

**PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH
MAY 21, 2019**

PRESENT: Chair Pro Tem Don Buehner
Commissioner Dannielle Larkin
Commissioner Summer Barry
Commissioner David Brager
Commissioner Roger Nelson

CITY STAFF: Assistant Public Works Director Wes Jenkins
Community Development Director John Willis
Assistant City Attorney Victoria Hales
Planner II Ray Snyder
Planner III Carol Davidson
Development Office Supervisor Karen Roundy

EXCUSED: Chairman Nathan Fisher
Commissioner Todd Staheli
Council Member Joe Bowcutt

CALL TO ORDER

Chair Pro Tem Don Buehner called the meeting to order at 5:06 pm
Commissioner Summer Barry led the flag salute.

Chair Pro Tem Don Buehner explained that we will have a change in the presentation of the agenda, item 4 will be heard after item 1B and then return to follow the agenda items as noted.

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

A. Consider a conditional use permit to construct a detached residential **RV garage**. The height will exceed the allowable building height of fifteen feet (15'), unless a conditional use permit is granted for a greater height. The site is **Lot 21** of the Reserve at River Hollow residential subdivision. The property is zoned RE-20 (Residential Estate 20,000 sq. ft. minimum lot size). The representative is Shawn Patten, Creative Dimensions. Case No. 2019-CUP-010 (Staff – Ray Snyder)

Ray Snyder presented item 1A as shown in the packet. The detached garage including site plan, elevations and floor plans as shown. The height request is for 18' 9", 3' 9" above what would be allowed. There are three letters in opposition due to the views being blocked and on not opposing the garage but not happy about the garage. Ray Snyder reviewed all of the

requirements in the staff report, including that staff does recommend approval. Items A-K were review as shown in the staff report.

Victoria Hales stated that there is an HOA and that will be on them to get approvals. We would need those in the packet for the CUP. They do have recorded CC&R's.

Shawn Patten, applicant

Mr. Patten explained that the garage does have HOA approval and is matching the exterior of the building.

Mr. Brager asked if the top of the garage is lower than the peak of the house.

Mr. Patten stated that yes, it is lower than the actual home.

Commissioners discuss the garage height request and find that the detrimental effects have been mitigated.

MOTION: Commissioner Dannielle Larkin made a motion to recommend approval to the City Council of item 1A Conditional Use Permit to construct a detached residential RV garage. The height will exceed the allowable building height of fifteen feet (15') at 18' 9" to the midpoint of the roof on Lot 21 of Reserve at River Hollow residential subdivision, finding that the detrimental effects have been mitigated and adopt all of staff comments and conditions.

SECOND: Commissioner Barry

AYES (5)

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner Summer Barry

Commissioner David Brager

Commissioner Roger Nelson

NAYS (0)

Motion carries

B. Consider a conditional use permit to construct a detached residential **RV garage**. The height will exceed the allowable building height of fifteen feet (15'), unless a conditional use permit is granted for a greater height. The site is **Lot 135** of the Meadow Valley Farms Phase 11 residential subdivision. The property is zoned A-1 (Agricultural). The representative is Monte Chournos. Case No. 2019-CUP-011 (Staff – Ray Snyder)

Ray Snyder presented item 1B as shown in the packet. This request has a four (4) car garage request. The height is 20' 8.5", which is 5' 8.5" higher than allowed. Staff comments and findings A-K were reviewed as shown in the packet. There was one letter of opposition from Shannon Klump, who has withdrawn her opposition.

Commissioner Nelson asked if there are two rows of garages and two on the other but the picture shows one.

Ray Snyder explained that the applicant will have to explain this.

Chair Pro Tem stated that we appreciated the letters from the public and we do not gloss over them. He has a question about the rear elevation.

Lance Chournos, Applicant

Mr. Chournos state that it is a two car garage with one door.

Commissioner Brager asked about the left elevation stucco.

Mr. Chournos explained that for climate reasons he will not put a window in on the left elevation.

Commissioners discuss the CUP request.

MOTION: Commissioner Roger Nelson made a motion to recommend approval to the City Council of item 1B Conditional Use Permit to construct a detached residential RV garage. The height will exceed the allowable building height of fifteen feet (15') at Lot 135 of Meadow Valley Farms Phase 11 residential subdivision, adopting all staff comments and conditions, and find that the detrimental effects have been mitigated.

SECOND: Commissioner Larkin

AYES (5)

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner Summer Barry

Commissioner David Brager

Commissioner Roger Nelson

NAYS (0) Motion carries

C. Consider a conditional use permit to allow “**Red Head Support Services**’ to operate as a day program for clients with special needs in the M-1 zone at 1145 W 1250 N. The representative is Bradley Hall. Case No. 2019-CUP-012 (Staff – Ray Snyder)

Ray Snyder presented item 1C as shown in the packet and located on the maps. This request is for a corporate office space and a day program, Monday - Friday 9:00am to 3:00pm. The use and activities were stated. The findings items A-K were reviewed as shown in the packet.

Commissioners discuss the negative impact on neighboring properties,

Bradley Hall, applicant representative

Mr. Hall stated that we have been in the building as office space and there has been no heavy equipment or traffic. As shown, on the maps, storage and subdivision location explains the little traffic. The clients will be using the parking lot and we do have vans to transport clients to parks. We do have some scooters that the individuals ride in the parking lot and a trampoline.

Commissioner Larkin was concerned about sidewalks in the area.

Mr. Hall explained a description of the surrounding neighboring properties.

Victoria Hales asked what is the ratio of supervisors to clients.

Mr. Hall explained that the services for each individual has been determined separately and they have their own dedicated staff given per individuals as a State Codes. The client determines the number of staff supervising.

Victoria Hales asked if he is comfortable with the condition to maintaining continual state licensing.

Mr. Hall agreed with the condition.

Commissioners and applicant continue to discuss the conditions of the children and adults being together, state requirements and possible conditions.

Victoria Hales asked if he is comfortable with the condition that when age groups are mixed there will be constant supervision.

Mr. Hall agreed.

Victoria Hales asked if you provide any counseling services.

Mr. Hall stated that they do not provide any counseling services.

Commissioners discuss the location for the request, age range, mental health and State required conditions.

Conditional upon them being in compliance with the State regulations and constant supervision when adults and children are together.

Victoria Hales stated that we would like to have you discuss the time of day limits and

MOTION: Commissioner Dannielle Larkin made a motion to recommend approval to the City Council of item 1C Conditional Use Permit to allow "Red Head Support Services" to operate as a day program for clients with special needs at 1145 W. 1250 N., finding that the detrimental effects A-K have been mitigated: conditional upon

1. The number of clients is limited to 15a at a time.
2. The time of day for care is limited 9am to 3pm
3. The ages are to
4. The location is approved
5. Meet all state licensing and maintain all state ratio requirements of caregivers to clients.
6. Activities shall be provided, but counseling services are not provided.
7. When the adults and children are together there shall be constant staff supervision.

SECOND: Commissioner Nelson

AYES (4)

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner David Brager

Commissioner Roger Nelson
NAYS (1)
Commissioner Summer Barry
Motion carries

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

A. Consider a zone change for “**Commerce Point**” commercial center from C-3 (General Commercial) to C-2 (Highway Commercial). Generally located at the intersection of Bluff Street and Black Ridge Drive on approximately 3.57 acres. Case No. 2019-ZC-019. (Staff – Ray Snyder)

Ray Snyder presented item 2A zone change as shown in the staff report. This is a clean up item to eliminate a split zone.

Commissioner Barry asked if this area was considered for PD-C.

Ray Snyder explained that PD-C didn't make sense in this condition.

Commissioner Nelson asked about the elevation.

Ray Snyder explained that at this time, we are just looking at the zone and that will be looked at by staff at the time of development.

Commissioners and staff review this request.

Open the Public Hearing seeing none close the Public Hearing

MOTION: Commissioner David Brager made a motion to recommend approval to the City Council of item 2A zone change for “Commerce Point” commercial center from C-3 to C-2 generally located at the intersection of Bluff Street and Black Ridge Drive on approximately 3.57 acres.

SECOND: Commissioner Summer Barry

AYES (5)

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner Summer Barry
Commissioner David Brager
Commissioner Roger Nelson
NAYS (0)
Motion carries

B. Consider a zone change for “**Jensen Property** from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and A-20 (Agricultural 20 acres minimum lot size) to RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size) on approximately 1.78 acres. Generally located west of 2580 East Street in the “Springs Estates.” (Staff – Ray Snyder)

Ray Snyder presented item 2B zone change as shown in the staff report.

Commissioner Larkin asked for clarification on the access location.

John Willis stated that the roadway, as shown on the maps, will continue.

Commissioners and staff discuss access and roadways.

Ron Jensen, represents the property owner

This lot is currently lot 62 of phase 5 and we are planning on accessing this lot on 1190 South Circle and our intent would be to extend the cul-de-sac.

Victoria Hales asked who owns the property between the zone change and the road.

Mr. Jensen explained that there may be two or three ownerships within our family.

Victoria Hales stated that you will have to dedicate a road and dedicate a roadway access to the properties that are being developed.

Commissioners and staff discuss the RE-12 zone and this is a clean up for all of the area to be RE-12 as shown on the maps. As shown on the maps, there is a bubble and we feel comfortable allowing this rezoning request.

Open the Public Hearing

Sandra Guymon, neighboring property

Ms. Guymon is a neighbor as shown on the maps, she is representing three other neighboring property owners. Our concern is that we purchased our lots with an amazing view and we want to know if there are height restrictions and if there are no height restrictions, we are in opposition to this request. We did have a height restriction and how it got into place.

Victoria Hales asked if she is in an HOA.

Ms. Guymon asked if there is a residential height limit.

Staff, legal and commissioners discuss the height restrictions, HOA requirements and enforcement.

Close the Public Hearing

MOTION: Commissioner Roger Nelson made a motion to recommend approval to the City Council of item 2B zone change for “Jensen Property” from R-1-10 and A-20 to RE-12.5 on approximately 1.78 acres. Generally located at west of 2580 East Street in the “Springs Estates”.

SECOND: Commissioner Dannielle Larkin

AYES (5)

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner Summer Barry

Commissioner David Brager

Commissioner Roger Nelson

NAYS (0)

Motion carries

3. **ZONING CHANGE AMENDMENT (ZCA)** *(Public Hearing)*

A. Consider a zone change amendment from PD-R (Planned Development Residential) to PD-C (Planned Development Commercial) to be used for **RV Storage** on approximately 6.0 acres. This property is generally located at 415 S Dixie Drive. Case No. 2019-ZCA-021. (Staff – Carol Davidson)

Carol Davidson presented item 3A as shown in the staff report. We recently rezoned the back area as shown on the maps to match up with the existing PD-C. The request, location and parking development agreement were reviewed. The applicant sent in a cinder block example of materials boards was shown. We are looking at three locations for storage units.

Victoria Hales stated that the code states twelve (12) feet in height. The three red storage units have to be twelve (12) feet in height.

Carol Davidson explained that the covers will match the RV's in front as shown on the slides, block walls will be required as shown on the slides, staff recommends a six (6') foot block wall in the location as shown on the maps.

Commissioners, Victoria Hales and staff discuss the required cross gate for emergency exit as shown on the slides, parking spots, and the triangle piece dedicated to the city. Previous approvals on this property, preliminary plat, and property ownership were discussed.

Carol Davidson stated that there are several conditions as noted in the packet.

The commissioners and staff discuss the landscaping, landscaping restrictions, zone change request, amendment to the rear and expanding the existing PD with the existing uses to the rear and updating the PD by adding this to the front, the two different aspects to this request. Covered and uncovered clarification.

Steve Beck, Architect

The color, landscape, tree restriction due to the sewer line, and trees and bushes to be placed on the side of the road as shown on the maps. The covered parking has a 20' setback with just small plants with covered storage.

Victoria Hales asked if the landscape along Dixie Drive going to match the existing landscape on Dixie Drive.

Mr. Beck stated that the landscaping will be the same.

There is continued discussion on the side yard setbacks, covered and uncovered and landscaping.

Open the Public Hearing seeing none closed the public hearing.

Mr. Beck was given the opportunity to table this item.

Victoria Hales stated that a lot of the items are site plan items. I think if you can live with the materials that are existing. They won't be allowed to build a building that is over 12' high.

Commissioners, legal and applicant continue a discussion on the covered parking next to residential areas and lighting.

MOTION: Commissioner Summer Barry made a motion to recommend approval to the City Council of item 3A Zone Change Amendment from PD-R to PD-C for a RV Storage on approximately 6.0 acres at 415 S. Dixie Drive with the following conditions:

Add all staff conditions and add the following language to the existing staff conditions.

- #6 add that they have to comply with the Delay agreement terms
- #7 add the word "mutual"
- #10 keep the existing trees (except 4) and replace the 4 trees with caliper trees
- #12 add that lighting height is only as high as the structures for the RV storage.

Add:

- RV structures shall be the same colors and materials as existing storage in the front with complete color board to City Council.
- The covered parking on the front parcel is not allowed, uncovered stalls only allowed
- Meet staff site plan approval requirements.
- Height of storage units to twelve (12') feet in height to meet code requirements

SECOND: Commissioner Larkin

AYES (4)

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner Summer Barry

Commissioner Roger Nelson

NAYS (1)

Commissioner David Brager

Motion carries

B. Consider a zone change amendment for "**Desert Vista at Desert Canyon Revised**" from R-1-10 (Single-Family Residential, minimum lot size 10,000 square

feet) to PD-R (Planned Development Residential) on approximately 35.66 acres. This property is located south of the Southern Parkway and west of Desert Canyons Parkway. Case No. 2019-ZCA-020. (Staff – Carol Davidson)

Carol Davidson presented item 3B as shown in the staff report. This application reduces the number of units since last request was reviewed to allow for larger units. Staff does recommend approval with a condition on the buildings meeting the required setbacks.

Commissioner Nelson asked if the city wants to inherit that strip of land as shown on the maps.

Carol Davidson stated that the city does want this property.

Opened the public hearing seeing none closed the public hearing.

Curt Gordon, Desert Canyons

Mr. Gordon stated that they have a buyer that would like larger lots and we are accommodating their request.

Commissioners discuss the lot sizes and request.

MOTION: Commissioner David Brager made a motion to recommend approval to the City Council of item 3B Zone Change Amendment from R-1-10 to PD-R on approximately 35.66 acres at south of the Southern Parkway and west of Desert Canyons and adopt staff comments and recommendations..

SECOND: Commissioner Summer Barry

AYES (5)

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner Summer Barry

Commissioner David Brager

Commissioner Roger Nelson

NAYS (0)

Motion carries

4. **TABLED ITEM FROM THE 4/23/2019 AND 5/7/2019 PLANNING COMMISSION MEETINGS (ZCA)**

(Public Hearing has been opened and closed)

Consider a zone change amendment for “**Silverhawk Townhomes.**” The site is generally located north of Dinosaur Crossing Drive and west of 2200 East Street on approximately 1.27 acres. Case No. 2019-ZCA-017. (Staff – Carol Davidson)

Carol Davidson presented item 4 Silverhawk Townhomes as shown in the staff report, briefly reviewing the previous request and access to the amenities in Grayhawk and a mid-block crosswalk. The applicant did speak with the Public Works department, the Public Works department did not allow a mid-block crossing, the updated site plan was shown, including the dimensions for the roadways and stated that they met all of the development standards. The elevations showing the corner of 2200 E and Dinosaur Crossing. The overlay showing the difference between the commercial and residential zoning. The main decision before you tonight Is it appropriate to change from commercial to residential.

Nick Mason, Bach Homes

Mr. Mason explained that a mid-block crosswalk that was proposed was not acceptable to staff. The crosswalk between 2200 East and Dinosaur Crossing, the access going through to the unavailable crosswalk was changed as shown on the maps. We are going to put a sign at the end of the road, stating crosswalk to amenities this way to keep everyone safe.

Commissioners discuss the concerns for this zone change.

Dannielle Larkin stated that this is a highly industrial space with big trucks coming and going at the two access locations. A residential space does not fit in this location.

Commissioner continue to discuss the request including the commercial value of the location, appropriate zone for this location, safety concerns.

Mr. Mason stated that this is not a good commercial space and you are limiting the availability of this land.

Mr. Buehner asked for the top three reasons for this location to be changed to residential.

Mr. Mason stated:

- 1) Visibility - to have successful commercial
- 2) Shape of the location - limits the use
 - a) the footprint is limited to what you can do
- 3) Commercial has been tried and exhausted by the professionals developing this property.

Mr. Mason feels it is very conducive to residential. We don't have to build something here.

Commissioners and applicant continue the discussion on the request for a zone change

MOTION: Commissioner Dannielle Larkin made a motion to recommend denial of item 4 Zone Change Amendment for Silverhawk Townhomes located north of Dinosaur Crossing Drive and west of 2200 East Street from commercial to PD-R. Finding that it does not make sense in this area. The road clearly delineates the commercial and residential areas. There is a better use as commercial with the adjacent property , and it should remain so. The ingress and egress with the commercial truck traffic is not conducive to residential in this location.

SECOND: Commissioner Barry

AYES (4)

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner Summer Barry

Commissioner Roger Nelson

NAYS (1)

Commissioner David Brager

Motion carries

5. **PRELIMINARY PLATS (PP)**

Consider a 4-lot residential subdivision for “**Ranches of Little Valley.**” Located on 3670 South Street, east of Bentley Road. The property is zoned A-1 (Agricultural minimum lot size 40,000 sf). The representative is Blackmore Engineering. Case No. 2019-PP-019 (Staff – Wes Jenkins)

Wes Jenkins presented item 5 shown on the maps and in the staff report. They will complete the standard road cross section, not the ag cross section, in front of the lots with curb, gutter and sidewalk.

MOTION: Commissioner Dannielle Larkin made a motion to recommend approval for item 5 preliminary plat for “Ranches of Little Valley” located on 3670 South Street, east of Bentley Road and include all of staff comments.

SECOND: Commissioner Summer Barry

AYES (5)

Commissioner Dannielle Larkin

Commissioner Don Buehner
Commissioner Summer Barry
Commissioner David Brager
Commissioner Roger Nelson
NAYS (0)
Motion carries

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

A. Consider an amended residential final subdivision plat for “**Lot 5 & 6 Canyon View Ridge Subdivision at Sunbrook Phase 1.**” Located at approximately 50 N Emerald Drive. The property is zoned PD-R (Planned Development Residential). The representative is Reid Pope, L.R. Pope Engineering. Case No. 2019-LRE-007 (Staff – Wes Jenkins)

Wes Jenkins presented item 6A as shown on the maps. All aspects of this amended final subdivision plat were reviewed and meet the conditions of the preliminary plat. The PUE vacation will be noticed as a public hearing at the City Council level.

MOTION: Commissioner Roger Nelson made a motion to recommend approval for item 6A amended final plat for “Lot 5 and 6 of Canyon View Ridge at Sunbrook Phase 1” located at approximately 50 N Emerald Drive and authorize the chairman to sign if necessary.
SECOND: Commissioner David Brager
AYES (5)
Commissioner Dannielle Larkin
Commissioner Don Buehner
Commissioner Summer Barry
Commissioner David Brager
Commissioner Roger Nelson
NAYS (0)
Motion carries

B. Consider an amended residential final subdivision plat for “**Lot 44A & 44B Snowfield Estates Amended #6.**” Located at approximately 1480 W Clinton Way. The property is zoned R-2 (Multi-Family/Duplex). The representative is Scott Woolsey, Alpha Engineering. Case No. 2019-LRE-008 (Staff – Wes Jenkins)

This item was pulled from the agenda

7. **FINAL PLAT (FP)**

Consider a thirteen (13) lot residential final subdivision plat for “**Aspen Estates Phase 7.**” Located at 2930 South Street and 3210 East Street. The property is zoned R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size. The representative is Brad Petersen, Development Solutions. Case No. 2019-FP-025 (Staff – Wes Jenkins)

Wes Jenkins presented item 7 as shown on the maps. All aspects of this final subdivision plat were reviewed and meet the conditions of the preliminary plat.

Victoria Hales asked about half roadway as shown on the maps.

Wes Jenkins explained the roadway as shown on the maps.

MOTION: Commissioner David Brager made a motion to recommend approval for item 7 final plat for “Aspen Estates Phase 7” located at 2930 South Street and 3210 East Street and authorize the chairman to sign.

SECOND: Commissioner Summer Barry

AYES (5)

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner Summer Barry

Commissioner David Brager

Commissioner Roger Nelson

NAYS (0)

Motion carries

6. **CITY COUNCIL ACTIONS – May 16, 2019**

Planning Director will report on the following items heard at City Council

- A. ZRA – Storage Rental Units

ADJOURN

MOTION: Commissioner Summer Barry made a motion to adjourn.
SECOND: Commissioner Roger Nelson
Meeting adjourned at 7:42 pm.