

**PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH
January 28, 2020**

**PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH
January 28, 2020**

PRESENT: Chairman Nathan Fisher
Commissioner David Brager
Commissioner Roger Nelson
Commissioner Ray Draper
Commissioner Natalie Larsen
Commissioner Emily Andrus
Commissioner Vardell Curtis

CITY STAFF: Assistant Public Works Director Wes Jenkins
Community Development Director John Willis
Assistant City Attorney Victoria Hales
Planner III Dan Boles
Planner II Ray Snyder
Development Office Supervisor Brenda Hatch

EXCUSED:

CALL TO ORDER/FLAG SALUTE

Chair Fisher called the meeting to order at 5:02 pm.
Commissioner Larsen led the flag salute.

Chair Fisher explained how public hearings work.

1. **GENERAL PLAN AMENDMENT (GPA)** *(Public Hearing)*

Consider a general plan amendment to change a portion of OS (Open Space) and COM (Commercial) land use designations to HDR (High Density Residential) and areas of OS (Open Space). The property is generally located west of Bluff Street at approximately **300 West and 900 South**. The area to be amended is approximately 8.4 acres and the remaining 7.5 acres are to remain OS. This project is called "**The Cove.**" The representative is Adam Allen, Bush & Gudgell. Case No. 2020-GPA-006 (Staff – Dan Boles)

Dan Boles presented the following:

Dan Boles – Currently the land use maps say it is primarily open space on the General Plan. The zoning does not reflect that, it is a C-2 zone. The area that is west and closer to the hill they are proposing high density residential. There will be about 7.5 acres that will be left open space the grade on that space is 40% or greater. It should be noted that the area is in a low to moderate land slide potential. There will be more steps if you approve this change. In the zoning process those items will need to be addressed. Staff has recommended approval.

Commissioner Brager – Do you know if there are expansive soils in that area?

Dan Boles – I don't.

Commissioner Draper – Is this near the condos that slid off the hill?

Chair Fisher – That's Garden's South, how close in proximity is Garden's South to this?

Dan Boles – I believe it's fairly close.

Chair Fisher – Seems like we had a project in this area this year or the year before in this general area, a hotel?

Victoria Hales – That's further south.

Chair Fisher – Has that started?

Wes Jenkins – No, I know that they are requesting to start grading on the site. Just to clarify everything south of 950 is in the very high hazard landslide area which means you can see evidence of landslide there where some has occurred, but everything north of that there is a lower potential for landslide, there is a potential for it to be there but you don't really see any evidence of it. This will go through the hillside and the zoning process.

Adam Allen – Currently so you know we have AGEC there investigating any landslide any rock fall hazard. We have tried to maintain everything from the scar down. Everything that has not been touched we are not trying to touch at all.

Commissioner Brager – What do you know about the soils in that area?

Adam Allen – So far, they are looking ok, they don't have any issues with the clay. There is quite a bit of clay south of that area. The preliminary reports that we've got from AGEC is say that it is very minimal if any clay in the area.

Chair Fisher opened the public meeting.

David Syphus – I own an acre and a quarter in that area. I had it tested by GTS and they told me it does have expansive soil, not as bad as blue clay but almost. I was surprised to hear that someone would want to build apartments there just because of the landslide. My question is it is zoned C-2, how does that work with Open Space? I was surprised to see the Open Space and hear about that.

Chair Fisher – Right now the issue is does it make sense to change the general plan. If the general plan was changed then it would allow them to ask for different zoning at another

stage. The zone question is something you would want to bring up at the next meeting when the zone change comes up.

David Syphus – I bought the property thinking that I would have more commercial around me. I don't know if I'm ok with high density housing or not. I just want to make sure I can still do my commercial on my property.

Chair Fisher – let me just clarify, Dan, his acre and a half is not included in this application, right?

Dan Boles – Right.

Chair Fisher – So nothing will change on your property.

Chair Fisher closed the public meeting.

Commissioner Nelson – I don't want to see any negative effects of the proposed amendment. Seems like it fits to me.

Discussion on expansive soils and deterring drainage.

MOTION: Commissioner Curtis made a motion to recommend approval of the change to the general plan as requested a portion of OS (Open Space) and COM (Commercial) land use designations to HDR (High Density Residential) and areas of OS (Open Space) as recommended by staff with the condition that the additional engineering studies be done before any future zone change.

SECOND: Commissioner Nelson

AYES (7)

Chairman Nathan Fisher

Commissioner David Brager

Commissioner Roger Nelson

Commissioner Ray Draper

Commissioner Natalie Larsen

Commissioner Emily Andrus

Commissioner Vardell Curtis

NAYS (0)

Motion Carries

2. **ZONE CHANGES (ZC)** (*Public Hearings*)

- A. Consider a zone change from RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size) to C-2 (Highway Commercial) on 0.77 acres for “**Power Sports.**” The owner is General Properties LLC and the representative is Civil Science. The site is located at approximately 1700 East 700 North on approximately 0.77 acres. Case No. 2020-ZC-001 (Staff – Ray Snyder

Ray Snyder – This item has been pulled. The item will be rescheduled and noticed.

Chair Fisher – Are there any other items that have been pulled?

Ray Snyder – Yes, item number 3B Red Cliffs Mall, that will come back at a future date and more notification will go out on both of them.

MOTION: SECOND:

B. Consider a zone change from A-1 (Agriculture) to RE-37.5 (Residential Estate 37,500 sq. ft. minimum lot size) for “**Monte Vista Estates.**” The property is located at the intersection of 3210 East Street and 2000 South Street on 5.75 acres. The applicant is Steijum Consulting Group LLC and the representative is Brandee Walker, Civil Science. Case No. 2020-ZC-007 (Staff – Ray Snyder)

Ray Snyder presented the following:

Ray Snyder – Right now it is A-1 and they want to go to RE-37.5 If this zone change is approved, they will need to come back and do a preliminary plat and final plat and then you would see the layout.

Commissioner Larsen – Does this property have any animal rights?

Ray Snyder – Yes, I think it has some minimal animal rights.

Chair Fisher – That’s kind of the design of RE to provide animal rights.

Victoria Hales – I can find that while you guys discuss.

Commissioner Larsen – But the CCR’s could prohibit that, right?

Chair Fisher – Yes, obviously if the developer wanted to put use restrictions in there he could.

Discussion on animal rights in RE zone.

Chair Fisher opened the public meeting.

Chair Fisher closed the public meeting.

MOTION: Commissioner Nelson made a motion to recommend approval of this zone change from A-1 (Agriculture) to RE-37.5 on approx. 5.75 acres.

SECOND: Commissioner Larsen

AYES (7)

Chairman Nathan Fisher

Commissioner David Brager

Commissioner Roger Nelson

Commissioner Ray Draper

Commissioner Natalie Larsen

Commissioner Emily Andrus

Commissioner Vardell Curtis

NAYS (0)

Motion Carries

- C. Consider a zone change from OS (Open Space) to PD-R (Planned Development Residential) for the proposed “**Bloomington Country Club Apartments.**” The property is generally located at 3174 South Bloomington Drive (*at the current golf course maintenance facilities site*). The applicant is Bloomington Country Club and the representative is Scott McCall. Case No. 2020-ZC-004 (Staff Dan Boles)

Dan Boles presented the following:

Dan Boles – You should have received a packet when you got here, this is a group of neighbors that wanted to make sure they had some feedback in this process. I’m sure that several are here to make comment as well. There is a single-family residential development to the north. The general plan calls for HDR I think it was approved in approximately 2015 or 2016. It’s currently zoned Open Space. They are proposing to change it to PD-R which is similar to what is on the other side of the street, not in form or design necessarily, but the zoning. This is a look at the site plan. You can see four buildings, building 1 and building two are proposed to be two-story buildings all apartments. Building 3 is proposed to be a three-story building and then building 4 is proposed to be a four-story building. As you get farther from the homes the buildings go up in height. There is considerable elevation change, especially as you get down to the south, between the property and the street.

Chair Fisher – With that elevation change and the four-story building, do some of those stories sit below the street level?

Dan Boles – Yes, but I’m not prepared to tell you exactly how much. The applicant can address that a little bit better. Dan described the landscape plan. The elevations and the colored renderings were shown. You have before you a materials board. Dan described the materials and building design. They are asking for some signage. We did look at the code

and they are allowed to ask for one sign per code. This sign does meet the code. They would be allowed one, the site plan shows 2.

Chair Fisher – So they are asking for two?

Dan Boles – Yes.

Commissioner Nelson – Does the erosion hazard line apply to this?

Dan Boles – There is a flood plain that comes up onto the property, none of the buildings are being placed in that. The applicant can probably describe to you how they plan on keeping that in check. It's the 500-year flood plain.

Commissioner Brager – The PD-R across the street that is being built now is that two-story?

Dan Boles – I think they're two.

Chair Fisher – Do you know what the elevation change is between the 4-story building on the south and the single-family division to the north?

Dan Boles – I don't have the numbers, but you can see the change from the road.

Commissioner Curtis – What about the increase in traffic? It seems like that's a pretty busy general area anyway. Any thoughts or plans on how to mitigate that?

Dan Boles – The applicant will address that.

Scott McCall – We had a traffic letter that I submitted to Dan this week. We had a traffic study done with the original zone change amendment that were done two or three years ago. It designated parcels L and M, one is the vacation villas and the other is the one we are applying for. It identified 180 units can be served along that space. We are doing 20 less units when you combine those two.

Chair Fisher – Those totals, you are talking about both sides of the street?

Scott McCall – Yes, exactly. As far as the erosion control, there is a city trail that runs along the outside of the driving range and the NRCS after the 2005 flood they put in a trench so there is that big beefy lava trench that follows that whole thing.

Commissioner Draper – Do you know the difference in elevation from the north side to the south side? I think there is quite a bit there on that road.

Scott McCall – Quite a bit, and the driving range is quite a bit lower. There's a shelf more or less where these buildings are shown. So, I would say at the north end there is about a 12-foot difference from the existing residential to where the pad elevation is currently for building 1 and it's about the same or probably a little less from that pad elevation to the

road. Then by the four-story there is probably about a 20 ft difference. So there probably will be two floors showing if you look level from the road level.

Chair Fisher – And the main level is that going to be road level or at the lower elevation?

Scott McCall – Quite a bit lower, 20 ft lower. This entire site is below the road.

Chair Fisher – You're not building up?

Scott McCall – No, and we purposefully did the two-stories along by The Vintages, we didn't want to obstruct any more than necessary, the views of the current residents.

Commissioner Brager – What kind of landscaping as a buffer to the residential will there be?

Scott McCall – There is a landscape concept in the packet, I think it's desert landscape, we don't want to obstruct any of the views. There is a 30 ft setback from existing residential to these apartments.

Commissioner Draper – Wasn't this kind of preliminarily approved years ago? Am I missing something?

Scott McCall – That might be the general plan amendment you're thinking of, we did get high density residential approved on the general plan several years ago. There is this other component. There are some small city parcels that we have proposed to exchange with the city for some other property that this parcel includes. We have a portion of the other side of the driving range that is in the river, we're going to give that to the city and the city is going to give us a piece, assuming this all gets approved of course, at the south end of this project. So, building 4 would actually have to be approved conditioned upon that land exchange, we wouldn't be able to pull the building permit until the City approves that parcel exchange. All the other buildings are good to go.

Discussion on where the buildings are located.

Chair Fisher opened the public meeting.

Al Welch – I'm the president of the HOA at the Vintage. This was not proposed as of 2 years ago as we understood it. We want to understand what kind of housing are we looking at? Is it sold, rented, is it open to families, seniors? This affects us. The golf course has had a trash pile and junk yard near the maintenance building. Our clubhouse collapsed and we are being delayed by the city. Our biggest concern as an HOA is protecting our people. We've had that view for 35 years. We've got serious problems, traffic problems. Since the apartments over the hill have been built the traffic on Bloomington Drive has doubled. We have a fire protection problem too. How is the fire protection going to get through that area? We still have the problem with the area between our property and their property. We are

very concerned as a group. It concerns the community as a whole, not just the Vintage. More discussion on how apartments will be rented or bought. We are on the edge of a flood zone. We have serious problems now, and this will expand that with the elevations. We have multi story homes with walk out basements. It will block that view. We want to be good neighbors with the golf course, but we don't want our property to be devalued by the loss of the view and so many people in a constricted area.

Lawrence Sullivan – They mentioned a traffic examination. Because of other apartments and other constructions in the area that would be obsolete. It's a major problem. The road needs attention if you put anyone else in there. A couple years ago when they sold the other side of the road, they sold them as expensive condos, not apartments. They recognized that the Tonaquint apartments are selling. It's important to us that the Country Club succeeds. They made some bad choices with the condos; this appears to be another one. Is this a greed situation or does the golf course need it? If it is a greed situation it should be put aside completely. We have a large problem with people coming into the area and coming over to the ponds. We don't have enough answers on this deal to even consider it in a proper way.

Greg Freeman – There are some departures here. When Bloomington Country Club was going to expand into this area at the prior meeting, they were going to do overnight rentals. They were going to build up the flood plain. They haven't addressed is how many apartments are we talking? They have indicated buildings and stories but not number of apartments. If it is 140 that is way over double when they had their zone change approved before. Just by approving this you could cost the taxpayers and property owners a million dollars in property depreciation. The previous traffic study is outdated, have they had geological studies? I would ask the commission to be very thoughtful. Postpone a decision at this time until more information can be received.

Wendy Johnston – I'm a homeowner on Rio Virgin Drive. The Bloomington Country Club have done some nice things. I don't understand why they are cheapening their investment by putting 140 apartments near the nice homes. Ask the homeowners at The Ledges golf course how they feel about nightly rentals and the apartments brought into their communities. This many apartments on that small of property are notorious for domestic calls.

Christen Snow – Bloomington has always been a neighborhood that has held its value. Bringing apartments into the middle of our community then I don't get to decide if I want to live next to apartments. Already we see on holiday weekends when there are lots of families in town, we have a lot of traffic and people in our neighborhood. Not to mention the view they have lost us. I am concerned with what kind of rentals they might be. Nightly rentals do not fit our neighborhood. I don't think it fits with the design of our neighborhood.

Patty Gibson – The Man-O-War trailhead, I'm sure it's going to cost the city more money to maintain that trailhead with that many more people there. And I agree with everything everyone else has said.

Annette Liam – I was a realtor in Salt Lake, I wonder if anybody is aware that we are on a great big fault line. I wonder if they have considered liquefaction. This is downgrading where we live. When we moved here, we fell in love with Bloomington, with the space. This highest and best use of the land, who is it benefiting? Is it the taxes you guys want? Or is it all the money that they're going to make by, frankly a few swear words, building what they have proposed.

Cynthia Callahan – I moved here two years ago; I'm renting in Bloomington. If the high-density apartments coming into Bloomington I will not be living in Bloomington. It will ruin the aesthetics of Bloomington.

Arlene Thomas – We live directly over the driving range. I think it's a terrible thing that we are going to have to deal with apartments that are so much larger and taller than what they promised us in the beginning. I think you should consider us, the hundred homes around that driving range. Think about our retirements.

Clark Liam – We came here in 2015 in May, we went through all those hearings with the development by the golf course. At that time Darcey Stewart said they were going to be good stewards and not to worry about it. I wonder what will happen if you put apartments next to 400,000-dollar condos.

Cynthia Callahan – There are times when I turn on my water and it smells like dirt. Where is all this high density getting their water and what is going to happen with the sewer?

Chair Fisher closed the public meeting.

Scott McCall – We are hoping this project enhances the neighborhood and doesn't downgrade it in any way. We think this will be a desirable apartment complex, Bloomington is a beautiful neighborhood. We are going to try to build something pretty. The traffic letter, I did bring a copy, has been updated. It approved development on both sides, the proposed apartments and condos. It was approved for 210 units and we are only building 188. Staff has a copy.

Chair Fisher – It's an update to the traffic study that was done a few years ago, right?

Scott McCall – Yes, in either 2015 or 2016.

Commissioner Andrus – So just to clarify, this update is recent? When was this written?

Scott McCall – Yes, Aaron Baker January of 2020, Horrocks Engineers. We will maintain all landscaping on our property. The apartments will not be subsidized they will be regular open market apartments, monthly rentals.

Commissioner Brager – How many of which type? Do you know that mix?

Scott McCall – We've got 40 one bedrooms, 78 two bedrooms, and 22 three bedrooms. This project has always been part of the re development of the country club as evidenced by the general plan amendment that we did several years ago. This has always been part of the plan, the re-development of the country club. It was not high density residential before then and we got that designation with the general plan amendment. The trail will be improved. There will be a large part of it that has to be relocated., that will be part of the development agreement. There is no building in the flood plain, we don't propose to be in the flood plain. There will be a soils report. Anything that needs to be done for the soil's preparation will be done and tested for.

Chair Fisher – The comment was made that as far as on the north end there would be a child park area?

Scott McCall - We don't have any plans for a kid zone. There are recreational facilities, and just as a reminder there is the tunnel that goes underneath the road that goes here there will be a connection to the Country Club. People will still have access to their driving range. The driving range will be configured a little bit, but it is largely the same size. So, anyone that is overlooking the driving range right now, toward the end they will still have that driving range. I don't know about any pet policies.

Chair Fisher – the comment was made that at some point when you came in before there was a commitment on the height of the product that would go in there, do you recall anything like that?

Scott McCall – That I don't, I was not there. I can't speak to that.

Commissioner Brager – The additional entrance on the south, is that going to be a restricted entrance, or will that always be open?

Scott McCall – I think it's going to be restricted. We were hoping that it could be open, but I think it's too steep so I think it will be an emergency exit. We wouldn't need a second sign in that case.

Commissioner Nelson – The trail there, it looks like you guys are going to move and replace some of it?

Scott McCall – Exactly, that would be with building 4. It would be part of an agreement to exchange some parcels and relocate the trail.

Commissioner Nelson – How long will that be closed? I am on that trail almost every day.

Scott McCall – I've had a lot of discussion with Millie. I'm not sure how long it will be closed but the netting will also be replaced there so it will be an upgrade to the area.

Commissioner Larsen – I'm looking at the parking and it looks like you are asking for 1.7 stalls per unit? Most people have 2 cars or 3 because you have three-bedroom units.

Scott McCall – Yes, I'm not a traffic engineer but I rely on their advice. They said that 1.5 is something you can apply for in the city now if you have a project over 100, our project is 140 and we thought 1.5 was too low. We thought 1.75 would be justifiable and the letter speaks to that as well.

Chair Fisher – We could ask staff to expand on that as to what's allowed in the ordinance.

Scott McCall – Absolutely, we did ask them before we came to this conclusion.

Commissioner Brager – As I understand the high-density zone goes up to 22 units per acre, they are well within the range they can ask for is that correct? Is the minimum set back 10 feet?

Dan Boles – Yes, the range we calculated was approximately 124 to 171. I believe the setback in that zone is required 30 feet.

Commissioner Brager – So the height that is pre-approved in our ordinance today is it 60? Right now, they're at 51.5.

John Willis – The height max is 40 feet, but you can ask for more with the PD. It's from the finished grade of the property. The ordinance does require a 30-foot set back when adjacent to residential. The height of the building or the number of stories triggers that and pushes them back.

Commissioner Brager – And they don't have to do a wall or anything, right?

John Willis – There may be a wall already there, we will look at that with a site plan.

Commissioner Brager – The last thing is parking; the default is what 2 per unit?

John Willis – That is correct, 2 per unit and then the guest parking. So, they are asking for the 1.75. Similar projects we have seen that reduction. Compared to the other high-density projects we have seen they are actually providing more parking.

Commissioner Nelson – It looks like some of the parking areas are going to be right up against that trail. I'm concerned if there is going to be a block wall there it may attract graffiti. Is there going to be vegetation there or just a block wall there?

John Willis – The code doesn't really address it so the planning commission could give some recommendations on that if you want to have it open or some vegetation. It's always good to have it open for safety as well as graffiti.

Chair Fisher – Just a clarification, in their narrative it lists the heights, and in the actual elevations the height doesn't match the on the parapets.

Scott McCall – They were shortened, but we decided to leave that there in case the parapet needs to go up a touch.

Chair Fisher – So you designed it for 49 feet, but it may end up being up to 51.5 feet?

Scott McCall – Yes, that just gives us a little flex. The first round came out that high and the second was a little shorter, so we decided to leave that in there just in case. On the wall along the trail we would probably do stacked rock which is something that resists graffiti and looks really clean.

Discussion on trail design and connectivity.

Commissioner Brager – Concerning the entrance, would it make sense to align it with the entrance across the street? In case you might need a 4 way stop there in the future.

Scott McCall – We couldn't align them because of a large irrigation pumping apparatus that is in the way.

Wes Jenkins – There is a wall that was constructed by the NRCS years ago. The project does sit within the erosion hazard boundary so they will still be required to do an analysis to make sure what NRCS installed meets city ordinance. That will be a condition, the other condition will be the second access. We are still working that out with the developer to make sure that works.

Commissioner Larsen – So back to a second entrance, isn't that a lot of units for one exit and entrance? The fact that there is no street parking is a concern.

Wes Jenkins – We will look at that Second access with them and try to see how we can make that work. It's something we have been working on.

Dan Boles – I would suggest a condition that both accesses meet city code and fire code.

Victoria Hales – They will have to meet the code, if there is a code that says they need two full accesses they will have to meet that code.

Dan Boles – Another condition I would suggest is the land exchange between the City and the applicant must take place before the building permits can be pulled.

Scott McCall – We would request that it would be only on building 4.

Commissioner Brager – That land exchange would affect the second access. If those parcels don't exchange, that affects the traffic flow and everything. I don't know if we could just limit that condition to building 4.

Scott McCall – The traffic letter says that one access would be adequate for the traffic.

Victoria Hales – It doesn't matter what the traffic letter says, it must meet code.

Commissioner Draper – Do we know on the other meeting we had a few years ago if apartments and condos were discussed and heights?

Victoria Hales – Typically the project would not be discussed at the General Plan level. It would have been discussed if high density makes sense at that location, but the project would not have been discussed or approved at that time.

Commissioner Brager – The only building that is looking for a variance on height is building 4, and that is one story. If I'm doing math correctly it's about 13 units.

Chair Fisher – 16 or 19 per floor.

Commissioner Brager – How does it pencil out if it went to three stories instead of four?

Scott McCall – I don't know what it would do to it, we didn't look at that contingency.

Commissioner Nelson – Currently this is not a very attractive piece of land, so anything might be nicer. I'm always concerned when we reduce parking. I don't see a lot of empty parking spaces around the city. I would also want to comment to reduce the 4-story building to 3 stories.

Chair Fisher – What would be the reason you would want to see the story reduction?

Commissioner Nelson – It would reduce the need for parking and the density. If it was up to me, I would rather see them all 2 stories.

Chair Fisher – So if they increase the parking to 2 per unit would you be ok with the 4 stories?

Commissioner Nelson – Part of it I struggle with is are there amenities, my concern is also what about amenities for kids? They can only use the tunnel to access the Bloomington Country Club if they are members, and I don't know if all the residents are going to be members. I don't know if they could increase parking and maintain the amenities shown.

Chair Fisher – There are amenities there in the cove, did you see that? It looks like tennis courts, pickle ball courts and then there is a covered social area. It looks like there are some areas there, but I don't know what they are putting in there, but you would be approving those features there. If you think there should be certain elements in there you could throw that out in a motion.

Commissioner Brager – I understand the concern of the views, but when you buy next to open lots they say if you like the view, buy the lot. As far as the parking, When I did some calculations there are about 1.87 bedrooms, so I think that they're in the range with the parking. I think the second sign should be contingent on a full-time entrance, if it's not full

time it would be misleading to have a second sign. I understand that a four-story building would be large, but this will sit down more in a hole which I understand is about 20 ft down which is about two-stories. Normally I would be very concerned about it being that tall but on this case it might actually be ok.

Commissioner Andrus – I would like to say that the applicant has done their homework. I think all the issues that have been brought up have been addressed.

Commissioner Larsen – I am still not satisfied with the parking issue, just because there is a bike lane on Bloomington Drive. There is nowhere to spill over for parking. And I do think they need that second access; it should be conditioned on that.

Victoria Hales – They're required to put in the second access

Discussion on bike lane and street parking.

John Willis – We don't rely on on-street parking for the requirements. If you look at some of the other projects, we have approved they are providing more parking than the other projects.

Chair Fisher – I think one of the things we've seen that we've tried to provide the right amount of parking, but we are seeing that we are building parking lots. I'm sorry but the public hearing is closed there will only be discussion among commissioners at this point. I encourage you to contact staff during regular business hours or the developer and they can help you with your questions.

Commissioner Brager – I think the articulation of the building and the color board is fine.

Commissioner Larsen – I feel like the residents would be more comfortable with 2 levels. I think it could be a really quality development with luxury apartments. Make it more esthetically pleasing to the neighborhood.

Commissioner Nelson – We can't really make the requirement that they make them luxury apartments.

Commissioner Brager – They are permitted to the forty feet, so the one story on the one building is what they are asking for.

Chair Fisher – This is a unique property that it has the ability to accommodate a higher building because of the elevations. The 4 stories will not appear as 4 stories. I am a little concerned about the density. I apologize, once we close the public hearing, then we can't take any further comment from the public.

Commissioner Draper – There is no residential right next to it to the east, south and west. I’ve been waiting for a lot of years for something to happen in that spot. I think it’s a wonderful project.

Height and parking discussion continued.

Darcey Stewart – I am the one that made the really big mistake of buying a Country Club. The Country Club still does not break even. We look at this as a strong accessory that will support the Country Club. We left the two stories to specifically address their views. If we talk about taking the four stories to three stories, when you come around that turn you will be looking at the air conditioning units on the roof. I am really concerned about you trying to take the 4th level on that building. It won’t look better; it will look worse.

Discussion on parking and guest parking continued.

MOTION: Commissioner Brager made a motion to recommend approval to City Council Item 2C, Bloomington Country Club Apartments a Zone Change from OS to PD-R with the following conditions:

1. complete the parcel exchanges with the city prior to pulling a building permit on building four;
2. provide 2 full accesses and meet code requirements for access and that the second sign is conditioned on the second full access;
3. the height of the tallest building is limited to the approximate height as designed, 51.5 feet;
4. parking is 1.75 spaces as proposed.

Commissioner Brager clarified his motion to include:

1. complete the parcel exchanges with the city prior to pulling any building permits;

SECOND: Commissioner Draper

AYES (7)

Chairman Nathan Fisher

Commissioner David Brager

Commissioner Ray Draper

Commissioner Emily Andrus

Commissioner Vardell Curtis

NAYS (0)

Commissioner Natalie Larsen

Commissioner Roger Nelson

Motion Carries

3. **ZONE CHANGE AMENDMENTS (ZCA)** (*Public Hearings*)

- A. Consider a zone change amendment to the existing PD-AP zone located on Riverside Drive generally northeast of 2200 East Street. This property is on Lots 2 and 3 of the Dinosaur Professional Park subdivision. This amendment is for review of the proposed development of the “**Family Healthcare Clinic**” on 2.64 acres. The applicant is Lori Wright and the representative is Jeremy Bastow, VCBO Architecture. Case No. 2020-ZCA-005 (Staff – Ray Snyder)

Ray Snyder presented the following:

Ray Snyder – This shows the General Plan is PO. The zoning shows PD-AP. The new building will be about 30,000 square feet approximately. Here are the accesses, parking and conceptual landscaping. The highest point is about 34 feet and drops down to 32 feet. The bulk and mass of the building is about 30 feet. There are elevations shown that show interesting architecture. The color board is up there for you.

Discussion on colors.

Victoria Hales – there is a new code section about colors, it’s colors are limited to natural muted tones that emulate the geological formations common to the area and blend with the predominate colors of the natural surroundings. So, it got away from just earth tones and said you could blend it with the topography.

Ray Snyder – In the code when they are against residential property, they are required to have a wall between the commercial and residential. They will have to separate the two zones. There is an existing wall between this lot and the church, they will have to add a wall between this property and Millcreek High School. Both the church and the school are R-1-10.

Chair Fisher – What about the elevation between these three properties? Are they all around the same elevation?

Ray Snyder – There’s not a real significant difference.

Chair Fisher – So the 6 ft wall will still be essentially 6 ft on this side?

Ray Snyder – Yes., there’s not a lot of difference in height.

Commissioner Draper – Is that some kind of ditch there?

Ray Snyder – It looks like it might be, I’ll let the applicant speak to that.

Commissioner Nelson – It looks like a detention basin

Ray Snyder – We will look at all of that with the site plan review.

Commissioner Nelson – On these renderings it shows a deceleration lane and a right in only?

Ray Snyder – It's full access, they will build it with the project.

Victoria Hales – Who's going to build that?

Ray Snyder – Wes said they will build it.

Victoria Hales – Ok, so that will need to be a condition.

Ray Snyder – There are eight conditions in the staff report and I have added one more for 9. Refer to staff report for 1-8. 9. They will need a wall on the side between the high school that is 6 ft.

Commissioner Andrus – Is that an access on the left-hand side to the road?

Ray Snyder – There is an access agreement between lots.

Victoria Hales – We may need to look at it and see if they have access from Riverside to the back lot.

Ray Snyder – Again, this project will be taking both these lots, they will need to merge them. Do they may have to move that.

Victoria Hales – They may want to move that. But they are still going to have it.

Chair Fisher – It may be that we put as a condition that they have access off of Riverside and out the other side and in order to build on that they will have to merge those two lots. That can be a condition, so we don't have to hold them up here.

Victoria Hales – They will have to have full cross access.

Jeremy Bastow – That back portion along the bottom, there is a stormwater line on the Taylor Andrews property that comes and stops and then it continues over behind Millcreek. Right now, it's a pipe to a ditch to a pipe and we will connect that and then sheet flow this parking lot to that stormwater drainage. There is a curb cut at the Taylor Andrews parking lot at that south bottom edge that we are trying to connect to. It opens up to the other street. We need to clarify the deceleration lane. Right now, the Taylor Andrews comes out to that deceleration lane and I believe it is in their agreement when they did their development that there is some money set aside with the city to put that deceleration lane in when this property, these other two lots were developed. That's one thing we have to clarify. They would need to take it off their property too.

Victoria Hales – It's my understanding that it's not their property, it's in the right-of-way.

Jeremy Bastow – Well, I guess who's putting it in is the big question.

Victoria Hales – You have to put it in with your development. That's a condition.

Wes Jenkins – That's something I'll have to look for, I think it's all accounted for.

Jeremy Bastow – We are planning on merging the two lots and we plan to keep the current access where it is.

Discussion on cross access continued.

Chair Fisher opened the public meeting.

Chair Fisher closed the public meeting.

Commissioner Larsen – I think it looks nice; they've done their homework.

Commissioner Andrus – I think it's a great spot for something like this and it fits right in.

Victoria Hales – If I can remind you of the staff comments that Ray mentioned, merging the lots and the decel lane, constructing the fence by Millcreek School and providing or showing a full legal access for all three properties which might be merged to two properties to both Riverside Drive and 2200 East.

MOTION: Commissioner Nelson makes a recommendation for approval with all of staff and legal's recommendations and comments including:

1. Merge the Lots
2. Build the decel lane with this project
3. Construct a 6' solid wall adjacent to Millcreek school
4. Provide or show legal full access for all properties to Riverside Drive and 2200 East

SECOND: Commissioner Larsen

AYES (7)

Chairman Nathan Fisher

Commissioner David Brager

Commissioner Roger Nelson

Commissioner Ray Draper

Commissioner Natalie Larsen

Commissioner Emily Andrus

Commissioner Vardell Curtis

NAYS (0)

Motion Carries

- B. Consider a zone change amendment request to realign the entryway into the “**Red Cliffs Mall,**” approve a sign package, create new pads, and create a plaza area on the site. Located at 1770 Red Cliffs Drive between Mall Drive and 1680 East (*with Red Cliffs Plaza directly across Mall Drive to the NE of the mall*). The site is zoned PD-C (Planned Development Commercial) and is on approximately 37.87 acres. The applicant is RCM St George Properties LLC and the representative is Nathan Evans. Case No. 2020-ZCA-006 (Staff – Dan Boles)

Note: This item will not be heard at this meeting but will be reposted and heard at a later date.

4. **PRELIMINARY PLAT (PP)**

Consider a twenty-two (22) lot residential preliminary plat for “Blue Heron Estates.” Generally located at approximately 1965 South 3000 East. The property is zoned RE-12.5 (Residential Estates 12,500 sq. ft. minimum lot size). The applicant is Claudia Eardley and the representative is Bob Hemandson, Bush and Gudgell. Case No. 2020-PP-002. (Staff – Wes Jenkins)

Wes Jenkins presented the following:

Wes Jenkins – There are three phases. There is a change on the preliminary plat, the city has decided to keep an agricultural feel we are going to go to a rural cross section.

Discussion on sidewalk and rural cross section feel.

Chair Fisher – What did the city do on the extension on 2450?

Wes Jenkins – The plan is that they become more of a rural cross section. We will put a probably asphalt path for kids to walk down on one side of the road. It will be tough because we will need to match the transition between the regular sidewalk and the rural cross section.

Discussion on the cross section and the transitions.

MOTION: Commissioner Brager makes a motion to recommend approval of item 4 a twenty-two (22) lot residential preliminary plat for Blue Heron Estates incorporating staff comments.

SECOND: Commissioner Nelson

AYES (7)

Chairman Nathan Fisher

Commissioner David Brager

Commissioner Roger Nelson

Commissioner Ray Draper
Commissioner Natalie Larsen
Commissioner Emily Andrus
Commissioner Vardell Curtis
NAYS (0)
Motion Carries

5. **AMENDED FINAL SUBDIVISION PLAT (FPA)**

Consider an amended residential final subdivision plat for “**Lot 44A and 44B, Snowfield Estates Amended #5**” Located at approximately 1480 West Clinton Way. The property is zoned R-2 (Multi-Family). The representative is Scott Woolsey, Alpha Engineering. Case No. 2020-LRE-002. (Staff – Wes Jenkins)

Wes Jenkins presented the following:

Item 5 has been pulled from the agenda.

MOTION: Commissioner
SECOND: Commissioner
AYES (7)
Chairman Nathan Fisher
Commissioner David Brager
Commissioner Roger Nelson
Commissioner Ray Draper
Commissioner Natalie Larsen
Commissioner Emily Andrus
Commissioner Vardell Curtis
NAYS (0)

6. **HILLSIDE DEVELOPMENT PERMIT (HS)**

Consider a request for a hillside development permit to revise a previously approved Hillside Development Permit (Case 2018-HS-003) which allows development of a “West Access Road” for the “Tech ridge Development.” The purpose of this revision is to take the storm water and water utilities from the Black Ridge Cove development (subdivision) to the Tech Ridge development in a different route. The representative is Alliance Consulting. The site is located on the west side of “Tech Ridge” and east of “Indian Hills Drive.” Case No. 2019-HS-009 (Staff - Ray Snyder)

Ray Snyder presented the following:

Ray Snyder – This site detail shows the area we will be talking about. We are talking about the top of Tech Ridge to come down and into Cloud Drive. What has been proposed is to come through an area that has already been previously disturbed. We talked about the project on site with the Hillside Board. They are not scarring up because they want to come in here where it has been previously disturbed. They will put the lines in here and then come back and put in an asphalt trail here. Staff recommends approval. The hillside board recommends approval. See packet for hillside recommendation.

Victoria Hales – Is there a condition that they re-vegetate any disturbances?

Ray Snyder – There is not.

Victoria Hales – Outside the trail? Is there nothing outside the trail being disturbed?

Craig Coats – We are not disturbing any areas but the scarred areas. The only disturbance will be in the scar you see today. It's only about 15 ft wide already, we will have the 10 ft trail a little bit of road base and that's all that will be there.

Victoria Hales – Is your equipment going to disturb outside the scar area?

Craig Coats – No.

Commissioner Nelson – When we were approving the development of that area was a concern about the drainage and where it will go.

Craig Coats – It all gets down to the river. We are bringing all the drainage to the west side and bringing it down. In Cloud Drive there will be a storm drain that collects it all. We will have 3 locations that we will come off the hill for drainage then it comes down Cloud Drive and goes into this Black Ridge Cove area and gets into a drainage ditch down there. From there it conveys to Indian Hills Drive and eventually to the Santa Clara River. The only thing on the condition of the rock fall that Ray brought up, there were some little boulders that are currently there that they asked us to knock down to protect that area along the existing scar.

MOTION: Commissioner Nelson makes a motion to recommend approval of this hillside development permit with all of staff comments and all of the hillside review board recommendations.

SECOND: Commissioner Curtis

AYES (7)

Chairman Nathan Fisher

Commissioner David Brager

Commissioner Roger Nelson

Commissioner Ray Draper

Commissioner Natalie Larsen

Commissioner Emily Andrus

Commissioner Vardell Curtis

NAYS (0)
Motion Carries

7. **CITY COUNCIL ACTIONS – January 16, 2020**

The Community Development Director will report on the following items heard at City Council

John Willis discussed items presented to City Council.

- A. CUP – AWI Tower Replacement (Info-West)
- B. CUP – Building 100 – Commerce Pointe

ADJOURN

MOTION: Commissioner Brager made a motion to adjourn the meeting at 7:44 pm

SECOND: Commissioner Nelson

AYES (7)

Chairman Nathan Fisher

Commissioner David Brager

Commissioner Roger Nelson

Commissioner Ray Draper

Commissioner Natalie Larsen

Commissioner Emily Andrus

Commissioner Vardell Curtis

NAYS (0)

Motion Carries