OWNER BEARS THE RISK OF LOSS OR DAMAGE TO THOSE IMPROVEMENTS RESULTING FROM THE EXERCISE OF THE EASEMENT RIGHTS.
- A GEOTECHNICAL INVESTIGATION WAS PERFORMED BY AGES INC. THE INVESTIGATION RESULTS AND SPECIFIC RECOMMENDATIONS FOR THE CONSTRUCTION OF FOUNDATIONS, FLOOR SLABS, AND EXTERIOR FLOWING ARE COMPILED IN A REPORT DATED JUNE 19, 2017. THIS REPORT IS AVAILABLE FROM THE DEVELOPER AND A COPY IS ON FILE WITH THE CITY OF ST. GEORGE. OWNERS, BUILDERS, AND CONTRACTORS SHOULD BECOME FAMILIAR WITH THIS REPORT AND COMPLY WITH ITS SPECIFIC RECOMMENDATIONS AS SPECIAL CONSIDERATIONS MAY BE REQUIRED FOR STRUCTURES AND LANDSCAPING.
- ROCK WALLS ARE PRIVATE AND ALL ROCK WALL REPAIR AND MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE OWNER. SAID OWNER SHALL INDEMNIFY AND HOLD HARMLESS THE CITY OF ST. GEORGE, ITS OFFICERS, BOARDS, EMPLOYEES, AGENTS AND ASSIGNS, FROM ANY AND ALL CLAIMS RESULTING FROM ROCK WALLS LOCATED WITHIN THIS SUBDIVISION.
- ROOF DRAIN DOWNSPOUTS FOR DWELLING UNITS CONSTRUCTED ON LOTS 30 - 35 SHALL DRAIN TO THE FRONT YARD UNLESS A PLOT AND GRADING PLAN INDICATING FINISH GRADING WITH "A" TYPE DRAINAGE IS PREPARED AND APPROVED BY THE CITY OF ST. GEORGE COMMUNITY DEVELOPMENT DEPARTMENT FOR EACH LOT.
- LOTS 39 - 40 SHALL BE REQUIRED TO SUBMIT A SITE GRADING AND DRAINAGE PLAN WITH THE BUILDING PERMIT APPLICATION TO VERIFY DRIVEWAY LOCATION AND SLOPE MEET CITY ORDINANCE AND THAT DRAINAGE IS CONVEYED TO THE STREET.

HAZARD RESTRICTIONS:

- BY PURCHASING PROPERTY WITHIN THIS PLAT THE PURCHASER ASSUMES ANY AND ALL RISK OF DAMAGE AND PERSONAL INJURY AS A RESULT OF ITS PROXIMITY TO A HILLSIDE AND/OR ROCK FALL AND DOES INDEMNIFY AND HOLD THE CITY OF ST. GEORGE, ITS OFFICERS, BOARDS, EMPLOYEES, AGENTS AND ASSIGNS, HARMLESS FROM ANY AND ALL CLAIMS OF INJURY, DAMAGE, EXPENSE OR LOSS OF WHATEVER NATURE WHICH MAY ARISE AS A DIRECT OR INDIRECT RESULT OF HAZARDS REFERRED TO HEREIN.

UNITED STATES OF AMERICA
MOHAVE CO., AZ
APN # 402-71-001

DESERT CANYONS LAND, L.L.C.
SG-5-3-35-4421

DESERT CANYONS LAND, L.L.C.
SG-5-3-35-4424

DESERT CANYONS LAND, L.L.C.
SG-5-3-35-4421

DESERT CANYONS LAND, L.L.C.
SG-5-3-35-4421

DESIGN DEVELOPMENT SOLUTIONS GROUP, INC.
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS
120 East St. George Blvd., Suite #300
St. George, UT 84770
Office (435) 628-2121 - Fax (435) 674-3553
www.designdevelopment.com

Subdivision Final Plat for
DESERT COVE - PHASE 3
Located in the NW & SW Quarters of Section 35,
Township 43 South, Range 15 West, SLB&M

SHEET 1 OF 2

<p>APPROVAL OF THE COMMUNITY DEVELOPMENT DIRECTOR</p> <p>I, COMMUNITY DEVELOPMENT DIRECTOR FOR THE CITY OF ST. GEORGE, HAVE THIS THE _____ DAY OF _____, A.D. 20____, REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND RECOMMENDED THE SAME FOR ACCEPTANCE BY THE CITY OF ST. GEORGE, UT.</p> <p>COMMUNITY DEVELOPMENT DIRECTOR CITY OF ST. GEORGE</p>	<p>ENGINEER'S APPROVAL</p> <p>THE HEREON SUBDIVISION FINAL PLAT HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE THIS _____ DAY OF _____, A.D. 20____.</p> <p>ENGINEER CITY OF ST. GEORGE</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM, THIS THE _____ DAY OF _____, A.D. 20____.</p> <p>CITY ATTORNEY CITY OF ST. GEORGE</p>	<p>APPROVAL OF THE PLANNING COMMISSION</p> <p>ON THIS THE _____ DAY OF _____, A.D. 20____, THE PLANNING COMMISSION OF THE CITY OF ST. GEORGE, HAVING REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND HAVING FOUND THAT IT COMPLIES WITH THE REQUIREMENTS OF THE CITY'S PLANNING ORDINANCES, AND BY AUTHORITY OF SAID COMMISSION HEREBY APPROVE SAID SUBDIVISION FOR ACCEPTANCE BY THE CITY OF ST. GEORGE, UT.</p> <p>CHAIRMAN PLANNING COMMISSION CITY OF ST. GEORGE</p>	<p>APPROVAL AND ACCEPTANCE BY THE CITY OF ST. GEORGE, UTAH</p> <p>WE, THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. GEORGE, UT, HAVE REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND BY AUTHORIZATION OF SAID CITY COUNCIL, RECORD IN THE MINUTES OF ITS MEETING OF THE _____ DAY OF _____, A.D. 20____, HEREBY ACCEPT SAID FINAL PLAT WITH ALL COMMITMENTS AND OBLIGATIONS PERTAINING THERETO.</p> <p>ATTEST: CITY RECORDER CITY OF ST. GEORGE</p> <p>MAYOR CITY OF ST. GEORGE</p>	<p>TREASURER APPROVAL</p> <p>I, WASHINGTON COUNTY TREASURER, CERTIFY ON THIS _____ DAY OF _____, A.D. 20____, THAT ALL TAXES, SPECIAL ASSESSMENTS, AND FEES DUE AND OWING ON THIS SUBDIVISION FINAL PLAT HAVE BEEN PAID IN FULL.</p> <p>WASHINGTON COUNTY TREASURER</p>	<p>RECORDED NUMBER</p> <p>WASHINGTON COUNTY RECORDER</p>
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NOTIFICATION AND CONSENT TO IMPACT FEE OBLIGATION:

THE OWNERS AND MORTGAGEES, BY SIGNING THIS PLAT DO HEREBY CONFIRM THAT, NOTWITHSTANDING ANY SUBSEQUENT INSTRUMENT RECORDED WITH RESPECT TO SAID TRACT, THERE SHALL BE WATER AVAILABILITY FEES DUE AND PAYABLE ON THE LOTS WITHIN SAID TRACT UPON THE FIRST TO OCCUR OF THE FOLLOWING EVENTS:
a) THE SALE OF THE LOT TO A THIRD PARTY BY THE OWNER, OR ANY SUCCESSOR IN INTEREST THERETO;
b) THE ISSUANCE OF A BUILDING PERMIT FOR CONSTRUCTION ON THE ANY PORTION OF THE TRACT; OR
c) THREE YEARS FROM THE DATE OF THE RECORDING OF THIS PLAT AS SET FORTH IN A PROMISSORY NOTE AND SECURITY AGREEMENT EXECUTED AND RECORDED WITH THIS SUBDIVISION PLAT.

ACKNOWLEDGEMENT BY WASHINGTON COUNTY WATER CONSERVANCY DISTRICT:

THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT HEREBY ACKNOWLEDGES THE NOTIFICATION AND CONSENT TO IMPACT FEE OBLIGATION ON THIS PLAT.

WASHINGTON COUNTY WATER CONSERVANCY DISTRICT
NAME: _____
TITLE: _____

STATE OF UTAH } s.s.
WASHINGTON COUNTY

ON THIS THE ____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

OWNER'S ACKNOWLEDGEMENT OF WATER IMPACT FEES:

THE UNDERSIGNED, CURT GORDON, PRESIDENT OF DESERT CANYONS DEVELOPMENT, INC., DOES HEREBY ACKNOWLEDGE AND CONSENT TO THE TERMS AND CONDITIONS OF THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT IMPACT FEE OBLIGATION AS STATED HEREON, FOR THE USES AND PURPOSES STATED THEREIN.

DESERT CANYONS DEVELOPMENT, INC.
BY: CURT GORDON, PRESIDENT

ACKNOWLEDGMENT

STATE OF UTAH } s.s.
COUNTY OF WASHINGTON

ON THIS THE ____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED CURT GORDON, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

MORTGAGEE'S CONSENT TO OWNER'S CONSENT OF WATER IMPACT FEES

WE, STATE BANK OF SOUTHERN UTAH, MORTGAGEE OF THE HEREIN DESCRIBED TRACT OF LAND, DOES HEREBY CONSENT TO THE OWNERS CONSENT OF WATER IMPACT FEES FOR THE USES AND PURPOSES STATED THEREIN.

STATE BANK OF SOUTHERN UTAH
BY: _____
TITLE: _____

ACKNOWLEDGMENT

STATE OF UTAH } s.s.
COUNTY OF WASHINGTON

ON THIS THE ____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

MORTGAGEE'S CONSENT TO RECORD

WE, STATE BANK OF SOUTHERN UTAH, MORTGAGEE OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY GIVE OUR CONSENT OF SAID TRACT OF LAND TO BE USED FOR THE USES AND PURPOSES DESCRIBED ON THIS PLAT, RECORDING OF ANNEXATION INTO COVENANTS, CONDITIONS AND RESTRICTIONS, AND JOINS IN ALL DEDICATIONS AND CONVEYANCES.

STATE BANK OF SOUTHERN UTAH
BY: _____
TITLE: _____

ACKNOWLEDGMENT

STATE OF UTAH } s.s.
COUNTY OF WASHINGTON

ON THIS THE ____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

Subdivision Final Plat for
DESERT COVE - PHASE 3
Located in the NW & SW Quarters of Section 35,
Township 43 South, Range 15 West, SLB&M



DRAFT

Agenda Item Number : **24**

Request For Council Action

Date Submitted 02/27/2019 09:20 AM

Proposed City Council Date 03/07/2019

Applicant Travis Sanders, Civil Science

Subject Consider approval of the final subdivision plat for Estrella Commercial Subdivision.

Background This request is to consider a Final Subdivision Plat for a 2-lot commercial subdivision located at Snow Canyon Parkway and Dixie Downs Road; zoning is PD-C (Planned Development Commercial/Manufacturing – all building shall not exceed 50% of the net lot or parcel acreage).

Proposed Resolution City staff and Planning Commission recommend approval.

Cost \$

City Manager Recommendation NULL

Action Taken NULL

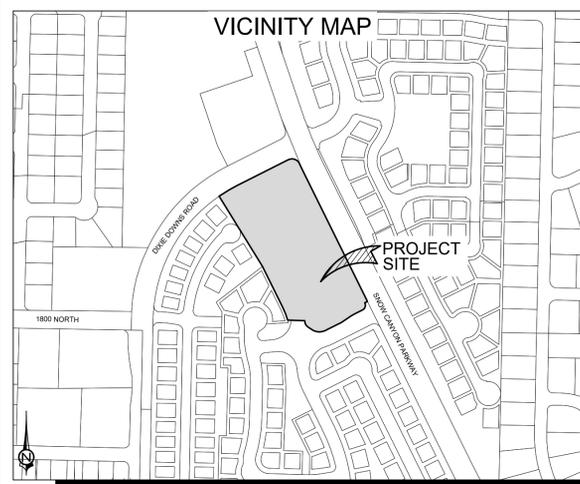
Requested by Todd Jacobsen

File Attachments estrellacommercialsubdivision022719092043.PDF

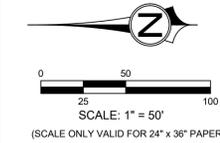
Approved by Legal Department? Yes

Approved by City Admin Services? NA

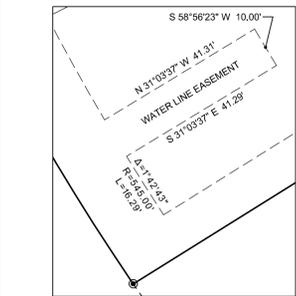
Approved in Budget? N/A **Amount:**



- ### GENERAL NOTES
- ALL SEWER, WATER AND POWER IMPROVEMENTS ARE PUBLIC AND MAINTAINED BY THE CITY OF ST. GEORGE. UP TO AND INCLUDING THE METERS. ALL FIRE HYDRANTS AND THEIR APPURTENANCES WITHIN THIS SUBDIVISION ARE PUBLIC AND ARE MAINTAINED BY THE CITY OF ST. GEORGE. FIRE LINES TO BUILDINGS ARE PRIVATE AND SHALL BE MAINTAINED BY THE ASSOCIATION.
 - ALL SEWER AND DRAINAGE IMPROVEMENTS WITHIN THIS SUBDIVISION ARE PRIVATE AND ARE NOT OWNED, MAINTAINED, OR REPAIRED BY THE CITY OF ST. GEORGE. THE ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF DRAINAGE IMPROVEMENTS WITHIN THIS SUBDIVISION UNLESS OTHERWISE APPROVED AND ACCEPTED BY THE CITY OF ST. GEORGE AS PUBLIC.
 - THERE EXISTS A 15.00 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG SNOW CANYON PARKWAY, DIXIE DOWNS ROAD AND 1795 NORTH FRONTAGE AND A 10.00 FOOT SIDE AND REAR ON ALL OTHER LOT LINES UNLESS OTHERWISE NOTED.
 - THERE IS TO BE A CROSS ACCESS AND UTILITY EASEMENT ACROSS THE PRIVATE LOTS AS SHOWN. EASEMENT IS IN FAVOR OF ALL LOTS WITHIN THE SUBDIVISION AND PUBLIC TO OBTAIN ACCESS AND UTILITY CONNECTION.
 - EACH LOT WILL NEED A GEOTECHNICAL INVESTIGATION TO BE PERFORMED BY A GEOTECHNICAL ENGINEERING FIRM PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. THE INVESTIGATION RESULTS AND SPECIFIC RECOMMENDATIONS FOR THE CONSTRUCTION OF FOUNDATIONS, FLOOR, SLABS AND EXTERIOR FLATWORK, WILL NEED TO BE COMPILE IN A REPORT SIGNED AND DATED BY SAID FIRM. A COPY WILL NEED TO BE ON FILE WITH THE CITY OF ST. GEORGE. OWNERS, BUILDERS, AND CONTRACTORS SHOULD BECOME FAMILIAR WITH THIS REPORT AND COMPLY WITH ITS RECOMMENDATIONS.



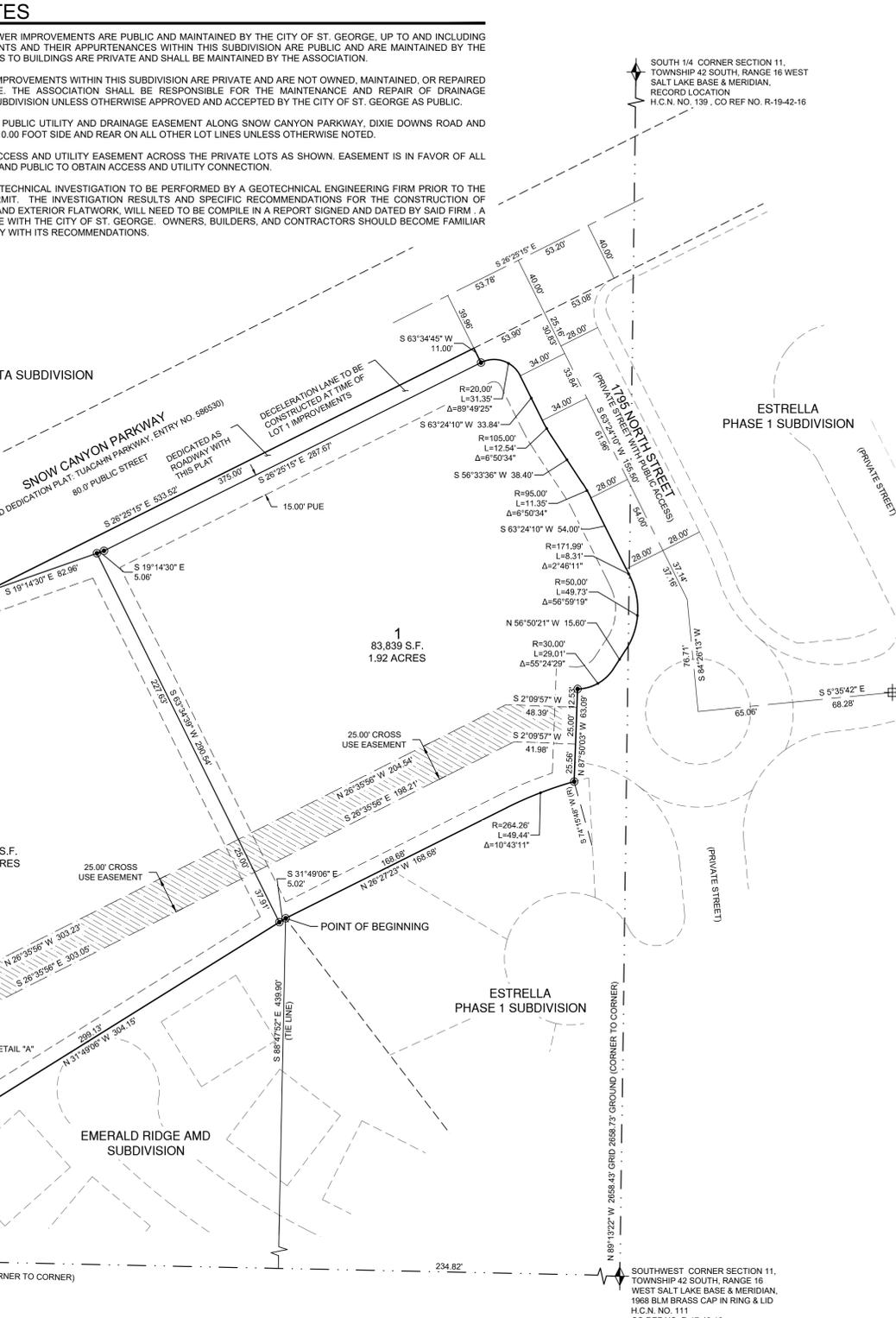
SCALE: 1" = 50'
(SCALE ONLY VALID FOR 24" x 36" PAPER)



EAST 1/4 CORNER SECTION 10, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE & MERIDIAN, 1968 BLM BRASS CAP, H.C.N. 110, CO REF. NO. T-17-42-16

- ### LEGEND
- SECTIONAL MONUMENTATION (FOUND: TYPE, DATE, AGENCY AND LOCATION ETC. AS SHOWN ON THE PLAT)
 - ALL BOUNDARY AND PROPERTY (LOT) CORNERS TO BE SET WITH 5/8" REBAR AND CAP STAMPED CIVIL SCIENCE, UNLESS OTHERWISE SPECIFIED ON THE PLAT.
 - SPECIFIES FOUND SURVEY CONTROL MONUMENT AS SHOWN.
 - SPECIFIES FRONT LOT PROPERTY CORNER OFFSET RIVET, OR NAIL & WASHER SET AT 5.25' ALONG PROJECT OF LOT LINE.
 - SPECIFIES CROSS ACCESS AND UTILITY EASEMENT

APPROVAL OF THE COMMUNITY DEVELOPMENT DIRECTOR	ENGINEER'S APPROVAL	APPROVAL AS TO FORM	APPROVAL OF THE PLANNING COMMISSION	APPROVAL AND ACCEPTANCE BY THE CITY OF ST. GEORGE, UTAH	TREASURER APPROVAL	RECORDED NUMBER
I, COMMUNITY DEVELOPMENT DIRECTOR FOR THE CITY OF ST. GEORGE, HAVE THIS THE _____ DAY OF _____, A.D. 20____, REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND RECOMMENDED THE SAME FOR ACCEPTANCE BY THE CITY OF ST. GEORGE, UT.	THE HEREON SUBDIVISION FINAL PLAT HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE THIS _____ DAY OF _____, A.D. 20____.	APPROVED AS TO FORM, THIS THE _____ DAY OF _____, A.D. 20____.	ON THIS THE _____ DAY OF _____, A.D. 20____, THE PLANNING COMMISSION OF THE CITY OF ST. GEORGE, HAVING REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND HAVING FOUND THAT IT COMPLIES WITH THE REQUIREMENTS OF THE CITY'S PLANNING ORDINANCES, AND BY AUTHORITY OF SAID COMMISSION HEREBY APPROVE SAID SUBDIVISION FOR ACCEPTANCE BY THE CITY OF ST. GEORGE, UT.	WE, THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. GEORGE, UT, HAVE REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND BY AUTHORIZATION OF SAID CITY COUNCIL, RECORD IN THE MINUTES OF ITS MEETING OF THE _____ DAY OF _____, A.D. 20____, HEREBY ACCEPT SAID FINAL PLAT WITH ALL COMMITMENTS AND OBLIGATIONS PERTAINING THERETO.	I, WASHINGTON COUNTY TREASURER, CERTIFY ON THIS _____ DAY OF _____, A.D. 20____, THAT ALL TAXES, SPECIAL ASSESSMENTS, AND FEES DUE AND OWING ON THIS SUBDIVISION FINAL PLAT HAVE BEEN PAID IN FULL.	
COMMUNITY DEVELOPMENT DIRECTOR CITY OF ST. GEORGE	ENGINEER CITY OF ST. GEORGE	CITY ATTORNEY CITY OF ST. GEORGE	CHAIRMAN PLANNING COMMISSION CITY OF ST. GEORGE	ATTEST: CITY RECORDER CITY OF ST. GEORGE	WASHINGTON COUNTY TREASURER	WASHINGTON COUNTY RECORDER



SURVEYOR'S CERTIFICATE

I, TRAVIS W. SANDERS, A PROFESSIONAL LAND SURVEYOR, LICENSE NUMBER 9481170, HOLD THIS LICENSE IN ACCORDANCE WITH TITLE 58 CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT AND HAVE COMPLETED THIS SURVEY OF THE PROPERTY DESCRIBED HEREON IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT. I CERTIFY THAT BY AUTHORITY OF THE HEREON OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND AS SHOWN ON THIS PLAT AND HAVE SUBDIVIDED THE SAME TRACT INTO LOTS, PUBLIC STREETS AND EASEMENTS TO BE HERINAFTER KNOWN AS:

ESTRELLA COMMERCIAL SUBDIVISION

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.



TRAVIS W. SANDERS, PLS
DATE

PRELIMINARY COPY FOR REVIEW ONLY

BOUNDARY DESCRIPTION

BEGINNING AT A POINT N 1°12'08" E 234.82 FEET ALONG THE WEST LINE OF SECTION 11, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, AND S 88°47'52" E 439.90 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 11, POINT ALSO BEING ON THE EASTERLY BOUNDARY OF EMERALD RIDGE AMENDED SUBDIVISION, RECORDED AND ON FILE AT THE OFFICE OF THE RECORDER, WASHINGTON COUNTY, STATE OF UTAH, AND RUNNING THENCE N 31°49'06" W 304.15 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF DIXIE DOWNS ROAD AS DEDICATED IN TUACHAN PARKWAY ROAD DEDICATION PLAT, POINT ALSO BEING ON A 560.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, WITH A RADIUS WHICH BEARS S 34°22'34" E, THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES, (1) THENCE ALONG THE ARC OF SAID CURVE 76.01 FEET THROUGH A CENTRAL ANGLE OF 7°46'38", (2) THENCE N 63°24'04" E 213.13 FEET, TO A POINT ON THE WESTERLY RIGHT OF WAY OF SNOW CANYON PARKWAY, DEDICATED IN SAID TUACHAN PARKWAY ROAD DEDICATION PLAT, POINT ALSO BEING THE POINT OF A 30.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING THREE (3) COURSES, (1) THENCE ALONG THE ARC OF SAID CURVE 47.85 FEET THROUGH A CENTRAL ANGLE OF 91°22'59", TO THE POINT OF A 1540.00 FOOT RADIUS REVERSE CURVE TO THE LEFT, (2) THENCE ALONG THE ARC OF SAID CURVE 32.39 FEET THROUGH A CENTRAL ANGLE OF 1°12'18", (3) THENCE S 26°25'15" E 533.52 FEET, TO THE NORTHEAST CORNER OF ESTRELLA PHASE 1 SUBDIVISION, RECORDED AND ON FILE AT THE OFFICE OF THE RECORDER, WASHINGTON COUNTY, STATE OF UTAH; THENCE ALONG SAID SUBDIVISION BOUNDARY THE FOLLOWING FOURTEEN (14) COURSES, (1) THENCE S 63°34'45" W 11.00 FEET, TO A POINT ON A 20.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, WITH A RADIUS WHICH BEARS S 63°34'45" W, (2) THENCE ALONG THE ARC OF SAID CURVE 31.35 FEET THROUGH A CENTRAL ANGLE OF 89°49'25", (3) THENCE S 63°24'10" W 33.84 FEET, TO THE POINT OF A 105.00 FOOT RADIUS CURVE TO THE LEFT, (4) THENCE ALONG THE ARC OF SAID CURVE 12.54 FEET THROUGH A CENTRAL ANGLE OF 6°50'34", (5) THENCE S 56°33'36" W 38.40 FEET, TO THE POINT OF A 95.00 FOOT RADIUS CURVE TO THE RIGHT, (6) THENCE ALONG THE ARC OF SAID CURVE 11.35 FEET THROUGH A CENTRAL ANGLE OF 6°50'34", (7) S 63°24'10" W 54.00 FEET, TO THE POINT OF A 171.99 FOOT RADIUS CURVE TO THE RIGHT, (8) THENCE ALONG THE ARC OF SAID CURVE 8.31 FEET THROUGH A CENTRAL ANGLE OF 2°48'11", TO THE POINT OF A 50.00 FOOT RADIUS COMPOUND CURVE TO THE RIGHT, (9) THENCE ALONG THE ARC OF SAID CURVE 49.73 FEET THROUGH A CENTRAL ANGLE OF 56°59'19", (10) THENCE N 56°50'21" W 15.60 FEET, TO THE POINT OF A 30.00 FOOT RADIUS CURVE TO THE RIGHT, (11) THENCE ALONG THE ARC OF SAID CURVE 29.01 FEET THROUGH A CENTRAL ANGLE OF 65°24'29", (12) THENCE N 87°50'03" W 63.09 FEET, TO A POINT ON A 264.26 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, WITH A RADIUS WHICH BEARS S 74°15'48" W, (13) THENCE ALONG THE ARC OF SAID CURVE 49.44 FEET THROUGH A CENTRAL ANGLE OF 10°43'11", (14) THENCE N 26°27'23" W 168.69 FEET, TO THE POINT OF BEGINNING.

CONTAINING 179,248 SQ FT OR 4.12 ACRES MORE OR LESS

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENT THAT THE UNDERSIGNED OWNERS OF ALL THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC STREETS AND EASEMENTS, TO BE HEREAFTER KNOWN AS:

ESTRELLA COMMERCIAL SUBDIVISION

DO HEREBY DEDICATE TO THE COMMON USE OF THE PROPERTY OWNERS, BUT NOT TO THE USE OF THE GENERAL PUBLIC, ALL EASEMENTS SHOWN ON THIS PLAT. FOR GOOD AND VALUABLE CONSIDERATION RECEIVED, THE UNDERSIGNED OWNERS HEREBY DEDICATE AND CONVEY TO THE CITY OF ST. GEORGE FOR THE PERPETUAL USE OF ALL PARCELS OF LAND SHOWN ON THIS PLAT AS EASEMENTS OVER, ON, UNDER AND ACROSS FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES AND DRAINAGE. THE UNDERSIGNED OWNERS DO HEREBY WARRANT TO THE CITY OF ST. GEORGE AND ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO USE ALL DEDICATIONS AND CONVEYANCES GRANTED HEREIN AGAINST THE CLAIMS OF ALL PERSONS.

GAYLE ANN WHEATLEY LIVING TRUST DATED SEPTEMBER 30, 1990	D. TRIOLO REVOCABLE LIVING TRUST DATED SEPTEMBER 11, 1979
TRUSTEE: GAYLE ANN WHEATLEY-TRIOLO	TRUSTEE: DONALD J. TRIOLO

TRUSTEE ACKNOWLEDGMENT

STATE OF _____ } S.S.
COUNTY OF _____ } S.S.

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME GAYLE ANN WHEATLEY-TRIOLO, WHO BEING BY ME DULY SWORN DID SAY THAT SHE IS A TRUSTEE OF THE GAYLE ANN WHEATLEY LIVING TRUST, AND THAT THE FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID TRUST BY AUTHORITY OF THE TERMS OF THE TRUST AGREEMENT DATED SEPTEMBER 30, 1990 AND SHE ACKNOWLEDGED TO ME THAT SAID TRUST EXECUTED THE SAME FOR THE PURPOSES STATED THEREIN

NOTARY PUBLIC _____ COMMISSION NUMBER: _____
NOTARY PUBLIC FULL NAME: _____ MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH:

TRUSTEE ACKNOWLEDGMENT

STATE OF _____ } S.S.
COUNTY OF _____ } S.S.

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME DONALD J. TRIOLO, WHO BEING BY ME DULY SWORN DID SAY THAT HE IS A TRUSTEE OF THE D. TRIOLO REVOCABLE LIVING TRUST, AND THAT THE FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID TRUST BY AUTHORITY OF THE TERMS OF THE TRUST AGREEMENT DATED SEPTEMBER 11, 1979 AND HE ACKNOWLEDGED TO ME THAT SAID TRUST EXECUTED THE SAME FOR THE PURPOSES STATED THEREIN

NOTARY PUBLIC _____ COMMISSION NUMBER: _____
NOTARY PUBLIC FULL NAME: _____ MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH:

ESTRELLA COMMERCIAL SUBDIVISION

LOCATED IN SECTION 11, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN

APPROVAL OF THE COMMUNITY DEVELOPMENT DIRECTOR	ENGINEER'S APPROVAL	APPROVAL AS TO FORM	APPROVAL OF THE PLANNING COMMISSION	APPROVAL AND ACCEPTANCE BY THE CITY OF ST. GEORGE, UTAH	TREASURER APPROVAL	RECORDED NUMBER
I, COMMUNITY DEVELOPMENT DIRECTOR FOR THE CITY OF ST. GEORGE, HAVE THIS THE _____ DAY OF _____, A.D. 20____, REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND RECOMMENDED THE SAME FOR ACCEPTANCE BY THE CITY OF ST. GEORGE, UT.	THE HEREON SUBDIVISION FINAL PLAT HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE THIS _____ DAY OF _____, A.D. 20____.	APPROVED AS TO FORM, THIS THE _____ DAY OF _____, A.D. 20____.	ON THIS THE _____ DAY OF _____, A.D. 20____, THE PLANNING COMMISSION OF THE CITY OF ST. GEORGE, HAVING REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND HAVING FOUND THAT IT COMPLIES WITH THE REQUIREMENTS OF THE CITY'S PLANNING ORDINANCES, AND BY AUTHORITY OF SAID COMMISSION HEREBY APPROVE SAID SUBDIVISION FOR ACCEPTANCE BY THE CITY OF ST. GEORGE, UT.	WE, THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. GEORGE, UT, HAVE REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND BY AUTHORIZATION OF SAID CITY COUNCIL, RECORD IN THE MINUTES OF ITS MEETING OF THE _____ DAY OF _____, A.D. 20____, HEREBY ACCEPT SAID FINAL PLAT WITH ALL COMMITMENTS AND OBLIGATIONS PERTAINING THERETO.	I, WASHINGTON COUNTY TREASURER, CERTIFY ON THIS _____ DAY OF _____, A.D. 20____, THAT ALL TAXES, SPECIAL ASSESSMENTS, AND FEES DUE AND OWING ON THIS SUBDIVISION FINAL PLAT HAVE BEEN PAID IN FULL.	
COMMUNITY DEVELOPMENT DIRECTOR CITY OF ST. GEORGE	ENGINEER CITY OF ST. GEORGE	CITY ATTORNEY CITY OF ST. GEORGE	CHAIRMAN PLANNING COMMISSION CITY OF ST. GEORGE	ATTEST: CITY RECORDER CITY OF ST. GEORGE	WASHINGTON COUNTY TREASURER	WASHINGTON COUNTY RECORDER

PROJ. #: FF18172.00
DRAWN BY: BLW/PJW
DATE: 2/7/2019



ESTRELLA COMMERCIAL SUBDIVISION
LOCATED IN SECTION 11, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE & MERIDIAN

CHECKED BY: TWS SCALE OF SHEET HOR SCALE: 1" = 50'	SHEET
	1
	OF
	1

DRAFT

Agenda Item Number : **25**

Request For Council Action

Date Submitted 03/06/2019 02:00 PM

Proposed City Council Date 03/21/2019

Applicant Brad Petersen, Development Solutions Group

Subject Consider approval of a final subdivision plat for The Ledges of St. George Pocket Mesa Phase 2.

Background This request is to consider a final subdivision plat for a 22 Lot residential subdivision that is located at Pocket Mesa Dr. and Burning Branch Dr.; Zoning is PD-R (Planned Development Residential 5,000 SQ/FT minimum lot size).

Proposed Resolution City staff and Planning Commission recommend approval

Cost \$

City Manager Recommendation NULL

Action Taken NULL

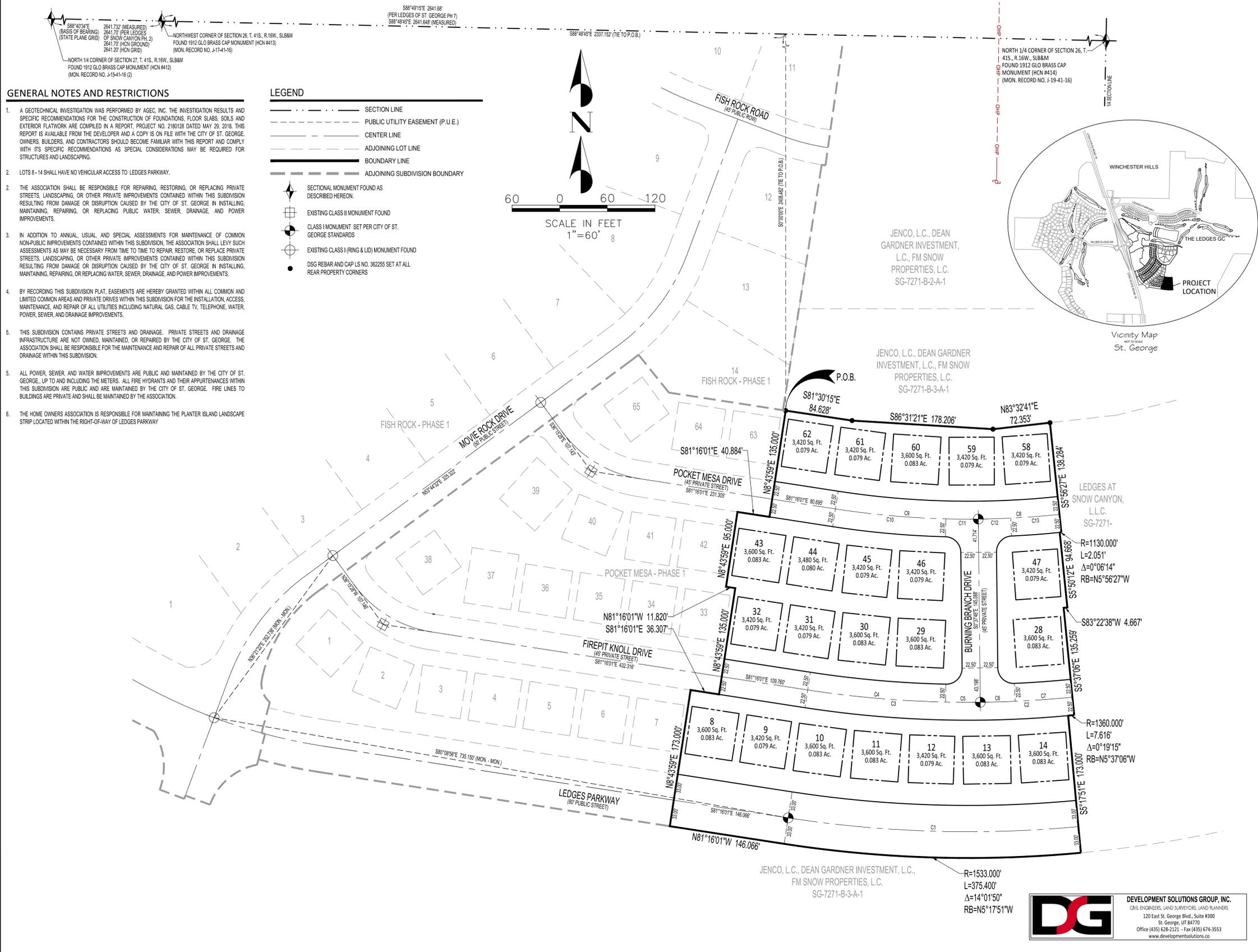
Requested by Todd Jacobsen

File Attachments pocketmesaphase2030619140024.pdf

Approved by Legal Department? Yes

Approved by City Admin Services? NA

Approved in Budget? N/A **Amount:**

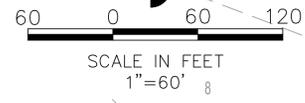


GENERAL NOTES AND RESTRICTIONS

- A GEOTECHNICAL INVESTIGATION WAS PERFORMED BY AGEC, INC. THE INVESTIGATION RESULTS AND SPECIFIC RECOMMENDATIONS FOR THE CONSTRUCTION OF FOUNDATIONS, FLOOR SLABS, SOILS AND EXTERIOR FLATWORK ARE COMPILED IN A REPORT, PROJECT NO. 2180128 DATED MAY 29, 2018. THIS REPORT IS AVAILABLE FROM THE DEVELOPER AND A COPY IS ON FILE WITH THE CITY OF ST. GEORGE. OWNERS, BUILDERS, AND CONTRACTORS SHOULD BECOME FAMILIAR WITH THIS REPORT AND COMPLY WITH ITS SPECIFIC RECOMMENDATIONS AS SPECIAL CONSIDERATIONS MAY BE REQUIRED FOR STRUCTURES AND LANDSCAPING.
- LOTS 8 - 14 SHALL HAVE NO VEHICULAR ACCESS TO LEDGES PARKWAY.
- THE ASSOCIATION SHALL BE RESPONSIBLE FOR REPAIRING, RESTORING, OR REPLACING PRIVATE STREETS, LANDSCAPING, OR OTHER PRIVATE IMPROVEMENTS CONTAINED WITHIN THIS SUBDIVISION RESULTING FROM DAMAGE OR DISRUPTION CAUSED BY THE CITY OF ST. GEORGE IN INSTALLING, MAINTAINING, REPAIRING, OR REPLACING PUBLIC WATER, SEWER, DRAINAGE, AND POWER IMPROVEMENTS.
- IN ADDITION TO ANNUAL, USUAL, AND SPECIAL ASSESSMENTS FOR MAINTENANCE OF COMMON NON-PUBLIC IMPROVEMENTS CONTAINED WITHIN THIS SUBDIVISION, THE ASSOCIATION SHALL LEVY SUCH ASSESSMENTS AS MAY BE NECESSARY FROM TIME TO TIME TO REPAIR, RESTORE, OR REPLACE PRIVATE STREETS, LANDSCAPING, OR OTHER PRIVATE IMPROVEMENTS CONTAINED WITHIN THIS SUBDIVISION RESULTING FROM DAMAGE OR DISRUPTION CAUSED BY THE CITY OF ST. GEORGE IN INSTALLING, MAINTAINING, REPAIRING, OR REPLACING WATER, SEWER, DRAINAGE, AND POWER IMPROVEMENTS.
- BY RECORDING THIS SUBDIVISION PLAT, EASEMENTS ARE HEREBY GRANTED WITHIN ALL COMMON AND LIMITED COMMON AREAS AND PRIVATE DRIVES WITHIN THIS SUBDIVISION FOR THE INSTALLATION, ACCESS, MAINTENANCE, AND REPAIR OF ALL UTILITIES INCLUDING NATURAL GAS, CABLE TV, TELEPHONE, WATER, POWER, SEWER, AND DRAINAGE IMPROVEMENTS.
- THIS SUBDIVISION CONTAINS PRIVATE STREETS AND DRAINAGE. PRIVATE STREETS AND DRAINAGE INFRASTRUCTURE ARE NOT OWNED, MAINTAINED, OR REPAIRED BY THE CITY OF ST. GEORGE. THE ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF ALL PRIVATE STREETS AND DRAINAGE WITHIN THIS SUBDIVISION.
- ALL POWER, SEWER, AND WATER IMPROVEMENTS ARE PUBLIC AND MAINTAINED BY THE CITY OF ST. GEORGE, UP TO AND INCLUDING THE METERS. ALL FIRE HYDRANTS AND THEIR APPURTENANCES WITHIN THIS SUBDIVISION ARE PUBLIC AND ARE MAINTAINED BY THE CITY OF ST. GEORGE. FIRE LINES TO BUILDINGS ARE PRIVATE AND SHALL BE MAINTAINED BY THE ASSOCIATION.
- THE HOME OWNERS ASSOCIATION IS RESPONSIBLE FOR MAINTAINING THE PLANTER ISLAND LANDSCAPE STRIP LOCATED WITHIN THE RIGHT-OF-WAY OF LEDGES PARKWAY

LEGEND

- SECTION LINE
- PUBLIC UTILITY EASEMENT (P.U.E.)
- CENTER LINE
- ADJOINING LOT LINE
- BOUNDARY LINE
- ADJOINING SUBDIVISION BOUNDARY
- SECTIONAL MONUMENT FOUND AS DESCRIBED HEREON
- EXISTING CLASS II MONUMENT FOUND
- CLASS I MONUMENT SET PER CITY OF ST. GEORGE STANDARDS
- EXISTING CLASS I (RING & LID) MONUMENT FOUND
- DSG REBAR AND CAP L.S. NO. 362255 SET AT ALL REAR PROPERTY CORNERS



SURVEYOR'S CERTIFICATE:

I, D. BRADFORD PETERSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 362255, IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, HAVE VERIFIED ALL MEASUREMENTS, HAVE PLACED MONUMENTS AS SHOWN IN ACCORDANCE WITH SECTION 17-29-7 AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, PUBLIC STREETS, PRIVATE STREETS, COMMON AREAS, LIMITED COMMON AREAS AND EASEMENTS HEREAFTER KNOWN AS:

THE LEDGES OF ST. GEORGE POCKET MESA - PHASE 2

I FURTHER CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, THE LOTS SHOWN ON THIS PLAT MEET THE CURRENT ZONING ORDINANCE.

DATE: _____



LEGAL DESCRIPTION:

BEGINNING AT THE NORTHEASTERN CORNER OF POCKET MESA - PHASE 1 SUBDIVISION AS RECORDED AND ON FILE WITH THE WASHINGTON COUNTY RECORDER'S OFFICE, SAID POINT BEING SOUTH 88°48'45" EAST 2337.152 FEET ALONG THE SECTION LINE AND SOUTH 2408.482 FEET FROM THE NORTHWEST CORNER OF SECTION 26, TOWNSHIP 41 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, (BASIS OF BEARING BEING SOUTH 88°40'34" EAST BETWEEN THE NORTH QUARTER CORNER OF SECTION 27 AND THE NORTHEAST CORNER OF SECTION 27, TOWNSHIP 41 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN), AND RUNNING THENCE SOUTH 81°30'15" EAST 84.628 FEET; THENCE SOUTH 86°31'21" EAST 178.206 FEET; THENCE NORTH 83°32'41" EAST 72.353 FEET; THENCE SOUTH 05°56'27" EAST 138.284 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE, (RADIUS POINT BEARS NORTH 05°56'27" WEST); THENCE ALONG THE ARC OF A 1130.000 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 00°06'14", A DISTANCE OF 2.051 FEET; THENCE SOUTH 05°50'12" EAST 94.668 FEET; THENCE SOUTH 83°22'38" WEST 4.667 FEET; THENCE SOUTH 05°37'06" EAST 135.259 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE, (RADIUS POINT BEARS NORTH 05°37'06" WEST); THENCE ALONG THE ARC OF A 1360.000 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 00°19'15", A DISTANCE OF 7.616 FEET; THENCE SOUTH 05°17'51" EAST 173.000 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE, (RADIUS POINT BEARS NORTH 05°17'51" WEST); THENCE ALONG THE ARC OF A 1533.000 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 14°01'50", A DISTANCE OF 375.400 FEET; THENCE NORTH 81°16'01" WEST 146.066 FEET TO THE SOUTHEAST CORNER OF SAID POCKET MESA - PHASE 1 SUBDIVISION, THENCE ALONG THE EASTERN BOUNDARY OF SAID SUBDIVISION THE FOLLOWING (7) SEVEN COURSES: (1) NORTH 08°43'59" EAST 173.000 FEET, (2) SOUTH 81°16'01" EAST 36.307 FEET, (3) NORTH 08°43'59" EAST 135.000 FEET, (4) NORTH 81°16'01" WEST 11.820 FEET, (5) NORTH 08°43'59" EAST 95.000 FEET, (6) SOUTH 81°16'01" EAST 40.884 FEET, AND (7) NORTH 08°43'59" EAST 135.000 FEET TO THE POINT OF BEGINNING. CONTAINS 233,366 SQ. FT., (5.357 ACRES)

OWNER'S DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER OF ALL THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC STREETS, PRIVATE STREETS, COMMON AREAS, LIMITED COMMON AREAS AND EASEMENTS HEREAFTER KNOWN AS:

THE LEDGES OF ST. GEORGE POCKET MESA - PHASE 2

FOR GOOD AND VALUABLE CONSIDERATION RECEIVED, THE UNDERSIGNED OWNER(S) DO HEREBY DEDICATE AND CONVEY TO THE CITY OF ST. GEORGE FOR PERPETUAL USE OF THE PUBLIC, ALL PARCELS OF LAND SHOWN ON THIS PLAT AS PUBLIC STREETS AND EASEMENTS. A PERPETUAL EASEMENT IS CONVEYED TO THE CITY OF ST. GEORGE, OVER, ON, UNDER AND ACROSS ALL COMMON AND LIMITED COMMON AREAS FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES AND DRAINAGE, BUT NOT THE GENERAL USE OF THE PUBLIC. ALL LOTS, PUBLIC STREETS, PRIVATE STREETS COMMON AREAS, LIMITED COMMON AREAS AND EASEMENTS ARE AS NOTED OR SHOWN. THE OWNER DOES HEREBY WARRANT TO THE CITY OF ST. GEORGE, ITS SUCCESSORS AND ASSIGNS, TITLE TO ALL PROPERTY DEDICATED AND CONVEYED TO PUBLIC USE HEREIN AGAINST THE CLAIMS OF ALL PERSONS. THE OWNER DOES HEREBY WARRANT AND CONVEY TO THE POCKET MESA AT LEDGES EAST OWNERS ASSOCIATION, A UTAH NON-PROFIT CORPORATION, ITS SUCCESSORS AND ASSIGNS, TITLE TO ALL PROPERTY SHOWN HEREON AS "COMMON AREA PARCEL A" AND "LIMITED COMMON AREA PARCEL B". ALL LOTS, PRIVATE STREETS, LIMITED COMMON AREAS AND COMMON AREAS SHOWN ON THIS PLAT ARE SUBJECT TO THE TERMS AND CONDITIONS SET FORTH IN THE MASTER DECLARATION OF COVENANTS, CONDITIONS OF THE POCKET MESA AT LEDGES EAST, RECORDED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER ON THE 15th DAY OF JANUARY, 20, 2019 AS DOCUMENT 20190001861, SAID DECLARATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS ARE HEREBY INCORPORATED AND MADE PART OF THIS PLAT. REFERENCE IS MADE TO SAID DECLARATION FOR DETAILS CONCERNING THE RIGHTS AND OBLIGATIONS OF PARTIES HAVING OR ACQUIRING AN INTEREST IN THIS DEVELOPMENT.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS ___ DAY OF _____, 20__.

THE LEDGES AT SNOW CANYON, L.L.C.
BY: BRETT BURGESS, MANAGER

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
COUNTY OF WASHINGTON

ON THIS THE ___ DAY OF _____, 20__ BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED BRETT BURGESS, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

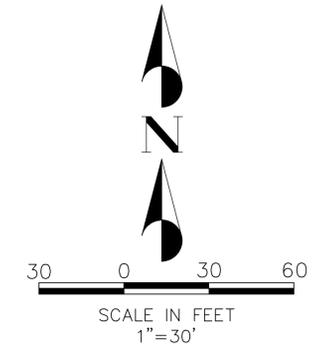
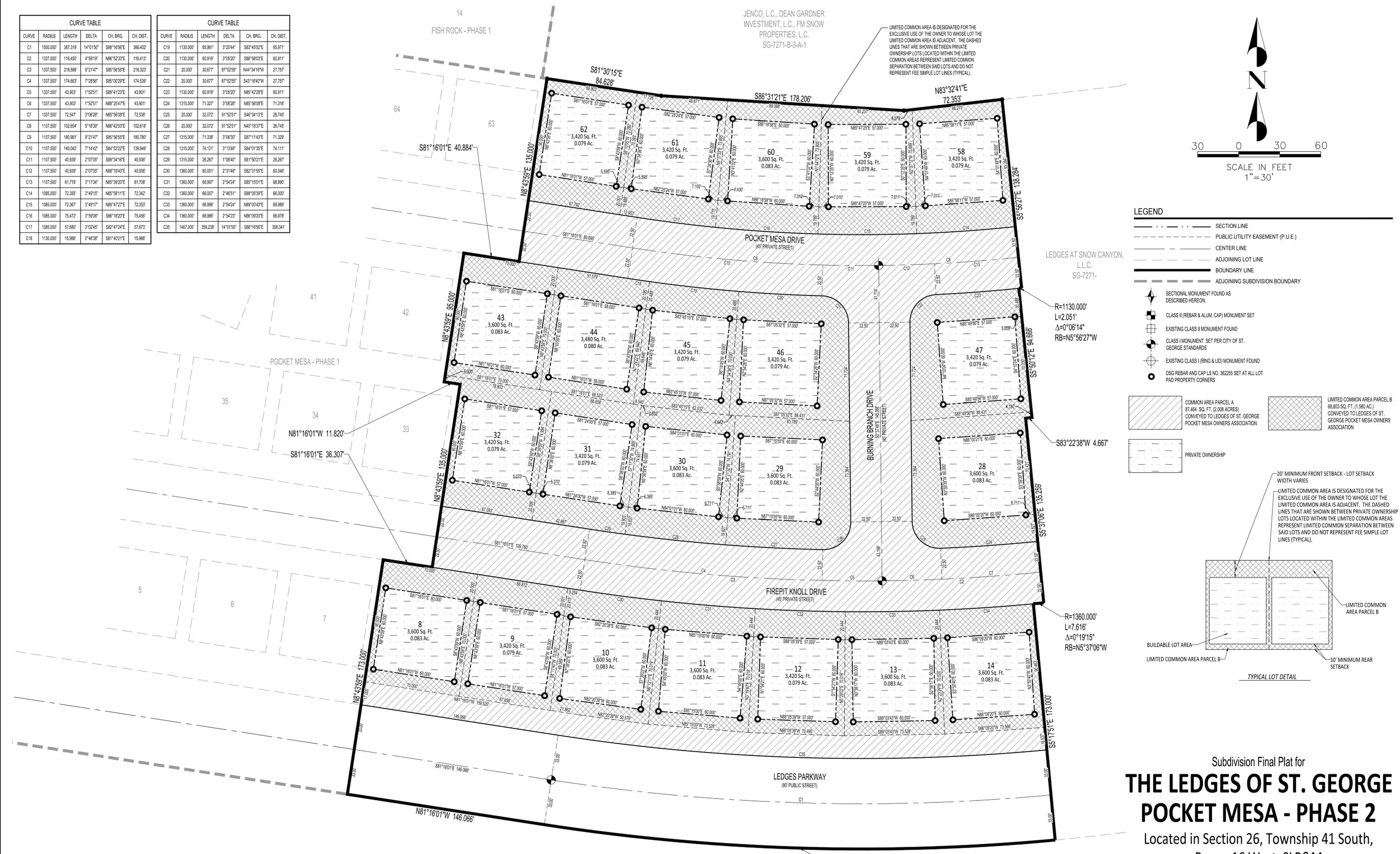
Subdivision Final Plat for
THE LEDGES OF ST. GEORGE POCKET MESA - PHASE 2
Located in Section 26, Township 41 South,
Range 16 West, SLB&M

SHEET 1 OF 3

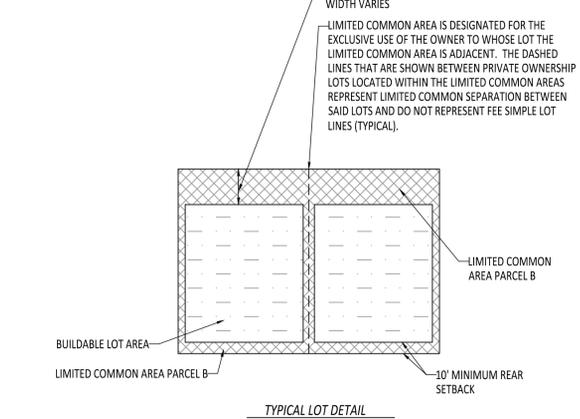
<p>APPROVAL OF THE COMMUNITY DEVELOPMENT DIRECTOR</p> <p>I, COMMUNITY DEVELOPMENT DIRECTOR FOR THE CITY OF ST. GEORGE, HAVE THIS THE ___ DAY OF _____ A.D. 20__ REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND RECOMMENDED THE SAME FOR ACCEPTANCE BY THE CITY OF ST. GEORGE, UT.</p> <p>_____ COMMUNITY DEVELOPMENT DIRECTOR CITY OF ST. GEORGE</p>	<p>ENGINEER'S APPROVAL</p> <p>THE HEREON SUBDIVISION FINAL PLAT HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE THIS ___ DAY OF _____, A.D. 20__</p> <p>_____ ENGINEER CITY OF ST. GEORGE</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM, THIS THE ___ DAY OF _____, A.D. 20__</p> <p>_____ CITY ATTORNEY CITY OF ST. GEORGE</p>	<p>APPROVAL OF THE PLANNING COMMISSION</p> <p>ON THIS THE ___ DAY OF _____ A.D. 20__ THE PLANNING COMMISSION OF THE CITY OF ST. GEORGE, HAVING REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND HAVING FOUND THAT IT COMPLIES WITH THE REQUIREMENTS OF THE CITY'S PLANNING ORDINANCES, AND BY AUTHORITY OF SAID COMMISSION HEREBY APPROVE SAID SUBDIVISION FOR ACCEPTANCE BY THE CITY OF ST. GEORGE, UT.</p> <p>_____ CHAIRMAN PLANNING COMMISSION CITY OF ST. GEORGE</p>	<p>APPROVAL AND ACCEPTANCE BY THE CITY OF ST. GEORGE, UTAH</p> <p>WE, THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. GEORGE, UT, HAVE REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND BY AUTHORIZATION OF SAID CITY COUNCIL, RECORD IN THE MINUTES OF ITS MEETING OF THE ___ DAY OF _____ A.D. 20__ HEREBY ACCEPT SAID FINAL PLAT WITH ALL COMMITMENTS AND OBLIGATIONS PERTAINING THERETO.</p> <p>ATTEST: CITY RECORDER CITY OF ST. GEORGE</p> <p>_____ MAYOR CITY OF ST. GEORGE</p>	<p>TREASURER APPROVAL</p> <p>I, WASHINGTON COUNTY TREASURER, CERTIFY ON THIS ___ DAY OF _____ A.D. 20__ THAT ALL TAXES, SPECIAL ASSESSMENTS, AND FEES DUE AND OWING ON THIS SUBDIVISION FINAL PLAT HAVE BEEN PAID IN FULL.</p> <p>_____ WASHINGTON COUNTY TREASURER</p>	<p>RECORDED NUMBER</p> <p>_____ WASHINGTON COUNTY RECORDER</p>
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CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CH. BRG.	CH. DIST.
C1	1500.000	387.319	14°01'50"	S88°16'59"E	366.402
C2	1337.500	116.450	4°59'19"	N88°52'33"E	116.413
C3	1337.500	218.566	9°21'47"	S85°56'55"E	218.323
C4	1337.500	174.663	7°28'56"	S85°00'29"E	174.539
C5	1337.500	43.903	1°52'51"	S89°41'23"E	43.901
C6	1337.500	43.903	1°52'51"	N88°25'47"E	43.901
C7	1337.500	72.547	3°06'28"	S85°56'08"E	72.538
C8	1107.500	102.654	5°18'39"	N86°42'53"E	102.618
C9	1107.500	180.981	9°21'47"	S85°56'55"E	180.780
C10	1107.500	140.042	7°14'42"	S84°53'22"E	139.949
C11	1107.500	40.939	2°07'05"	S89°34'16"E	40.936
C12	1107.500	40.939	2°07'05"	N88°18'40"E	40.936
C13	1107.500	61.716	3°11'13"	N85°39'20"E	61.708
C14	1086.000	72.355	3°49'15"	N85°58'11"E	72.342
C15	1086.000	72.367	3°49'11"	N89°47'21"E	72.353
C16	1086.000	75.472	3°59'08"	S86°18'20"E	75.456
C17	1086.000	57.680	3°02'45"	S82°47'24"E	57.673
C18	1130.000	15.988	0°48'35"	S81°40'21"E	15.988

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CH. BRG.	CH. DIST.
C19	1130.000	65.981	3°20'44"	S83°45'02"E	65.971
C20	1130.000	60.919	3°05'20"	S86°58'03"E	60.911
C21	20.000	30.677	87°52'55"	N44°34'16"W	27.757
C22	20.000	30.677	87°52'55"	S43°18'40"W	27.757
C23	1130.000	60.919	3°05'20"	N85°42'28"E	60.911
C24	1315.000	71.327	3°09'28"	N85°56'08"E	71.318
C25	20.000	32.072	91°52'51"	S48°34'13"E	28.745
C26	20.000	32.072	91°52'51"	N45°18'37"E	28.745
C27	1315.000	71.338	3°06'30"	S87°11'43"E	71.329
C28	1315.000	74.121	3°13'45"	S84°01'35"E	74.111
C29	1315.000	26.267	1°08'40"	S81°50'21"E	26.267
C30	1360.000	60.051	2°31'48"	S82°31'55"E	60.046
C31	1360.000	68.997	2°54'24"	S85°15'01"E	68.990
C32	1360.000	66.007	2°46'51"	S88°05'39"E	66.000
C33	1360.000	68.996	2°54'24"	N89°03'43"E	68.989
C34	1360.000	68.986	2°54'23"	N86°09'20"E	68.978
C35	1467.000	359.238	14°01'50"	S88°16'59"E	358.341



- LEGEND**
- SECTION LINE
 - - - - - PUBLIC UTILITY EASEMENT (P.U.E.)
 - CENTER LINE
 - - - - - ADJOINING LOT LINE
 - BOUNDARY LINE
 - ADJOINING SUBDIVISION BOUNDARY
 - ◆ SECTIONAL MONUMENT FOUND AS DESCRIBED HEREON.
 - CLASS II (REBAR & ALUM. CAP) MONUMENT SET
 - ⊕ EXISTING CLASS II MONUMENT FOUND
 - ⊙ CLASS I MONUMENT SET PER CITY OF ST. GEORGE STANDARDS
 - ⊕ EXISTING CLASS I (RING & LID) MONUMENT FOUND
 - ⊙ DSG REBAR AND CAP L.S. NO. 362255 SET AT ALL LOT PAD PROPERTY CORNERS



Subdivision Final Plat for
**THE LEDGES OF ST. GEORGE
 POCKET MESA - PHASE 2**
 Located in Section 26, Township 41 South,
 Range 16 West, SLB&M

JENCO, L.C., DEAN GARDNER
 INVESTMENT, L.C.,
 FM SNOW PROPERTIES, L.C.
 SG-7271-B-3-A-1

DEVELOPMENT SOLUTIONS GROUP, INC.
 CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS
 120 East St. George Blvd., Suite #300
 St. George, UT 84770
 Office (435) 628-2121 • Fax (435) 674-3553
 www.developmentsolutions.com

NOTIFICATION AND CONSENT TO IMPACT FEE OBLIGATION:

THE OWNERS AND MORTGAGEES, BY SIGNING THIS PLAT DO HEREBY CONFIRM THAT, NOTWITHSTANDING ANY SUBSEQUENT INSTRUMENT RECORDED WITH RESPECT TO SAID TRACT, THERE SHALL BE WATER AVAILABILITY FEES DUE AND PAYABLE ON THE LOTS WITHIN SAID TRACT UPON THE FIRST TO OCCUR OF THE FOLLOWING EVENTS:
a) THE SALE OF THE LOT TO A THIRD PARTY BY THE OWNER, OR ANY SUCCESSOR IN INTEREST THERETO;
b) THE ISSUANCE OF A BUILDING PERMIT FOR CONSTRUCTION ON THE ANY PORTION OF THE TRACT, OR
c) THREE YEARS FROM THE DATE OF THE RECORDING OF THIS PLAT AS SET FORTH IN A PROMISSORY NOTE AND SECURITY AGREEMENT EXECUTED AND RECORDED WITH THIS SUBDIVISION PLAT.

ACKNOWLEDGEMENT BY WASHINGTON COUNTY WATER CONSERVANCY DISTRICT:

THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT HEREBY ACKNOWLEDGES THE NOTIFICATION AND CONSENT TO IMPACT FEE OBLIGATION ON THIS PLAT.

WASHINGTON COUNTY WATER CONSERVANCY DISTRICT
NAME: _____
TITLE: _____

STATE OF UTAH } s.s.
WASHINGTON COUNTY

ON THIS THE ____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE,
TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

OWNER'S ACKNOWLEDGEMENT OF WATER IMPACT FEES:

THE UNDERSIGNED, BRETT BURGESS, MANAGER OF THE LEDGES AT SNOW CANYON, L.L.C., DOES HEREBY ACKNOWLEDGE AND CONSENT TO THE TERMS AND CONDITIONS OF THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT IMPACT FEE OBLIGATION AS STATED HEREON, FOR THE USES AND PURPOSES STATED THEREIN.

THE LEDGES AT SNOW CANYON, L.L.C.
BY: BRETT BURGESS, MANAGER

ACKNOWLEDGMENT

STATE OF UTAH } s.s.
COUNTY OF WASHINGTON

ON THIS THE ____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED BRETT BURGESS, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE,
TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

MORTGAGEE CONSENT TO RECORD

WE, JENCO, L.C., A UTAH LIMITED LIABILITY COMPANY, MORTGAGEE OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY GIVE OUR CONSENT TO RECORDING THE PLAT OF SAID TRACT OF LAND TO BE USED FOR THE USES AND PURPOSES DESCRIBED ON THIS PLAT AND JOIN IN ALL DEDICATIONS AND CONVEYANCES.

BY: STEVEN G. JENNINGS
TITLE: VICE PRESIDENT

ACKNOWLEDGMENT

STATE OF UTAH } s.s.
COUNTY OF WASHINGTON

ON THIS THE ____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED STEVEN G. JENNINGS, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE,
TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

MORTGAGEE'S CONSENT TO OWNER'S CONSENT OF WATER IMPACT FEES

WE, JENCO, L.C., A UTAH LIMITED LIABILITY COMPANY, MORTGAGEE OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY GIVE OUR CONSENT TO THE OWNER'S CONSENT OF WATER IMPACT FEES FOR THE USES AND PURPOSES STATED THEREIN.

BY: STEVEN G. JENNINGS
TITLE: VICE PRESIDENT

ACKNOWLEDGMENT

STATE OF UTAH } s.s.
COUNTY OF WASHINGTON

ON THIS THE ____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED STEVEN G. JENNINGS, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE,
TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

MORTGAGEE CONSENT TO RECORD

WE, DEAN GARDNER INVESTMENTS, L.C., A UTAH LIMITED LIABILITY COMPANY, MORTGAGEE OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY GIVE OUR CONSENT TO RECORDING THE PLAT OF SAID TRACT OF LAND TO BE USED FOR THE USES AND PURPOSES DESCRIBED ON THIS PLAT AND JOIN IN ALL DEDICATIONS AND CONVEYANCES.

BY: LARRY H. GARDNER
TITLE: MANAGER

ACKNOWLEDGMENT

STATE OF UTAH } s.s.
COUNTY OF WASHINGTON

ON THIS THE ____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED LARRY H. GARDNER, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE,
TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

MORTGAGEE'S CONSENT TO OWNER'S CONSENT OF WATER IMPACT FEES

WE, DEAN GARDNER INVESTMENTS, L.C., A UTAH LIMITED LIABILITY COMPANY, MORTGAGEE OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY GIVE OUR CONSENT TO THE OWNER'S CONSENT OF WATER IMPACT FEES FOR THE USES AND PURPOSES STATED THEREIN.

BY: LARRY H. GARDNER
TITLE: MANAGER

ACKNOWLEDGMENT

STATE OF UTAH } s.s.
COUNTY OF WASHINGTON

ON THIS THE ____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED LARRY H. GARDNER, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE,
TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

MORTGAGEE CONSENT TO RECORD

WE, F.M. SNOW PROPERTIES, L.L.C., A UTAH LIMITED LIABILITY COMPANY, MORTGAGEE OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY GIVE OUR CONSENT TO RECORDING THE PLAT OF SAID TRACT OF LAND TO BE USED FOR THE USES AND PURPOSES DESCRIBED ON THIS PLAT AND JOIN IN ALL DEDICATIONS AND CONVEYANCES.

BY: COURTNEY B. SNOW
TITLE: MANAGER

ACKNOWLEDGMENT

STATE OF UTAH } s.s.
COUNTY OF WASHINGTON

ON THIS THE ____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED COURTNEY B. SNOW, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE,
TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

MORTGAGEE'S CONSENT TO OWNER'S CONSENT OF WATER IMPACT FEES

WE, F.M. SNOW PROPERTIES, L.L.C., A UTAH LIMITED LIABILITY COMPANY, MORTGAGEE OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY GIVE OUR CONSENT TO THE OWNER'S CONSENT OF WATER IMPACT FEES FOR THE USES AND PURPOSES STATED THEREIN.

BY: COURTNEY B. SNOW
TITLE: MANAGER

ACKNOWLEDGMENT

STATE OF UTAH } s.s.
COUNTY OF WASHINGTON

ON THIS THE ____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED COURTNEY B. SNOW, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE,
TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

Subdivision Final Plat for
**THE LEDGES OF ST. GEORGE
POCKET MESA - PHASE 2**
Located in Section 26, Township 41 South,
Range 16 West, SLB&M



DRAFT

Agenda Item Number : **26**

Request For Council Action

Date Submitted 03/06/2019 01:51 PM

**Proposed City Council
Date** 03/21/2019

Applicant Brad Petersen, Development Solutions Group

Subject Consider approval of a final subdivision plat for Sage Canyon Phase 4 Subdivision.

Background This request is to consider a final subdivision plat for a 21 Lot residential subdivision that is located at Hayrocks Dr. and Honeycomb Dr.; Zoning is R-1-10 (Single-Family Residential 10,000 SQ/FT minimum lot size).

Proposed Resolution City staff and Planning Commission recommend approval.

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

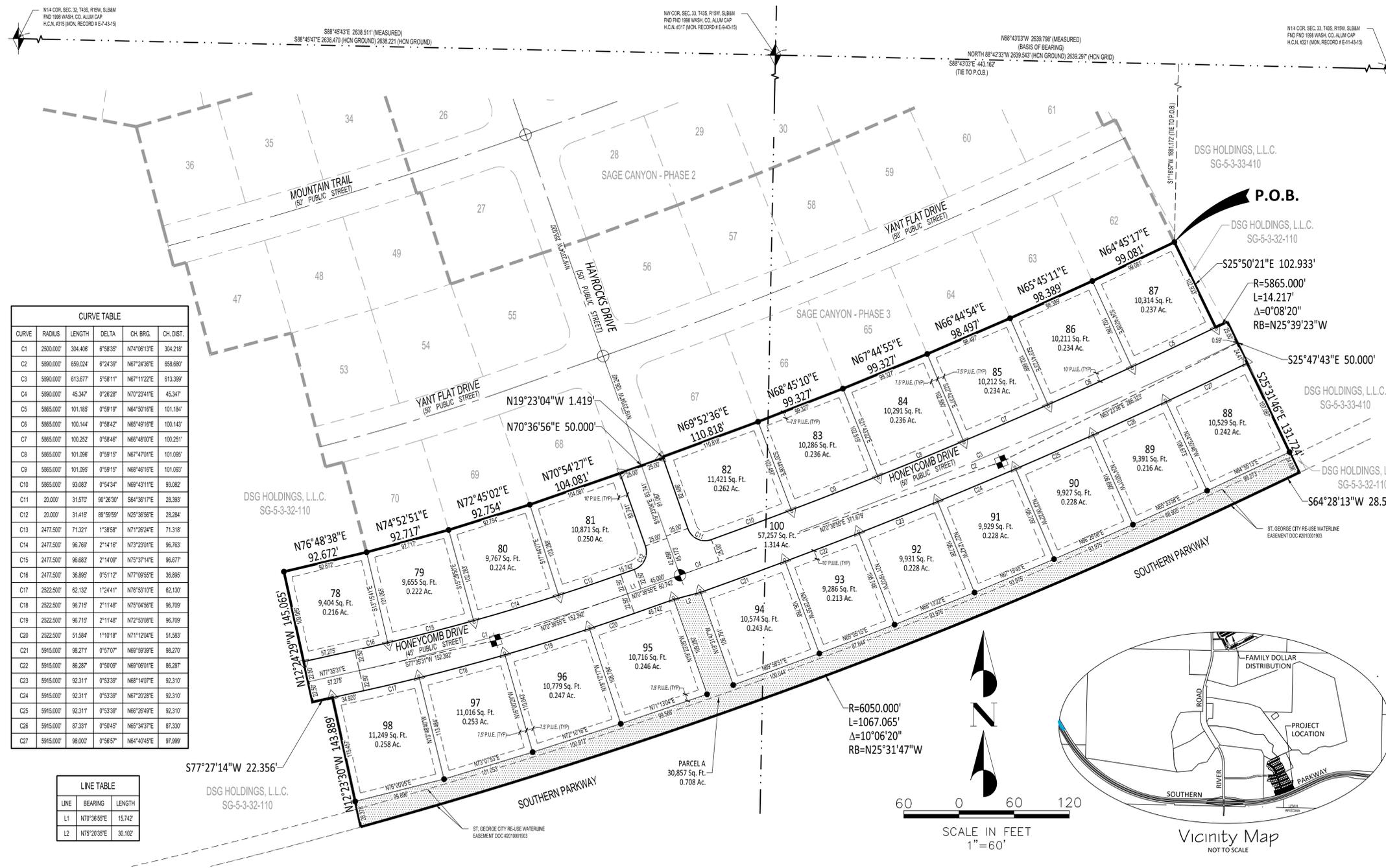
Requested by Todd Jacobsen

File Attachments sagecanyonph4finalplat030619135103.pdf

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** NA

Approved in Budget? N/A **Amount:**



CURVE	RADIUS	LENGTH	DELTA	CH. BRG.	CH. DIST.
C1	2500.000'	304.406'	6°58'39"	N74°08'13"E	304.216'
C2	5890.000'	699.024'	0°24'39"	N67°24'36"E	698.680'
C3	5890.000'	613.677'	9°58'11"	N67°11'22"E	613.369'
C4	5890.000'	45.347'	0°26'28"	N70°23'41"E	45.347'
C5	5865.000'	101.185'	0°59'19"	N64°50'16"E	101.184'
C6	5865.000'	100.144'	0°58'42"	N65°49'16"E	100.143'
C7	5865.000'	100.252'	0°58'46"	N68°48'00"E	100.251'
C8	5865.000'	101.096'	0°59'15"	N67°47'01"E	101.095'
C9	5865.000'	101.095'	0°59'15"	N68°46'16"E	101.093'
C10	5865.000'	93.083'	0°54'34"	N69°43'11"E	93.082'
C11	20.000'	31.570'	90°28'30"	S64°36'17"E	28.383'
C12	20.000'	31.416'	89°58'59"	N25°36'56"E	28.284'
C13	2477.500'	71.321'	1°38'58"	N71°26'24"E	71.318'
C14	2477.500'	96.769'	2°14'16"	N73°23'01"E	96.763'
C15	2477.500'	96.683'	2°14'09"	N75°37'14"E	96.677'
C16	2477.500'	36.886'	0°51'12"	N77°09'55"E	36.886'
C17	2522.500'	62.132'	1°24'41"	N76°53'10"E	62.130'
C18	2522.500'	96.715'	2°11'48"	N75°04'56"E	96.709'
C19	2522.500'	96.715'	2°11'48"	N72°53'08"E	96.709'
C20	2522.500'	51.584'	1°10'18"	N71°12'04"E	51.583'
C21	5915.000'	98.271'	0°57'00"	N69°59'39"E	98.270'
C22	5915.000'	86.287'	0°50'09"	N69°00'01"E	86.287'
C23	5915.000'	92.311'	0°53'39"	N68°14'07"E	92.310'
C24	5915.000'	92.311'	0°53'39"	N67°20'28"E	92.310'
C25	5915.000'	92.311'	0°53'39"	N66°28'49"E	92.310'
C26	5915.000'	87.331'	0°50'45"	N65°34'37"E	87.330'
C27	5915.000'	98.000'	0°56'57"	N64°40'45"E	97.999'

LINE	BEARING	LENGTH
L1	N70°36'55"E	15.742'
L2	N75°20'55"E	30.102'

SURVEYOR'S CERTIFICATE:

I, D. BRADFORD PETERSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 362255, IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, HAVE VERIFIED ALL MEASUREMENTS, HAVE PLACED MONUMENTS AS SHOWN IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, PUBLIC STREETS, PARCELS AND EASEMENTS HEREAFTER KNOWN AS:

SAGE CANYON - PHASE 4 SUBDIVISION

I FURTHER CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, THE LOTS SHOWN ON THIS PLAT MEET THE CURRENT ZONING ORDINANCE.

DATE: _____

LEGAL DESCRIPTION:

BEGINNING AT THE SOUTHEASTERLY BOUNDARY CORNER OF THE SAGE CANYON - PHASE 3 SUBDIVISION AS RECORDED AND ON FILE WITH THE WASHINGTON COUNTY RECORDER'S OFFICE, SAID POINT BEING SOUTH 88°43'03" EAST ALONG THE SECTION LINE, A DISTANCE OF 443.162 FEET AND SOUTH 01°16'57" WEST 1881.172 FEET FROM THE NORTHWEST CORNER OF SECTION 33, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARING BEING SOUTH 88°43'03" EAST BETWEEN THE NORTHWEST CORNER AND THE NORTH QUARTER CORNER OF SAID SECTION 33), AND RUNNING THENCE SOUTH 25°50'21" EAST 102.933 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE, (RADIUS POINT BEARS NORTH 25°39'23" WEST); THENCE ALONG THE ARC OF A 5865.000 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 0°08'20", A DISTANCE OF 14.217 FEET; THENCE SOUTH 25°47'43" EAST 50.000 FEET; THENCE SOUTH 25°31'46" EAST 131.724 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SOUTHERN PARKWAY; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING (2) TWO COURSES: (1) SOUTH 64°28'13" WEST 28.518 FEET TO A POINT OF CURVATURE; AND (2) RUNNING SOUTHWESTERLY ALONG THE ARC OF A 6050.000 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 10°06'20", A DISTANCE OF 1067.065 FEET; THENCE NORTH 12°23'30" WEST 143.889 FEET; THENCE SOUTH 77°27'14" WEST 22.356 FEET; THENCE NORTH 12°24'29" WEST 145.065 FEET; THENCE NORTH 76°48'38" EAST 92.672 FEET TO THE SOUTHWESTERLY BOUNDARY CORNER OF SAID SAGE CANYON - PHASE 3 SUBDIVISION; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID SUBDIVISION THE FOLLOWING (11) ELEVEN COURSES: (1) NORTH 74°52'51" EAST 92.717 FEET; (2) NORTH 72°45'02" EAST 92.754 FEET; (3) NORTH 70°54'27" EAST 104.081 FEET; (4) NORTH 70°36'56" EAST 50.000 FEET; (5) NORTH 19°23'04" WEST 1.419 FEET; (6) NORTH 69°52'36" EAST 110.818 FEET; (7) NORTH 68°45'10" EAST 99.327 FEET; (8) NORTH 67°44'55" EAST 99.327 FEET; (9) NORTH 66°44'54" EAST 98.497 FEET; (10) NORTH 65°45'11" EAST 98.389 FEET; AND (11) NORTH 64°45'17" EAST 99.081 FEET TO THE POINT OF BEGINNING.

CONTAINS 903,872 SQ. FT., (6.976 ACRES)

OWNER'S DEDICATION:

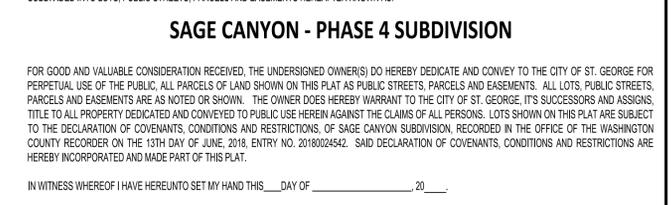
KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER OF ALL THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC STREETS, PARCELS AND EASEMENTS HEREAFTER KNOWN AS:

SAGE CANYON - PHASE 4 SUBDIVISION

FOR GOOD AND VALUABLE CONSIDERATION RECEIVED, THE UNDERSIGNED OWNER(S) DO HEREBY DEDICATE AND CONVEY TO THE CITY OF ST. GEORGE FOR PERPETUAL USE OF THE PUBLIC, ALL PARCELS OF LAND SHOWN ON THIS PLAT AS PUBLIC STREETS, PARCELS AND EASEMENTS. ALL LOTS, PUBLIC STREETS, PARCELS AND EASEMENTS ARE AS NOTED OR SHOWN. THE OWNER DOES HEREBY WARRANT TO THE CITY OF ST. GEORGE, ITS SUCCESSORS AND ASSIGNS, TITLE TO ALL PROPERTY DEDICATED AND CONVEYED TO PUBLIC USE HEREIN AGAINST THE CLAIMS OF ALL PERSONS. LOTS SHOWN ON THIS PLAT ARE SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, OF SAGE CANYON SUBDIVISION, RECORDED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER ON THE 13TH DAY OF JUNE, 2018, ENTRY NO. 2018002462. SAID DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ARE HEREBY INCORPORATED AND MADE PART OF THIS PLAT.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS ____ DAY OF _____, 20__.

SALESBURY DEVELOPERS, INC.
BY: RICK SALESBURY, PRESIDENT



ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF WASHINGTON } s.s.

ON THIS THE ____ DAY OF _____, 20__ BEFORE ME _____ A NOTARY PUBLIC, PERSONALLY APPEARED RICK SALESBURY, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

LEGEND

	SECTION LINE		CLASS II (REBAR & ALUM. CAP) MONUMENT SET
	PUBLIC UTILITY EASEMENT (P.U.E.)		CLASS I MONUMENT SET PER CITY OF ST. GEORGE STANDARDS
	CENTER LINE		EXISTING CLASS I (RINGS & LID) MONUMENT FOUND
	ADJOINING LOT LINE		DSG REBAR AND CAP L.S. NO. 362255 SET AT ALL REAR PROPERTY CORNERS
	BOUNDARY LINE		CONCRETE ANCHOR SET IN SIDEWALK ON A 2' EXTENSION OF THE PROPERTY LINE FROM THE FRONT PROPERTY CORNER
	ADJOINING SUBDIVISION BOUNDARY		PARCEL A - DEDICATED AND CONVEYED TO THE CITY OF ST. GEORGE
	SECTIONAL MONUMENT FOUND AS DESCRIBED HEREON.		

- GENERAL NOTES AND RESTRICTIONS**
- THERE EXISTS A 10.00 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG ALL STREET SIDE PROPERTY LINES AND A 7.50 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG ALL SIDE AND BACK LOT LINES UNLESS OTHERWISE NOTED. NO BUILDINGS OR STRUCTURES, E.G. POOLS, WALLS, OR FENCES, WILL BE ALLOWED TO BE BUILT IN THE EASEMENT AREA AND THE OWNER BEARS THE RISK OF LOSS OR DAMAGE TO THOSE IMPROVEMENTS RESULTING FROM THE EXERCISE OF THE EASEMENT RIGHTS.
 - A GEOTECHNICAL INVESTIGATION WAS PERFORMED BY APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS, INC. THE INVESTIGATION RESULTS AND SPECIFIC RECOMMENDATIONS FOR THE CONSTRUCTION OF FOUNDATIONS, FLOOR SLABS, AND EXTERIOR FLATWORK ARE AVAILABLE IN A REPORT DATED JUNE 7, 2017. THIS REPORT IS AVAILABLE FROM THE DEVELOPER AND A COPY IS ON FILE WITH THE CITY OF ST. GEORGE. OWNERS, BUILDERS, AND CONTRACTORS SHOULD BECOME FAMILIAR WITH THIS REPORT AND COMPLY WITH ITS SPECIFIC RECOMMENDATIONS AS SPECIAL CONSIDERATIONS MAY BE REQUIRED FOR STRUCTURES AND LANDSCAPING.
 - LOT #1 & #2 SHALL HAVE NO DRIVEWAY ACCESS TO HAYROCKS DRIVE UNLESS A SITE GRADING AND DRAINAGE PLAN IS SUBMITTED WITH BUILDING PERMIT SHOWING DRIVEWAY SLOPES MEET CITY ORDINANCE.

DEVELOPMENT SOLUTIONS GROUP, INC.
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS
120 East St. George Blvd., Suite #300
St. George, UT 84770
Office (435) 628-2121 • Fax (435) 674-3553
www.developmentsolutions.co

Subdivision Final Plat for

SAGE CANYON - PHASE 4 SUBDIVISION

Located in the NE Quarter of Section 32, and the NW Quarter of Section 33
Township 43 South, Range 15 West, SLB&M

SHEET 1 OF 2

APPROVAL OF THE COMMUNITY DEVELOPMENT DIRECTOR	ENGINEER'S APPROVAL	APPROVAL AS TO FORM	APPROVAL OF THE PLANNING COMMISSION	APPROVAL AND ACCEPTANCE BY THE CITY OF ST. GEORGE, UTAH	TREASURER APPROVAL	RECORDED NUMBER
I, COMMUNITY DEVELOPMENT DIRECTOR FOR THE CITY OF ST. GEORGE, HAVE THIS THE ____ DAY OF _____, A.D. 20__ REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND RECOMMENDED THE SAME FOR ACCEPTANCE BY THE CITY OF ST. GEORGE, UT.	THE HEREON SUBDIVISION FINAL PLAT HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE THIS ____ DAY OF _____, A.D. 20__	APPROVED AS TO FORM, THIS THE ____ DAY OF _____, A.D. 20__	ON THIS THE ____ DAY OF _____, A.D. 20__ THE PLANNING COMMISSION OF THE CITY OF ST. GEORGE, HAVING REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND HAVING FOUND THAT IT COMPLIES WITH THE REQUIREMENTS OF THE CITY'S PLANNING ORDINANCES, AND BY AUTHORITY OF SAID COMMISSION HEREBY APPROVE SAID SUBDIVISION FOR ACCEPTANCE BY THE CITY OF ST. GEORGE, UT.	WE, THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. GEORGE, UT, HAVE REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND BY AUTHORIZATION OF SAID CITY COUNCIL, RECORD IN THE MINUTES OF ITS MEETING OF THE ____ DAY OF _____, A.D. 20__ HEREBY ACCEPT SAID FINAL PLAT WITH ALL COMMITMENTS AND OBLIGATIONS PERTAINING THERETO.	I, WASHINGTON COUNTY TREASURER, CERTIFY ON THIS ____ DAY OF _____, A.D. 20__ THAT ALL TAXES, SPECIAL ASSESSMENTS, AND FEES DUE AND OWING ON THIS SUBDIVISION FINAL PLAT HAVE BEEN PAID IN FULL.	
COMMUNITY DEVELOPMENT DIRECTOR CITY OF ST. GEORGE	ENGINEER CITY OF ST. GEORGE	CITY ATTORNEY CITY OF ST. GEORGE	CHAIRMAN PLANNING COMMISSION CITY OF ST. GEORGE	ATTEST: CITY RECORDER CITY OF ST. GEORGE	WASHINGTON COUNTY TREASURER	WASHINGTON COUNTY RECORDER

NOTIFICATION AND CONSENT TO IMPACT FEE OBLIGATION:

THE OWNERS AND MORTGAGEES, BY SIGNING THIS PLAT DO HEREBY CONFIRM THAT, NOTWITHSTANDING ANY SUBSEQUENT INSTRUMENT RECORDED WITH RESPECT TO SAID TRACT, THERE SHALL BE WATER AVAILABILITY FEES DUE AND PAYABLE ON THE LOTS WITHIN SAID TRACT UPON THE FIRST TO OCCUR OF THE FOLLOWING EVENTS:
a) THE SALE OF THE LOT TO A THIRD PARTY BY THE OWNER, OR ANY SUCCESSOR IN INTEREST THERETO;
b) THE ISSUANCE OF A BUILDING PERMIT FOR CONSTRUCTION ON THE ANY PORTION OF THE TRACT, OR
c) THREE YEARS FROM THE DATE OF THE RECORDING OF THIS PLAT AS SET FORTH IN A PROMISSORY NOTE AND SECURITY AGREEMENT EXECUTED AND RECORDED WITH THIS SUBDIVISION PLAT.

ACKNOWLEDGEMENT BY WASHINGTON COUNTY WATER CONSERVANCY DISTRICT:

THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT HEREBY ACKNOWLEDGES THE NOTIFICATION AND CONSENT TO IMPACT FEE OBLIGATION ON THIS PLAT.

WASHINGTON COUNTY WATER CONSERVANCY DISTRICT

NAME: _____
TITLE: _____

STATE OF UTAH } s.s.
WASHINGTON COUNTY

ON THIS THE ____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE,
TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

OWNER'S ACKNOWLEDGEMENT OF WATER IMPACT FEES:

THE UNDERSIGNED, RICK SALISBURY, PRESIDENT OF SALISBURY DEVELOPERS, INC., DOES HEREBY ACKNOWLEDGE AND CONSENT TO THE TERMS AND CONDITIONS OF THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT IMPACT FEE OBLIGATION AS STATED HEREON, FOR THE USES AND PURPOSES STATED THEREIN.

SALISBURY DEVELOPERS, INC.
BY: RICK SALISBURY, PRESIDENT

ACKNOWLEDGMENT

STATE OF UTAH } s.s.
COUNTY OF WASHINGTON

ON THIS THE ____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED RICK SALISBURY, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE,
TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

MORTGAGEE'S CONSENT TO OWNER'S CONSENT OF WATER IMPACT FEES

WE, STATE BANK OF SOUTHERN UTAH, MORTGAGEE OF THE HEREIN DESCRIBED TRACT OF LAND, DOES HEREBY CONSENT TO THE OWNERS CONSENT OF WATER IMPACT FEES FOR THE USES AND PURPOSES STATED THEREIN.

STATE BANK OF SOUTHERN UTAH
BY: KIM CHRISTENSEN, EXECUTIVE VICE PRESIDENT

ACKNOWLEDGMENT

STATE OF UTAH } s.s.
COUNTY OF WASHINGTON

ON THIS THE ____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED KIM CHRISTENSEN, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE,
TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

MORTGAGEE'S CONSENT TO RECORD

WE, STATE BANK OF SOUTHERN UTAH, MORTGAGEE OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY GIVE OUR CONSENT OF SAID TRACT OF LAND TO BE USED FOR THE USES AND PURPOSES DESCRIBED ON THIS PLAT, RECORDING OF ANNEXATION INTO COVENANTS, CONDITIONS AND RESTRICTIONS, AND JOINS IN ALL DEDICATIONS AND CONVEYANCES.

STATE BANK OF SOUTHERN UTAH
BY: KIM CHRISTENSEN, EXECUTIVE VICE PRESIDENT

ACKNOWLEDGMENT

STATE OF UTAH } s.s.
COUNTY OF WASHINGTON

ON THIS THE ____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED KIM CHRISTENSEN, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE,
TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

Subdivision Final Plat for
**SAGE CANYON - PHASE 4
SUBDIVISION**

Located in the NE Quarter of Section 32, and the NW Quarter of Section 33
Township 43 South, Range 15 West, SLB&M

DG DEVELOPMENT SOLUTIONS GROUP, INC.
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS
120 East St. George Blvd., Suite #300
St. George, UT 84770
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www.developmentsolutions.co

DRAFT

Agenda Item Number : **27**

Request For Council Action

Date Submitted 03/06/2019 09:58 AM

**Proposed City Council
Date** 03/21/2019

Applicant Kevan Bundy, Bundy Surveying Inc.

Subject Consider approval of the amended final subdivision plat for Entrada at Snow Canyon 'Chaco West' Phase 3B Amended and Extended.

Background This request is to consider an amended final subdivision plat to merge Lot 39, Entrada of Snow Canyon 'Chaco West' Phase 3A and Lot 38, Entrada of Snow Canyon 'Chaco West' Phase 3B together into one lot. The request has been approved by City Staff and the Home Owners Association (HOA). Note: there are no public utility easements that need to be vacated. This is located at approximately 2500 North Kiva Trail; zoning is PD-R (Planned Development Residential 5,000 SQ/FT minimum lot size).

Proposed Resolution City staff and Planning Commission recommend approval.

Cost \$

**City Manager
Recommendation** NULL

Action Taken NULL

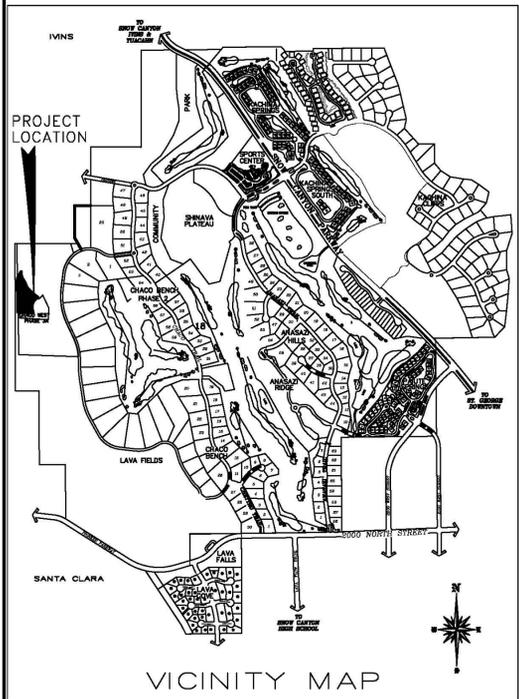
Requested by Todd Jacobsen

File Attachments chacowestphase3b030619095810.pdf

**Approved by Legal
Department?** Yes

**Approved by City Admin
Services?** NA

Approved in Budget? N/A **Amount:**



GENERAL NOTES AND RESTRICTIONS:

- NOTICE OF HAZARD BY PURCHASING PROPERTY WITHIN THIS PLAT, THE PURCHASER ASSUMES ANY AND ALL RISK OF DAMAGE AND PERSONAL INJURY AS A RESULT OF ITS PROXIMITY TO A GOLF COURSE AND DOES INDEMNIFY AND HOLD THE CITY OF ST. GEORGE, THE DEVELOPER AND ENGINEER, HARMLESS FROM ANY AND ALL CLAIMS OF INJURY, DAMAGE, EXPENSE OR LOSS OF WHATEVER NATURE WHICH MAY ARISE AS A DIRECT OR INDIRECT RESULT OF HAZARDS REFERRED TO HEREIN.
- A GEOTECHNICAL INVESTIGATION WAS PERFORMED BY APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS INCORPORATED (A.G.E.C.), ST. GEORGE, UTAH 84770 (435) 873-8850. THE INVESTIGATION RESULTS AND SPECIFIC RECOMMENDATIONS FOR THE CONSTRUCTION OF FOUNDATIONS, FLOOR SLABS AND EXTERIOR FLATWORK, ARE COMPILED IN A REPORT DATED APRIL 17, 2008. (PROJECT NO. 2070458) THIS REPORT IS AVAILABLE FROM THE DEVELOPER AND A COPY IS ON FILE WITH THE CITY OF ST. GEORGE. OWNERS, BUILDERS, AND CONTRACTORS SHOULD BECOME FAMILIAR WITH THIS REPORT AND COMPLY WITH ITS SPECIFIC RECOMMENDATIONS AS SPECIAL CONSIDERATIONS MAY BE REQUIRED FOR STRUCTURES AND LANDSCAPING.
- BUILDING SETBACK REQUIREMENTS:
 FROM FRONT PROPERTY LINE: 30' MIN.
 FROM SIDE PROPERTY LINES: 20' MIN.
 FROM REAR PROPERTY LINE: 20' MIN.
 ADDITIONAL BUILDING SETBACKS MAY BE REQUIRED BY THE ENTRADA PROPERTY OWNER'S ASSOC. CC&R'S AS SHOWN ON PLAT. (SETBACKS LISTED ARE LARGER THAN ST. GEORGE CITY ORDINANCE AS PER ENTRADA OWNERS ASSOCIATION).
- ALL IMPROVEMENTS MADE TO OR ON ANY LOT ARE SUBJECT TO THE APPROVAL OF THE ENTRADA DESIGN REVIEW COMMITTEE, THE ENTRADA PROPERTY OWNER'S ASSOCIATION, AND ANY OTHER APPROVALS AND PERMITS THAT MAY BE REQUIRED BY THE CITY OF ST. GEORGE.
- IN ADDITION TO ANNUAL, USUAL AND SPECIAL ASSESSMENTS FOR MAINTENANCE OF COMMON NON-PUBLIC IMPROVEMENTS CONTAINED WITHIN THIS SUBDIVISION, THE ASSOCIATION SHALL LEVY SUCH ASSESSMENTS AS MAY BE NECESSARY FROM TIME TO TIME TO REPAIR, RESTORE OR REPLACE PRIVATE STREETS, LANDSCAPING OR OTHER PRIVATE IMPROVEMENTS CONTAINED WITHIN THIS SUBDIVISION RESULTING FROM DAMAGE OR DISRUPTION CAUSED BY THE CITY OF ST. GEORGE IN INSTALLING, MAINTAINING, REPAIRING OR REPLACING WATER, SEWER, DRAINAGE AND POWER IMPROVEMENTS.
- NO WALLS, FENCES OR ARCHITECTURAL PROJECTIONS ARE ALLOWED WITHIN THE FRONT (ROADWAY) SETBACK. (AS PER ENTRADA OWNERS ASSOCIATION)

NOTICE OF ENVIRONMENTALLY SENSITIVE OVERLAY AREA RESTORATION
 ALL LOTS IN CHACO WEST PHASE 3B ARE REQUIRED TO INCLUDE WITH SUBMITTED CONSTRUCTION DOCUMENTS TO THE ENTRADA DESIGN AND REVIEW COMMITTEE THE FOLLOWING: A GRADING PLAN TO SHOW ALL AREAS THAT WILL BE DISTURBED; A RESTORATION PLAN TO RESTORE LAVA AREAS THAT ARE DISTURBED AND TO MAKE THE HOUSE AND HARDSCAPE APPEAR THAT IT HAS BEEN SET INTO THE LAVA - THIS WILL INCLUDE THE STAINING OF QUARRIED LAVA ROCK USED DURING RESTORATION TO A COLOR THAT MATCHES THE SURFACE BLACK LAVA OF THE SURROUNDING AREA AND THE USE OF BLACK LAVA FINES ONLY IN THE SOFTSCAPE AREAS AROUND THE HOME; A STAGING PLAN SHOWING WHERE EXCAVATED MATERIALS WILL BE KEPT DURING CONSTRUCTION. SPECIAL CONSIDERATION WILL BE GIVEN DURING THE SITING OF THE HOME TO SAVE UNIQUE LAVA FEATURES OR INCORPORATE THEM INTO THE DESIGN OF THE HOME.

AMENDMENT NARRATIVE

THE PURPOSE OF THIS PLAT AMENDMENT AND EXTENSION IS TO COMBINE LOT 38 OF ENTRADA AT SNOW CANYON "CHACO WEST" - PHASE 3B AND LOT 39 OF ENTRADA AT SNOW CANYON "CHACO WEST" - PHASE 3A INTO 1 SINGLE RESIDENTIAL LOT. UPON RECORDING, SAID LOT 39 WILL BE VACATED FROM THE "CHACO WEST" - PHASE 3A PLAT AND THIS NEW AMENDED LOT 38 WILL EXIST IN ITS PLACE (SEE UTAH CODE 10-9a-609, EFFECTIVE DATE 5-13-14).

BUNDY SURVEYING INCORPORATED
 190 WEST 400 SOUTH, ST. GEORGE, UTAH 84770
 PHONE: (435) 619-1990

MAP DATE: FEBRUARY 18, 2019
 REVISIONS:
 1. COMBINE LOTS AS SHOWN INTO A SINGLE RESIDENTIAL LOT.

APPROVAL OF THE COMMUNITY DEVELOPMENT DIRECTOR
 I, COMMUNITY DEVELOPMENT DIRECTOR FOR THE CITY OF ST. GEORGE, HAVE THIS THE ____ DAY OF _____ A.D. 20____ REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND RECOMMENDED THE SAME FOR ACCEPTANCE BY THE CITY OF ST. GEORGE, UT.

COMMUNITY DEVELOPMENT DIRECTOR
 CITY OF ST. GEORGE

ENGINEER'S APPROVAL
 THE HEREON SUBDIVISION FINAL PLAT HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE THIS ____ DAY OF _____ A.D. 20____

ENGINEER
 CITY OF ST. GEORGE

APPROVAL AS TO FORM
 APPROVED AS TO FORM, THIS THE ____ DAY OF _____ A.D. 20____

CITY ATTORNEY
 CITY OF ST. GEORGE

APPROVAL OF THE PLANNING COMMISSION
 ON THIS THE ____ DAY OF _____ A.D. 20____ THE PLANNING COMMISSION OF THE CITY OF ST. GEORGE, UT, HAVE REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND HAVING FOUND THAT IT COMPLIES WITH THE REQUIREMENTS OF THE CITY'S PLANNING ORDINANCES, AND BY AUTHORITY OF SAID COMMISSION HEREBY APPROVE SAID SUBDIVISION FOR ACCEPTANCE BY THE CITY OF ST. GEORGE, UT.

CHAIRMAN PLANNING COMMISSION
 CITY OF ST. GEORGE

APPROVAL AND ACCEPTANCE BY THE CITY OF ST. GEORGE, UTAH
 WE, THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. GEORGE, UT, HAVE REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND BY AUTHORIZATION OF SAID CITY COUNCIL, RECORD IN THE MINUTES OF ITS MEETING OF THE ____ DAY OF _____ A.D. 20____ HEREBY ACCEPT SAID FINAL PLAT WITH ALL COMMITMENTS AND OBLIGATIONS PERTAINING THERETO.

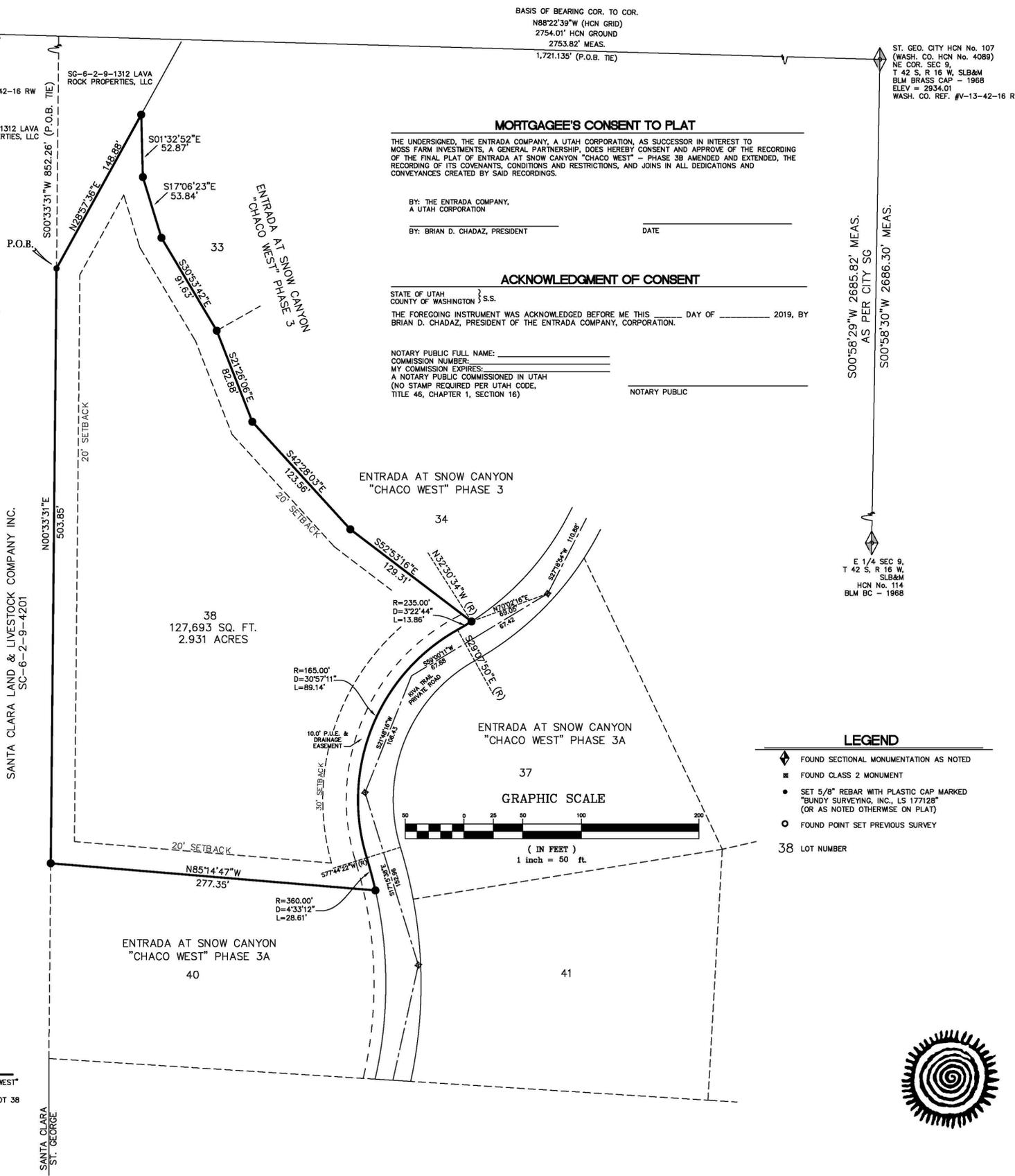
ATTEST: CITY RECORDER
 CITY OF ST. GEORGE

MAYOR
 CITY OF ST. GEORGE

TREASURER APPROVAL
 I, WASHINGTON COUNTY TREASURER, CERTIFY ON THIS ____ DAY OF _____ A.D. 20____ THAT ALL TAXES, SPECIAL ASSESSMENTS, AND FEES DUE AND OWING ON THIS SUBDIVISION FINAL PLAT HAVE BEEN PAID IN FULL.

WASHINGTON COUNTY TREASURER

RECORDED NUMBER
 WASHINGTON COUNTY RECORDER



MORTGAGEE'S CONSENT TO PLAT
 THE UNDERSIGNED, THE ENTRADA COMPANY, A UTAH CORPORATION, AS SUCCESSOR IN INTEREST TO MOSS FARM INVESTMENTS, A GENERAL PARTNERSHIP, DOES HEREBY CONSENT AND APPROVE OF THE RECORDING OF THE FINAL PLAT OF ENTRADA AT SNOW CANYON "CHACO WEST" - PHASE 3B AMENDED AND EXTENDED, THE RECORDING OF ITS COVENANTS, CONDITIONS AND RESTRICTIONS, AND JOINS IN ALL DEDICATIONS AND CONVEYANCES CREATED BY SAID RECORDINGS.

BY: THE ENTRADA COMPANY, A UTAH CORPORATION
 BY: BRIAN D. CHADAZ, PRESIDENT

DATE _____

ACKNOWLEDGMENT OF CONSENT
 STATE OF UTAH }
 COUNTY OF WASHINGTON } S.S.
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____ 2019, BY BRIAN D. CHADAZ, PRESIDENT OF THE ENTRADA COMPANY, CORPORATION.

NOTARY PUBLIC FULL NAME: _____
 COMMISSION NUMBER: _____
 MY COMMISSION EXPIRES: _____
 A NOTARY PUBLIC COMMISSIONED IN UTAH
 (NO STAMP REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

SURVEYOR'S CERTIFICATE
 I, KEVAN L. BUNDY, DO HEREBY CERTIFY THAT I HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT, AND HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE HEREON OWNERS, THIS SURVEY WAS COMPLETED AS SHOWN AND DESCRIBED BELOW AND IS TO BE HEREAFTER KNOWN AS:
ENTRADA AT SNOW CANYON "CHACO WEST" - PHASE 3B AMENDED AND EXTENDED
 AND THAT SAID TRACT OF LAND HAS BEEN SUBDIVIDED INTO LOTS AND EASEMENTS AS SHOWN ON THIS PLAT.

KEVAN L. BUNDY PLS No. 177128

BOUNDARY DESCRIPTION
 BEGINNING AT THE NORTHWESTERLY CORNER OF LOT 38, "ENTRADA AT SNOW CANYON "CHACO BENCH" - PHASE 3B SUBDIVISION, RECORDED AND FILED IN THE OFFICE OF THE RECORDER FOR WASHINGTON COUNTY, STATE OF UTAH, SAID POINT BEING NORTH 88°22'39" WEST, 1,721.135 FEET ALONG THE SECTION LINE AND SOUTH 00° 33' 31" WEST, 852.26 FEET FROM THE NORTHEAST CORNER OF SECTION 9, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN; RUNNING THENCE ALONG THE BOUNDARY LINE OF LOT 38, ENTRADA AT SNOW CANYON "CHACO BENCH" - PHASE 3B AND LOT 39, ENTRADA AT SNOW CANYON "CHACO BENCH" - PHASE 3A IN THE FOLLOWING TWELVE (12) COURSES: NORTH 28°57'36" EAST, 148.88 FEET; THENCE SOUTH 01°32'52" EAST, 52.87 FEET; THENCE SOUTH 17°06'23" EAST, 53.84 FEET; THENCE SOUTH 30°53'42" EAST, 91.83 FEET; THENCE SOUTH 21°26'06" EAST, 62.88 FEET; THENCE SOUTH 42°28'03" EAST, 123.56 FEET; THENCE SOUTH 52°53'16" EAST, 129.31 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF "KIVA TRAIL" PRIVATE ROAD, SAID POINT ALSO BEING ON THE ARC OF A 235.00 FOOT RADIUS CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS NORTH 32°30'34" WEST; THENCE RUNNING ALONG SAID CURVE AND RIGHT-OF-WAY LINE SOUTHWESTERLY, 13.86 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 3°22'44" TO THE POINT OF A 165.00 FOOT RADIUS REVERSE CURVE, THE RADIUS POINT OF WHICH BEARS SOUTH 29°07'50" EAST; THENCE ALONG SAID CURVE AND RIGHT-OF-WAY LINE SOUTHWESTERLY, 225.00 FEET THROUGH A CENTRAL ANGLE OF 7°07'48" TO THE POINT OF A 360.00 FOOT RADIUS REVERSE CURVE, THE RADIUS POINT OF WHICH BEARS SOUTH 72°44'22" WEST; THENCE ALONG SAID CURVE AND RIGHT-OF-WAY LINE SOUTHEASTERLY, 28.61 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 4°33'12"; THENCE LEAVING SAID RIGHT-OF-WAY LINE RUNNING NORTH 85°14'47" WEST, 277.35 FEET; THENCE NORTH 00°33'31" EAST, 503.85 FEET TO THE POINT OF BEGINNING, CONTAINING 2.931 ACRES MORE OR LESS.

OWNER'S DEDICATION
 KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED OWNER OF ALL THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOT AND EASEMENTS TO BE HEREAFTER KNOWN AS:
ENTRADA AT SNOW CANYON "CHACO WEST" - PHASE 3B AMENDED AND EXTENDED
 DOES HEREBY DEDICATE TO THE COMMON USE OF THE PROPERTY OWNERS, BUT NOT TO THE USE OF THE GENERAL PUBLIC, ALL AREAS SHOWN ON THIS PLAT IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE CORRECTIVE, THIRD AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED SEPTEMBER 12, 2006 AS DOCUMENT NO. 20060041971, BY REASON OF THE DECLARATION OF ANNEXATION DATED _____ AND RECORDED CONCURRENTLY WITH THE PLAT OF ENTRADA AT SNOW CANYON "CHACO WEST" - PHASE 1, SAID DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS IS HEREBY INCORPORATED AND MADE PART OF THIS PLAT. REFERENCE IS MADE TO SAID DECLARATION FOR DETAILS CONCERNING THE RIGHTS AND OBLIGATIONS OF PARTIES HAVING OR ACQUIRING AN INTEREST IN THIS DEVELOPMENT. FOR GOOD AND VALUABLE CONSIDERATION RECEIVED, THE UNDERSIGNED OWNER HEREBY DEDICATES AND CONVEYS TO THE CITY OF ST. GEORGE, ALL EASEMENTS NOTED AND/OR SHOWN FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES. THE UNDERSIGNED OWNER DOES HEREBY WARRANT TO THE CITY OF ST. GEORGE AND ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO USE ALL DEDICATIONS AND CONVEYANCES GRANTED HEREIN AGAINST THE CLAIMS OF ALL PERSONS.

THOMAS COLEMAN
 JENNIFER COLEMAN

OWNER'S ACKNOWLEDGMENT (INDIVIDUAL)
 STATE OF UTAH }
 COUNTY OF WASHINGTON } S.S.
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____ 2019, BY THOMAS COLEMAN, OWNER.

NOTARY PUBLIC FULL NAME: _____
 COMMISSION NUMBER: _____
 MY COMMISSION EXPIRES: _____
 A NOTARY PUBLIC COMMISSIONED IN UTAH
 (NO STAMP REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

OWNER'S ACKNOWLEDGMENT (INDIVIDUAL)
 STATE OF UTAH }
 COUNTY OF WASHINGTON } S.S.
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____ 2019, BY JENNIFER COLEMAN, OWNER.

NOTARY PUBLIC FULL NAME: _____
 COMMISSION NUMBER: _____
 MY COMMISSION EXPIRES: _____
 A NOTARY PUBLIC COMMISSIONED IN UTAH
 (NO STAMP REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

ENTRADA AT SNOW CANYON "CHACO WEST" - PHASE 3B AMENDED AND EXTENDED

LOCATED IN:
 THE NE 1/4 OF SECTION 9,
 TOWNSHIP 42 SOUTH, RANGE 16 WEST,
 SALT LAKE BASE & MERIDIAN
 SHEET 1 OF 1

