

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
JULY 18, 2019 5:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

**Mayor Jon Pike
Councilmember Jimmie Hughes
Councilmember Michele Randall
Councilmember Bette Arial
Councilmember Ed Baca
City Attorney Shawn Guzman
City Manager Adam Lenhard
Deputy City Recorder Annette Hansen**

EXCUSED:

Councilmember Joe Bowcutt

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance was led by Councilman Ed Baca and the invocation was offered by Carmella Fitzpatrick with the Unity Church of Positive Living.

City Manager Adam Lenhard mentioned a certificate of appreciation the City received from the Navajo Nation for assisting in a project to help bring electricity to in need. Councilmembers commended staff for their help in making this happen.

Councilmember Randall arrived at 5:15

Mayor Pike mentioned that item 5 on the agenda has been removed at the request of the applicant.

CONSENT CALENDAR:

- a. Consider approval of a 3-Year Inspection and Maintenance Contract on the Airport VOR/DME with DBT Transportation.**
- b. Consider approval to purchase a 2018 Chevrolet Silverado 3500 Dump Truck for the Streets Division.**
- c. Consider approval to purchase a Galbreath roll-off hoist for the Streets Division.**
- d. Consider approval to purchase a 2020 Freightliner 114SD Conventional Chassis Roll-Off Truck for the Streets Division.**
- e. Consider approval of the termination of a hangar agreement with First West Aviation for lot 1C.**
- f. Consider approval of new hangar Lease on Lot 51A with First West Aviation.**

MOTION: A motion was made by Councilmember Hughes to approve the consent calendar.

SECOND: The motion was seconded by Councilmember Baca.

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

Councilmember Hughes – aye

Councilmember Randall - aye

Councilmember Arial – aye

Councilmember Baca – aye

The vote was unanimous and the motion carried.

AWARD GRANT:

Consider approval of the recommendations from the Arts Commission to award RAP Tax grants to various local art organizations.

Leisure Services Director Shane McAfee explained that the RAP tax provides funding to local art organizations and are selected and recommended by the St. George Arts Council and approved by the City Council. He stated that \$264,500 has been dispersed to 29 different groups.

Councilmember Arial expressed her excitement about the various arts that this will help fund and the culture it will bring to the citizens of this community.

MOTION: A motion was made by Councilmember Hughes to approve the award of RAP Tax grants to various local art organizations as presented with the recommendations from the Arts Commission.

SECOND: The motion was seconded by Councilmember Arial.

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

Councilmember Hughes – aye

Councilmember Randall - aye

Councilmember Arial – aye

Councilmember Baca – aye

The vote was unanimous and the motion carried.

CITY PROPERTY SALE:

Consider the sale of City-owned property in the St. George Industrial Park to Dixie Development Corporation.

Support Services Director Marc Mortensen presented the 3.32-acre City-owned parcel (Tax ID: SG-IND-P-13) is located directly behind the 444 North Industrial Road parcel which is owned by Dixie Development Corporation. There were two adjacent property owners who submitted offers with Dixie Development Corporation submitting the highest offer at \$362,500.

Councilmembers discussed the property sale and agreed that the funds would be set aside for future homeless needs or affordable housing purposes.

MOTION: A motion was made by Councilmember Randall to approve the sale of city-owned property in the St. George Industrial Park to Dixie Development Corporation for the amount of \$362,500.

SECOND: The motion was seconded by Councilmember Arial.

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

Councilmember Hughes – aye

Councilmember Randall – aye

Councilmember Arial – aye

Councilmember Baca – aye

The vote was unanimous and the motion carried.

PUBLIC HEARINGS /ORDINANCE:

Public Hearing and consideration of an ordinance amending the final subdivision plat for Lots 21 & 22 of the Millcreek Industrial Park by merging a portion of Lots 21 & 22 together into one lot and vacate the utilities easement located between said lots.

Assistant Public Works Director Wes Jenkins presented the request to consider an amended final subdivision plat located at 269 North 3050 East Street. The purpose of this amendment is to merge a portion of Lots 21 and 22 together into one lot and vacate the utilities easement located between said lots; zoning is M-2.

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

MOTION: A motion was made by Councilmember Arial to approve the ordinance amending the final subdivision plat for Lots 21 & 22 of the Millcreek Industrial Park by merging a portion of Lots 21 & 22 together into one lot and vacate the utilities easement located between said lots.

SECOND: The motion was seconded by Councilmember Randall.

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

Councilmember Hughes – aye

Councilmember Randall – aye

Councilmember Arial – aye

Councilmember Baca – aye

The vote was unanimous and the motion carried.

ZONE AMENDMENT/ORDINANCE:

Consider approval of an ordinance to amend the PD-C (Planned Development Commercial) zone for Paparazzi Warehouse #2 Re-Design on approximately 14.7 acres generally located south of 4771 South Desert Color Parkway and south of the 1st warehouse.

City Planner Ray Snyder presented the Previously the City Council reviewed and approved warehouse #2 for Paparazzi on October 18, 2018. However, the applicant

now wishes to return with a re-design of the building which includes the addition of a 3rd floor office area. He presented a PowerPoint presentation covering the following topics: Vicinity aerial and zoning, General Plan, photos of the area and photos of facade examples. The Planning Commission recommends approval with conditions.

Applicant Jeff Mathis with MRW Design Associates addressed the Council. He explained that the existing building is 45' and this proposed building will be 53'. He stated that all lighting conditions and concerns expressed by the planning commission would be met. He noted that based on the design of the building, the interior lighting would most likely be brighter than outside accent lighting so the concern of exterior lighting should not be an issue.

Councilmembers discussed the lighting conditions proposed by the Planning Commission and disagreed with their stipulation to provide a more subdued lighting based on the designer's presentation regarding the lighting and it's dimming and lightning adjustment capabilities.

MOTION: A motion was made by Councilmember Arial to approve the ordinance to amend the PD-C (Planned Development Commercial) zone for Paparazzi Warehouse #2 Re-Design on approximately 14.7 acres generally located south of 4771 South Desert Color Parkway and south of the 1st warehouse as presented with the acceptance of striking items 2 & 3 from the planning commissions conditions.

SECOND: The motion was seconded by Councilmember Baca.

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

Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

ZONE CHANGE /ORDINANCE:

Consider approval of an ordinance amending the PD-R (Planned Development Residential) Zone for Silverhawk Townhomes to build a 19-unit residential project generally located north of Dinosaur Crossing Drive and west of 2200 East Street on approximately 1.27 acres.

City Planner Carol Davidson presented the ordinance and explained that this is currently part of the Dinosaur Crossing Commercial Planned Development. The developer had originally desired to use this space for either a commercial or office building but feels this location is not conducive to commercial or office development. Therefore, the applicant is proposing to change the zone to allow for a multifamily development. The proposal is to build 19 multifamily units; this averages out to 15 units per acre. Required to fence area. Development standards, short term rentals, elevations of building, aerial views of area. Pc felt like there was a definite separation between residential and commercial. The planning commission recommended denying the project. A PowerPoint presentation was given covering

the following topics: Aerial view of subject site, general plan and zoning maps, development standards, perspectives of the proposed project, commercial and residential district boundaries.

Councilmembers discussed the mixture of this proposed development with short term housing option in conjunction with the existing housing and adjacent commercial development and felt that this was not the appropriate area for a housing development.

Applicant Nick Mason addressed the Council and explained that this type of property is difficult to sell for commercial use and would most likely remain undeveloped if a project such as this is not considered. He expressed his concerns at having this parcel remain unimproved and undeveloped for decades. He addressed questions from the Council such as a buffer zone from the commercial and landscape solutions as well as crosswalk placement and proximity and access to the amenities.

Mayor Pike stated that he disagreed with the applicants claim that this commercial pad would remain undeveloped for an extended period of time due to the fact that this parcel has good frontage area and a traffic signal was just recently installed in the area. He felt that this site still has some commercial potential. He felt that building an "island" of residential properties is not conducive to the area.

MOTION: A motion was made by Councilmember Randall to deny the zone change for Silverhawk Townhomes to build a 19-unit residential project generally located north of Dinosaur Crossing Drive and west of 2200 East Street on approximately 1.27 acres.

SECOND: The motion was seconded by Councilmember Baca.

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

Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

ZONE CHANGE/ORDINANCE:

Consider approval of an ordinance changing the zone from RE-12.5 to R-1-10 (Single Family Residential, minimum lot size 10,000 square feet) on approximately 0.44 acres generally located at 1800 East 1030 North.

City Planner Carol Davidson presented applicant is seeking to rezone these two parcels from RE-12.5 (Residential Estates, minimum lot size 12,500 square feet) to R-1-10 (Single-Family Residential, minimum lot size 10,000 square feet) for the purpose of subdividing these two parcels into two legal lots which are not part of a subdivision. This zone-change request is in harmony with the LDR (Low-Density Residential) General Plan land-use designation and the surrounding R-1-10 zone to the north. A PowerPoint presentation was given which included the following topics: Aerial view, zoning maps, and photos of existing area. She stated that each of the

lots will be over the 10,000 sq. ft. minimum requirement, and although surrounding lots are zoned for animals, these would not be.

Property owner Edson Jennings addressed the Council and answered questions as to building perspectives and the status of existing structures on the property. The subject of adjacent livestock and the impact it may have on future development was discussed.

MOTION: A motion was made by Councilmember Randall to approve the ordinance changing the zone from RE-12.5 to R-1-10 (Single Family Residential, minimum lot size 10,000 square feet) on approximately 0.44 acres generally located at 1800 East 1030 North.

SECOND: The motion was seconded by Councilmember Arial.

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

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

The vote was unanimous and the motion carried.

CONDITIONAL USE PERMIT:

Consider approval of a conditional use permit to allow a steel yard in the M-2 zone in the Millcreek Industrial Park to be called 'The Steel Yard' located at 260 North 3050 East Street.

City Planner Ray Snyder presented. The applicant is requesting to move their business from their current location at 653 N. 3050 E. Street to an existing building at 260 N. 3050 E. Street. In the M-2 district, this use, sheet metal shop and retaining, requires a Conditional Use Permit. He stated that this is a request to operate a metal distribution company with a show room, warehouse and storage yard. A PowerPoint presentation was given covering the following topics: current location, narrative, photos of existing business interior and exterior, site plan, aerial views of existing site, and zoning maps. Mr. Snyder stated that staff recommends approval, but the storage yard will need to be screened with a solid screen as per city code. The planning commission has recommended approval with conditions.

Applicant Tim Timmons addressed the Council and answered questions about the existing steel yard as well as the intentions for the future site. Council inquired about the conditions set by the planning commission and the applicant felt that they didn't actually apply to his situation so they weren't really an issue.

MOTION: A motion was made by Councilmember Hughes to approve the conditional use permit to allow a steel yard in the M-2 zone in Millcreek Industrial Park to be called "The Steel Yard" located at 260 North 3050 East Street as presented with conditions made by planning commission.

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

Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

CONDITIONAL USE PERMIT:

Consider approval of a conditional use permit for the height of a proposed Sakura Japanese Restaurant to be located near the 1100 East Street and St. George Boulevard intersection; the property is zoned C-2, Highway Commercial.

City Planner Ray Snyder explained the Sakura Japanese Restaurant is proposing to move locations and build a new 10,452 sf building. This building will exceed the 35' height limit and will require a CUP. The approximate height requested is 42'. He stated that there are two related cases for this project and both are being presented together. A PowerPoint presentation was given covering the following topics: aerial view, zoning map, narrative, distance to freeway right of way, building height, elevations, renderings, site plan, landscape plan, cross section, parking, entrance, views from St. George Blvd, and reason for CUP.

MOTION: A motion was made by Councilmember Randall to approve the conditional use permit for the height of a proposed Sakura Japanese Restaurant as presented.

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

Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

BUILDING CONCEPTUAL DESIGN SITE PLAN:

Consider approval of a Building Design Conceptual Site Plan (BDCSP) for a proposed Sakura Japanese Restaurant to be located near the 1100 East Street and St. George Boulevard intersection. The property is zoned C-2, Highway Commercial.

City Planner Carol Davidson stated the Sakura Japanese Restaurant is proposing to move locations and build a new 10,452 sf building. This building will be located within 200' of the I-15 right-of-way which will require a BDCSP. The Planning Commission recommended approval.

MOTION: A motion was made by Councilmember Baca to approve the building design conceptual site plan as presented.

SECOND: The motion was seconded by Councilmember Hughes

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

Councilmember Hughes – aye

Councilmember Randall - aye

Councilmember Arial – aye

Councilmember Baca – aye

The vote was unanimous and the motion carried.

FINAL SUBDIVISION PLAT:

Consider approval of the final subdivision plat for Aspen Estates Phase 8.

Assistant Public Works Director Wes Jenkins presented the final subdivision plat for Aspen Estates Phase 8, a 14-lot residential subdivision located at 2890 South and 3210 East; zoning is R-1-8. The planning commission and staff recommend approval.

MOTION: A motion was made by Councilmember Hughes to approve the final subdivision plat for Aspen Estates Phase 8 as presented.

SECOND: The motion was seconded by Councilmember Arial.

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

Councilmember Hughes – aye

Councilmember Randall - aye

Councilmember Arial – aye

Councilmember Baca – aye

The vote was unanimous and the motion carried.

FINAL SUBDIVISION PLAT:

Consider approval of the final subdivision plat for Aspen Estates Phase 10.

Assistant Public Works Director Wes Jenkins presented the final subdivision plat for Aspen Estates Phase 10, a 14-lot residential subdivision located at 2890 South and 3330 East; zoning is R-1-8. The planning commission and staff recommend approval.

MOTION: A motion was made by Councilmember Hughes to approve the final subdivision plat for Aspen Estates Phase 10 as presented.

SECOND: The motion was seconded by Councilmember Baca.

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

Councilmember Hughes – aye

Councilmember Randall - aye

Councilmember Arial – aye

Councilmember Baca – aye

The vote was unanimous and the motion carried.

REPORTS FROM MAYOR, COUNCILMEMBERS, AND CITY MANAGER:

No reports were given.

ADJOURN:

MOTION: A motion was made by Councilmember Arial to adjourn

SECOND: The motion was seconded by Councilmember Hughes.

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

Councilmember Hughes – aye

Councilmember Randall - aye

Councilmember Arial – aye

Councilmember Baca – aye

The vote was unanimous and the motion carried.

Annette Hansen, Deputy City Recorder