

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

PRESENT: Chairman Nathan Fisher
Commissioner David Brager
Commissioner Natalie Larsen
Commissioner Emily Andrus
Commissioner Ray Draper

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

EXCUSED: Commissioner Vardell Curtis
Commissioner Roger Nelson

CALL TO ORDER/FLAG SALUTE

Pro-Tem Brager called the meeting to order at 5:03 pm.
Natalie Larsen led the led the flag salute.

1. **HILLSIDE PERMIT**

Consider a request for a Hillside Development Permit to allow development of two 3-story office buildings located north of the intersection of Riverside Drive and Riverbend Drive. The property is approximately 8.05 acres and the zoning is PD-AP (Planned Development Administrative Professional). The applicant is Vaughn Beal and the representative is Brandee Walker, Civil Science. Case No. 2020-HS-010 (Staff – Dan Boles)

Wes Jenkins presented the following:

Wes Jenkins – We are looking at the area below the Foremaster development. They did exceed the 5% disturbance; they are at about 8%. Part of the area they will disturb is manmade, there are some 30 to 39% slopes there that are in that excess. Their argument is that they shouldn't need to count those areas because they are manmade. The hillside did recommend approval on both counts. They did a rock fall analysis. They did indicate that they put parking areas between the rock fall hazard areas and the buildings even though their development doesn't fall in the rock hazard area. They did a visual site visit and couldn't find any landslide on the site. One of the things the hillside did request was that the grading areas that are disturbed should be blended more naturally with the

surrounding area with vegetation. They felt like it was a stable slope, but they did request that they do an analysis as part of the construction review to make sure that it doesn't affect the residences here. That should be a condition.

Victoria Hales – You mentioned a disturbance area in the 40% slope, I don't see an ability to do that in our code.

Wes Jenkins – At hillside they said it was noncontiguous. It was man made when they installed the sewer. All the percentages that are too high were created by the man-made cut and were not naturally occurring.

MOTION: Commissioner Brager made a motion to recommend approval of Item 1 to City Council a Hillside Permit for two three story office buildings on Riverside Drive and Riverbend Drive, incorporating all of the hillside committee's comments as well as staff recommendations in the staff report.

SECOND: Commissioner Larsen

ROLL CALL VOTE:

AYES (5)

Chairman Nathan Fisher

Commissioner David Brager

Commissioner Emily Andrus

Commissioner Ray Draper

Commissioner Natalie Larsen

NAYS (0)

Motion Carries unanimous recommend approval

2. **ZONE CHANGE AMENDMENT (ZCA)** (*Public Hearing*)

A. Consider a request for a Zone Change Amendment to the Hillside Professional Offices (fka Anasazi Cove Commercial) Planned Development. The site is located north of the intersection of Riverside Drive and Riverbend Drive. The property is approximately 8.05 acres and is zoned PD-AP (Planned Development Administrative Professional). The applicant is Vaughn Beal and the representative is Jeff Mathis, MRW. Case No. 2020-ZCA-023 (Staff – Dan Boles)

Dan Boles presented the following:

Dan Boles – This site is right at the bend of Riverside Drive. The general plan is open space. The current zoning on the property is mostly R-1-10 but the site of this proposal is PD-AP which allows for office buildings. They are proposing two buildings 2 stories each. The footprint of each building is about 6,000 square feet. They are proposing 101 parking spaces, which meets the code. They do have upper level parking as well as parking under both buildings. If this is approved staff will make sure the landscaping is

compliant with the code at the Site Plan Review phase. They are proposing 47 feet. Keep in mind that if you approve this it will be taller than the standard, but there are provisions in the code to approve something taller. The staff report said that we didn't receive a lighting plan, but I did find one and will go over that to make sure it is compliant.

Commissioner Draper – Where do we measure the building from? Is it curb level, street level or is Grade level and is it higher right there? It seemed to me it was higher than the road right there.

Dan Boles – We typically measure from average finished grade.

Victoria Hales – Are they proposing a use list?

Dan Boles – It is just office.

Chair Fisher – As a PD what's being approved today would be all the details. So with regards to ingress and egress is there an acceleration lane and a deceleration lane?

Wes Jenkins – They will be required to provide a deceleration lane, normally we don't require acceleration lanes, but they talked about possibly putting in an acceleration lane. We will need to go through that during construction review.

Discussion continued pertaining to traffic lanes and whether a condition needs to be put on the motion.

Commissioner Larsen – So is it measured from grade or the building itself? I know that is higher than the street there.

Dan Boles – We measured it from average finished grade.

Commissioner Draper – I don't think we have to worry so much about it because the hill is there behind it.

Jeff Mathis – We are actually cutting down as far as the site distance question, that existing cut slope that is around that corner to help with that site distance. It does look like parking garage is maybe 13 feet higher than the proposed curb and gutter.

Chair Fisher – Is the parking garage above grade, not buried?

Jeff Mathis – It is half buried. The entry to the parking garage is 12 feet tall.

John Willis – The average is the two tallest sides, not the shortest and the tallest.

Jeff Mathis – So we had the 46'6" and then 44'3" and you would take those dimensions so we will still be about 45 feet.

Discussion on elevations and the height of the buildings in relation to grade.

Jeff Mathis – We will work with the City to continue the turning lane on the road through this project. The client would like that because it will make it safer to make a left turn into the property. I did also want to point out that we did update the landscaping in the area that Wes was talking about needing more vegetation on the hillside item.

Chair Fisher – What kind of site distance will you have if you are turning left into the subdivision?

Jeff Mathis – About 400 feet.

Chair Fisher – On the street level then, the final elevation on the tallest part of the building would be the 46 ft plus the 11 ft of the parking garage, is that right?

Jeff Mathis – Yes, that is correct.

Chair Fisher opened the public hearing.

James Peterson – I live in Riverside Development. A number of us have put together a letter. I would like to read the letter that I provided and make it part of the record.

Chair Fisher – We will ask Brenda to make it part of the record, is there anything you would like to add in comments to what you have already provided?

James Peterson – We would not want to see it there, but it is a forgone conclusion. We are concerned about safety. There is no protection if you are turning left on the west side. There is no protection to get onto the street and merge into traffic. The probability that we will have an accident there will increase because there is no entrance there. Our concern is the safety of getting in and out of our project. We would like to see some safety measures for us to get in and out of our project. It is a blind curve, there is no way they can mitigate the blind curve. You can't get people to slow down on Riverside Drive. Our concern is the safety for Riverside Cliffs to get in and out of our project.

Jim Cobb – I am a local contractor here, I'm all for building and seeing things go on. My house is in Riverside Cliffs. That is right where the turning lane in the center ends. They would need to extend that down to River Road. That 400 ft is inaccurate, it is a blind curve. That elevation was incorrect showing it at street level, it will be 15 ft above that. I don't know why we haven't heard anything about a traffic light. Another concern is that the soil conditions on the hillside are similar to where Blackridge Mitsubishi and I want to make sure that the design accounts for the type of soil that is over there. The St George blue clay. What kind of use will this facility see? Will the lighting be

obnoxious? We would like to see more of the design concept before it gets passed. As a resident and builder I have some questions of safety for this project.

Chair Fisher Closed the public hearing.

Victoria Hales – Let the minutes reflect that all public comments have been heard or have had the opportunity to be heard. Comments were taken by many methods: in ZOOM using the “reaction” icon of clapping or thumbs up or the chat feature, and by phone participation, and by in person participation. All methods have been monitored by city staff. The Public Hearing was opened and closed only after everyone had the opportunity to make public comment.

Commissioner Draper – I just wanted to make sure that the soil conditions have been approved by the City? Also, I know that they brought up putting in a decel lane, but what about another turning lane?

Wes Jenkins – They would be required to provide a center turn lane here for vehicles traveling east bound to allow for vehicles to turn left into the project. The first priority is to get the center turn lane in there. As far as the soils go, they do have gravel on top, then they get into some expansive soil. The Geotech who looked at this for the building is requiring a 17-foot separation distance to bridge that mudstone.

Commissioner Draper – As far as the parking lot lighting goes, I know they can have lights that shine right down into the parking lot, they don't have to have lighting that shines up. I always like parking lots well-lit for security reasons.

Commissioner Larsen – We talked about the road lanes, is there no way to get the turning lane as well as the deceleration lane?

Wes Jenkins – It looks like it would be tough to fit both in there. We will look to our access management policy to require the site distance so that people can turn out safely.

Victoria Hales – You can make it dependent on meeting the access management policy or you could require a decel, excel and center turning lane

Commissioner Andrus – The center turning lane, it would help people turn into the project, but it does add another lane for people to get across when coming out of the development across the street.

Chair Fisher – Any concerns with the height elevations

Commissioner Larsen – I have a concern with that, if it is 11 feet higher that will look really high from street level. I'm just wondering if the parking can come from somewhere else than the toe of the project.

Jeff Mathis – That portion that goes around the curve will come down at least 8 feet. We will take it down further if needed to get the site distance. We do have to line the access entrance up with Riverbend across the street.

Commissioner Larsen – I think the project looks nice, if you're going to put something there it's appropriate. I'm just concerned about the elevation and the access in and out.

Chair Fisher – I am concerned about the height, but I don't know how you would do anything else at that site. I like the use that they have made at that site. I think it is hard to picture the what it will look like when they cut into the hill. I think the City staff is on top of that and I think the developer is trying to mitigate that with the landscaping. I do like that Victoria's suggestions as far as relying on the staff to make sure that it is done in a way that is as safe as possible while still being able to develop the property. The lighting maybe John can probably clarify, I am assuming it be zero at the property line.

John Willis – That is correct they will have to meet our City ordinance that limits the amount of foot candles at the property line. The ordinance already covers all of those requirements.

Victoria Hales – I do want to remind the Commission that there will need to be findings if you are going to approve the increased the height, there are suggestions in your packet.

Victoria read the packet information on the height findings.

Commissioner Larsen – Is there any way the parking garage could be lowered so that the elevation of the building would be lower?

Commissioner Andrus – Like Wes said they have to be 17 feet away from the expansive soil, so they may not be able to go down any further.

Brandee Walker - There is that existing sewer line and water line as Wes was explaining earlier. We are at minimum cover with our parking lot on that so we don't have a lot of flexibility to lower that area and it would just create additional retaining on those upper existing homes.

MOTION: Commissioner Draper made a motion to recommend approval for item 2A to consider a zone change amendment for the Hillside Professional Offices with all of the recommendations staff has made to make sure that they meet access management policy. They must provide a turning lane and a decel lane, the traffic and site distance issues must meet the satisfaction of the City. The findings for increased height have been met in the staff report and the city ordinances.

SECOND: Commissioner Brager

ROLL CALL VOTE:

AYES (5)

Chairman Nathan Fisher

Commissioner David Brager Commissioner Emily Andrus Commissioner Ray Draper Commissioner Natalie Larsen NAYS (0) Motion Carries unanimous recommend approval

B. Consider a request for a Zone Change Amendment to the existing South Bridge Center (fka Boulder Creek Commons) Planned Development to amend the restriction that was placed on the approval of the zone change that limits the number of drive-thru facilities to three. The site is located on the south-east corner of 1450 South and River Road. The representative is Spencer Hymas, Stillwater. Case No. 2020-ZCA-024 (Staff – Dan Boles)

Dan Boles presented the following:

Dan Boles – We are on the same road as the other project just more to the west. In January of 2016 the City Council approved a PD on the property. At that meeting there were comments made on the adverse effects of drive thrus such as noise, cars idling etc. As a result of public comment made, the City Council decided to restrict the number of drive thrus on the property to 3. It was a way to limit the effects of drive thrus. The applicant is proposing to remove that limitation. They are citing COVID to make the case. I will let the applicant make their case.

Patrick Manning – We don't have a grand plan to just put a bunch of drive thrus into South Bridge. Almost everyone we've talked to have stated that they need a drive thru. I just want to point out that we are removing the number 3. The worst-case scenario would be 6. One of those is already spoken for by a credit union. COVID is one of the reasons, drive thrus have done very well during these tin We are just trying to get the restriction of 3 lifted.

Chair Fisher opened the public hearing.

Janine Breckner – I was at the City Council meeting when the restriction was put in place. I think it was because most of the residents here in Boulder Springs didn't want the added traffic on River Road and 1450 South. That intersection is already dangerous enough without having people going in and out of that development with drive thrus. The residents would only agree with three at the time. At the time there was nothing proposed. I think the residents might have a different opinion if we knew what was coming.

Chair Fisher closed the public hearing.

Victoria Hales – Let the minutes reflect that all public comments have been heard or have had the opportunity to be heard. Comments were taken by many methods: in ZOOM using the “reaction” icon of clapping or thumbs up or the chat feature, and by phone participation, and by in person participation. All methods have been monitored by city staff. The Public Hearing was opened and closed only after everyone had the opportunity to make public comment.

Victoria Hales – Dan if you could go over those maps one more time? There are some bisecting roads on those maps and I’m not sure what the number 3 applied to.

John Willis – That was what was proposed to City Council, they modified it at the meeting and said that we would not approve anything below that line.

Commissioner Draper – Did the City Council give a reason why they cut that off on that line?

Dan Boles – They drew that line there because it follows the general plan.

Commissioner Draper – Are we to assume that they might change their mind on that?

Chair Fisher – They are not asking to change residential below that line, they are only asking to approve more drive thrus.

Victoria Hales – I would request that this vicinity map with the blue line would be in the council packet and I would request that the vicinity map be used as part of a motion.

Chair Fisher – I think we will want to make sure that we make clear that we are not approving anything that would suggest that commercial will invade the designated residential from the prior meeting approval.

Victoria Hales – Did they propose site plans as part of this consideration or are we just determining the number of drive thrus?

Dan Boles – The applicants request is to have the number 3 lifted from the conditions. The renderings are not part of the consideration.

Chair Fisher – Their application is only to amend the limitation on the 3 drive thrus. Are they going from 3 to unlimited?

Dan Boles – That’s up to you, their proposal is to totally remove it. If you want to recommend to City Council another number based on some finding that is up to you, or if you want to stick with 3 that is also a valid option.

Commissioner Larsen – I think we have to consider putting a number on it. You could end up with 10 drive thrus there if they are small like the swig on the Boulevard.

Dan Boles – What is shown on the site plan is conceptual. They have to come through with each thing that would change it.

Chair Fisher – What we are talking about is an amendment for the number of drive thrus. Each pad that is developed will need to come in with a zone change amendment to show what is being developed.

Patrick Manning – It has been our belief that the City Council put a restriction only on the south side, not on the north side. We are ultimately looking for flexibility on the south. We don't think we are limited at drive thrus on the north side. I would ask if you are so inclined that the number of 3 may be lifted and that the number of pads are capped.

Commissioner Larsen – What about the stacking? I think its unclear, to arbitrarily throw out a number and say don't put a limit on it.

Patrick Manning – A firm number is ok, we just wanted to make sure it didn't include the north side because then we would be right back where we are.

Dan Boles – When the application was approved in 2016, it included both sides of the road. I didn't see that there was any limitation to just the south side in the minutes. It appeared that they would be limited to 3. In our evaluation when we looked at this we were considering both the north and the south side.

John Willis – We do have the ability to look at each of the sites individually in drive thrus. The concerns about stacking and the number of drive thrus and those types of things will go through more scrutiny at the time they come forward to be developed. Most developments don't have restrictions on the number of drive thrus. I think that we need to just look at the restriction on the number of drive thrus. We will look at it on a case by case basis, they will need to show the stacking and have other site plan considerations.

Chair Fisher – My point was if they need to come in with each pad, we can look at it and decide if it can be a drive thru.

John Willis – Exactly, any drive thrus would need to meet the stacking requirements and site requirements whether it is limited to 3 or not.

Chair Fisher – One option could also be that as they get to their third drive thru, their application can include the approval of that pad and all its elevations as well as include allowing more, whether it's one at a time. At that point then the City can see what it looks like with the 3 or 2 that are already there and the one that is being developed at that time. I hate to create a situation that gums it all up and slows things down with the developer. But at the same time maybe that doesn't slow them down because they can do it on the application with the second or the third one.

Victoria Hales – What they have right now they have 3 then they could come back at that time and ask for an amendment.

Chair Fisher – Yes, because once they have had a couple and developed then we can see what is already there and then make a decision there.

Commissioner Larsen – Did the applicant say he already has a credit union that would have a drive thru? It is hard to market a commercial pad making it an issue of yes, I can sell to you but it would take a year to get back through the process. I think we need to get away from thinking they would all be food drive throughs. We need to think forward when we think drive thru, it's not all McDonalds.

Commissioner Brager – I'm very familiar with that intersection. I think the concern is if you have too many drive thrus on the south side you only have one egress. To me it seems that unlimited on the north side is fine. Leaving the south side at 3 then we could look at it as they get more.

Patrick Manning – What we are trying to do is get this built out as quickly as possible. We are trying to design this entire thing out as fast as possible and get it all done. The reason for the flexibility is so that we can go through these applications and tell people whether they can be part of South Bridge or not. Lifting the limitation of 3 to a higher number will give us the ability to get this built out and designed. We can make decisions and be done with this quickly.

Commissioner Draper – So is what Patrick saying that he could have 7 drive thrus in there and no big stores? Is that correct?

Patrick Manning – Yes, not likely but it would be possible.

Dan Boles – While you consider this, the next item is a pad in this project, and it will have a drive thru.

Commissioner Draper – I feel a little bad for the contractor because it does kind of tie his hands, trying to get business into this plaza.

Commissioner Brager – I feel like we need to trust in the wisdom of the City Council. That land hasn't changed since it went to City Council. I think 7 drive throughs would create a traffic nightmare. I think if you wanted to clarify that the north is unlimited, I would be comfortable with that.

Commissioner Larsen – I think he said that the north wasn't included. So, I don't know that we need to include that.

Chair Fisher – Let's assume it doesn't include the north, does it make any difference to the commissioners if we put unlimited on the south?

Commissioner Brager – Yes, it would make a difference to me. The access to the north is better.

Patrick Manning – We are not trying to get 7 drive thru approved. We are trying to get rid of an arbitrary number. We will have 3 accesses here. When we come in for each pad, we will need to meet the ordinances.

Chair Fisher – The struggle that we are facing is that we don't have all the information in front of us. I think one of the problems I have is that I don't think the property has changed since the limitation was put on it.

Discussion continued on access to the location and the reasons the limitations were placed on it.

Commissioner Draper – I don't have a problem with his request, he will have 3 accesses.

Commissioner Andrus – I agree with commissioner Draper. I don't feel like I have heard anything that makes it clear to me why they put the limitation in place. I feel comfortable trusting the process that we have.

Commissioner Larsen – I think the City Council was trying to reach a happy medium between the residents and the City Council.

Chair Fisher – I remember this coming up at Planning Commission, I was surprised to the limitation on drive thru. Commercial is commercial, drive thru don't matter, so there must be some reason why they placed the limitation.

John Willis – This is a PD, the City Council and Planning Commission have discretion to look at each site plan. You cannot block fire lanes or parking spaces.

Victoria Hales – I share your concern that a lot of legislative discretion went into their decision to limit it to 3. If you lift the limit then there won't be the hard limit, you would still have discretion, but it would be harder.

Discussion continued on hard limit verses discretion at the zone change amendment stage.

Patrick Manning – I am confused, if Planning Commission doesn't recollect the reason for the limit of 3, there is also a good chance that there is a lot of City Council members that don't recollect. I think the purpose of limiting anything by City Council would be because of traffic and because of safety because of real factors like that. As a landowner what I'm getting at is I think the correct process is to remove the limitation and deal with it on the zone changes for each pad.

Chair Fisher – I think the problem is that you don't have to meet anything, the only thing you have to meet are the requirements of the PD. The use and the pad, and I think what Victoria is pointing out is the discretion with the legislative process with the amendment would be different than if there is a limitation of 3 verses no limitation. I struggle with increasing it or removing the limitation at this point when nothing has changed, and the first application is for a drive thru.

Commissioner Larsen – I think it would be helpful to know if it is both the north and the south, Victoria thinks it's both as one piece. Maybe the north side can have unlimited, but that south side is different.

Commissioner Brager – I propose that we just put in the motion that way. We will just say it that way and then we'll let City Council decide if they like it that way or if they wish to change it. There are some City Council members that are there that were here 4 years ago so I will be surprised if someone doesn't remember.

MOTION: Commissioner Brager made a motion to recommend to City Council based on the vicinity map presented, north of 1450 to have unlimited number of restrictions on drive thrus and for the south portion to still be restricted to three, the applicant may request at a future date to amend the amount of drive thrus.

SECOND: Commissioner Larsen

ROLL CALL VOTE:

AYES (5)

Chairman Nathan Fisher

Commissioner David Brager

Commissioner Emily Andrus

Commissioner Ray Draper

Commissioner Natalie Larsen

NAYS (0)

Motion Carries unanimous recommend approval

Chair Fisher – We will take a five-minute break and reconvene at 7:12 pm

C. Consider a request for a Zone Change Amendment to the South Bridge Center (fka Boulder Creek Commons) Planned Development in order to develop a retail building with potential restaurant and fast food uses. The site is located on the south-east corner of 1450 South and River Road. The representative is Spencer Hymas, Stillwater. Case No. 2020-ZCA-027 (Staff – Dan Boles)

Dan Boles presented the following:

Dan Boles – The application is for this corner of the site, 1430 East and 1450 South. They are wanting to build this pad with 5 bays in it. You can see the proposed drive thru. The parking is to the west of the building. There will be an access off of 1430 East. The landscape plan will be gone through with a fine-toothed comb at the site plan review if this zone change is approved. These are just the renderings at this point we are not approving any signage; this is just an idea to give you what it will look like.

Spencer Hymas – I am excited to showcase what we have prepared for you guys. We are really proud of what we have designed so far.

Chair Fisher opened the public hearing.

Chair Fisher closed the public hearing.

Victoria Hales – Let the minutes reflect that all public comments have been heard or have had the opportunity to be heard. Comments were taken by many methods: in ZOOM using the “reaction” icon of clapping or thumbs up or the chat feature, and by phone participation, and by in person participation. All methods have been monitored by city staff. The Public Hearing was opened and closed only after everyone had the opportunity to make public comment.

Commissioner Brager – Two issues, is there a use list? And is there sufficient parking?

Dan Boles – The use list was established in the original zone change. There is adequate parking.

Commissioner Larsen – Do they have to provide spaces for bicycles as well?

Dan Boles – Yes.

MOTION: Commissioner Larsen made a motion to recommend approval of Item 2C

South Bridge Center with all conditions presented by staff.

SECOND: Commissioner Draper

ROLL CALL VOTE:

AYES (5)

Chairman Nathan Fisher

Commissioner David Brager

Commissioner Emily Andrus

Commissioner Ray Draper

Commissioner Natalie Larsen

NAYS (0)

Motion Carries unanimous recommend approval

D. Consider a request for a Zone Change Amendment to the Desert Color Zoning Plan to amend setbacks on lots adjacent to the lagoon and clarify when civic space needs approval in single-family residential areas. The representative is Bob Hermandson, Bush and Gudgell. Case No. 2020-ZCA-026 (Staff – Dan Boles)

Dan Boles presented the following:

Dan Boles – Desert Color has it's own zone plan. Most zones have setbacks and then a line that you cannot go across. What we found with these is that they would like a deeper set back next to the lagoon. They are asking if they can build these homes a little bit farther back so that they can have amenities closer to the lagoon. They are asking for a 5 foot minimum and an 30 foot maximum on the front of the main residences fronting the lagoon. There is also a requirement that all civic space needs to go through council, we would like to clarify that parcels under 1 acre in single family developments can be done at the plat level and not go through City Council. Anything more than 1 acre will need to go through City Council.

Chair Fisher – So will it be presented at the construction drawing stage?

Dan Boles – Yes.

Victoria Hales – In the application that Bush and Gudgell turned in it says that anything over an acre would be approved with the zone change,

Commissioner Larsen – My concern is that when we don't specify then we won't know what they are going to put in.

Commissioner Brager – What if it involves an amenity? What about triggers for those?

John Willis – That is all spelled out in the agreement. The issue we are running into is that the single-family stuff is not supposed to have to through the PD amendment process.

Victoria Hales – A lot of times these spaces are just common area, they are not specific amenities. That’s why they want to move it to the staff level.

John Willis – There are guidelines for what the civic space needs to be.

Chair Fisher – Lots of time was put into the development agreement to streamline the single family down the road. A lot of time was put into the planning portion with the development agreement and we are just trying to correct a bottleneck with the civic space.

Victoria Hales – Is there a portion that shows that it only applies to single family detached?

John Willis – We were comfortable with the way it was worded but we can go over that with you Victoria.

Victoria Hales – I do see that it says single family in both sentences, so I am comfortable with that.

Chair Fisher opened the public hearing.

Chair Fisher closed the public hearing.

Victoria Hales – Let the minutes reflect that all public comments have been heard or have had the opportunity to be heard. Comments were taken by many methods: in ZOOM using the “reaction” icon of clapping or thumbs up or the chat feature, and by phone participation, and by in person participation. All methods have been monitored by city staff. The Public Hearing was opened and closed only after everyone had the opportunity to make public comment.

MOTION: Commissioner Draper made a motion to recommend approval of the request for a zone change amendment on item 2D to the Desert Color Zoning Plan amending the setbacks on lots adjacent to the lagoon and clarify the civic space requirements as per what the City staff recommended.

SECOND: Commissioner Brager

ROLL CALL VOTE:

AYES (5)

Chairman Nathan Fisher

Commissioner David Brager

Commissioner Emily Andrus

Commissioner Ray Draper

Commissioner Natalie Larsen

NAYS (0)

Motion Carries unanimous recommend approval

3. **ZONE CHANGE** (*Public Hearing*)

Consider a zone change from OS (Open Space) to A-1 (Agricultural) on approximately 2.278 acres located south of Bloomington Park Softball fields on Man O War Road. The representative is Rob Reid, Rosenberg Associates. Case No. 2020-ZC-025 (Staff – Genna Goodwin)

Genna Goodwin presented the following:

Genna Goodwin – The applicant intends to clean up the lot lines and build one home on the A-1 property.

Chair Fisher – Looks like they are creating a flag lot that will access off of Man O War?

Genna Goodwin – It is an access that already exists.

Victoria Hales – Does he own the access?

Genna Goodwin – Yes, he owns all of the property.

Chair Fisher opened the public hearing.

Chair Fisher closed the public hearing.

Victoria Hales – Let the minutes reflect that all public comments have been heard or have had the opportunity to be heard. Comments were taken by many methods: in ZOOM using the “reaction” icon of clapping or thumbs up or the chat feature, and by phone participation, and by in person participation. All methods have been monitored by city staff. The Public Hearing was opened and closed only after everyone had the opportunity to make public comment.

MOTION: Commissioner Larsen made a motion to recommend approval of Item 3 zone change from open space to A-1 on approximately 2.27 acres with the conditions that staff has.

SECOND: Commissioner Brager

ROLL CALL VOTE:

AYES (5)

Chairman Nathan Fisher

Commissioner David Brager

Commissioner Emily Andrus

Commissioner Ray Draper
Commissioner Natalie Larsen
NAYS (0)
Motion Carries unanimous recommend approval

4. **CONDITIONAL USE PERMIT**

A. Consider a Conditional Use Permit (CUP) to operate a vacation (short term) rental out of a designated landmark site, the Woolley Foster Home, located at 217 North 100 West. The representative is Scott Armour. Case No. 2020-CUP-005 (Staff – Genna Goodwin)

Genna Goodwin presented the following:

Genna Goodwin – This property is the one on the corner. Seven Wives Inn has been operating since the early 80's. There is now a new owner and we would like to clean it up so we can clarify the use. They do have two covered parking stalls. This request is to clarify the use Bed and Breakfast and add short term rentals.

Victoria Hales – Is it a condition that they clean up the property lines on this because there are 3 lots?

Genna Goodwin – Yes, so for this home the 217 North, the property lines are clean. On the George F Whitehead to the north, that one has the property lines that need to be modified. But it is a condition on both in the staff report.

MOTION: Commissioner Brager made a motion to recommend approval of Item 4A a conditional use permit for a vacation rental of the Wooley Foster Home incorporating all staff's comments and certifying that all mitigating conditions have been met.

SECOND: Commissioner Draper.

ROLL CALL VOTE:

AYES (5)

Chairman Nathan Fisher

Commissioner David Brager

Commissioner Emily Andrus

Commissioner Ray Draper

Commissioner Natalie Larsen

NAYS (0)

Motion Carries unanimous recommend approval

B. Consider a Conditional Use Permit (CUP) to operate a vacation (short term) rental out of a designated landmark site, the George F. Whitehead Home, located at 241 North 100 West. The representative is Vanessa Calder. Case No. 2020-CUP-006 (Staff – Genna Goodwin)

Genna Goodwin – This is the home to the north that was also part of Seven Wives Inn, they are removing one of the rentals taking it down to 5. They would also like to add the ability to short term rent. This property will keep the pool and the lot lines will need to be adjusted to reflect that.

MOTION: Commissioner Draper made a motion to recommend approval of Item 4B a conditional use permit to operate a vacation short term rental from the landmark site, the St. George Whitehead home, including staff comments that the lot lines must be adjusted.
SECOND: Commissioner Andrus
ROLL CALL VOTE:
AYES (5)
Chairman Nathan Fisher
Commissioner David Brager
Commissioner Emily Andrus
Commissioner Ray Draper
Commissioner Natalie Larsen
NAYS (0)
Motion Carries unanimous recommend approval

5. **PRELIMINARY PLATS**

Consider a preliminary plat for a six lot (6) lot residential subdivision for Desert Reserve Phase 2. The site is located at approximately the intersection of Desert Canyons East and Desert Cliffs. The property is on 1.463 acres and is zoned PD-R (Planned Development Residential). The representative is Ken Miller, Development Solutions. Case No. 2020-PP-022. (Staff – Wes Jenkins)

Wes Jenkins presented the following:

Wes Jenkins – This did fall within the rock fall hazard area, we requested that they adjust their lot lines for that. They did, they decreased the area of the lots to remove them from the rock fall hazard area and put that area and the detention basin in the common area to be owned and maintained by the Desert Reserve HOA.

MOTION: Commissioner Brager made a motion to recommend approval to City Council of Item 5 preliminary plat for a 6 lot residential subdivision for Desert Reserve Phase 2.
SECOND: Commissioner Larsen
ROLL CALL VOTE:
AYES (5)
Chairman Nathan Fisher
Commissioner David Brager
Commissioner Emily Andrus
Commissioner Ray Draper

Commissioner Natalie Larsen
NAYS (0)
Motion Carries unanimous recommend approval

4. **MINUTES**

Consider approval of the minutes from the July 14, 2020 meeting.

MOTION: Commissioner Larsen made a motion to approve the minutes from the July 14, 2020 meeting.
SECOND: Commissioner Brager
ROLL CALL VOTE:
AYES (5)
Chairman Nathan Fisher
Commissioner David Brager
Commissioner Emily Andrus
Commissioner Ray Draper
Commissioner Natalie Larsen
NAYS (0)
Motion Carries unanimous recommend approval

5. **CITY COUNCIL ACTIONS – July 16, 2020**

The Community Development Director will report on the items heard at City Council from the July 16th meeting.

All Planning Commission Items were heard at the July 9, 2020 City Council meeting.

ADJOURN

MOTION: Commissioner Brager made a motion to adjourn at 7:54 pm
SECOND: Commissioner Draper
ROLL CALL VOTE:
AYES (5)
Chairman Nathan Fisher
Commissioner David Brager
Commissioner Emily Andrus
Commissioner Ray Draper
Commissioner Natalie Larsen
NAYS (0)
Motion Carries unanimous recommend approval