

**PLANNING COMMISSION  
CITY OF ST. GEORGE  
WASHINGTON COUNTY, UTAH  
MARCH 26, 2019**

**PRESENT:** Chairman Nathan Fisher  
Commissioner Dannielle Larkin  
Commissioner Don Buehner  
Commissioner Summer Barry  
Commissioner David Brager  
Council Member Joe Bowcutt

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

**EXCUSED:** Commissioner Todd Staheli  
Commissioner Roger Nelson  
Planner III Carol Davidson

**CALL TO ORDER**

Chair Fisher called the meeting to order at 5:12 pm  
Commissioner Don Buehner led the flag salute.

Chairman Fisher welcomed those attending the meeting and expressed appreciation for those being involved in the process. He explained that some items are for Public Hearings but there are those items that are not open to Public Hearings. Please submit any information or concerns to be considered prior to City Council to staff.

1. **ZONE CHANGE (ZC)** (*Public Hearings*)  
(*The Public Hearing has been opened and closed*)
  - A. Consider a zone change from RE-37.5 (Residential Estates, minimum lot size 37,500 square feet) to A-1 (Agricultural, minimum lot size 40,000 square feet) for the purpose of developing the “Ranches at Little Valley” on approximately 4.27 acres. This property is generally located on 3670 South Street, west of Bentley Road. Case No. 2019-ZC-009. (Staff – Carol Davidson)

John Willis presented item 1 A zone change as shown in the staff report.

Commissioner Buehner asked for clarification that these lots are half acre or more.

John Willis confirmed that this is correct. Staff recommends approval of the zone change

Open in Public Hearing  
Close the Public Hearing

Commissioners discuss the request for and support of the A-1 zone.

The applicant stated that the applicants currently have A-1 and want to keep the quality of life and animal rights.

MOTION: Commissioner Dannielle Larkin made a motion to recommend approval to city council of item 1A zone change from RE-37.5 to A-1 for Ranches at Little Valley on approximately 4.27 acres. located on 3670 South Street, west of Bentley Road.

SECOND: Commissioner Summer Barry

AYES (5)

Chairman Nathan Fisher

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner Summer Barry

Commissioner David Brager

NAYS (0)

Motion carries

- B. Consider a zone change from PD-R (Planned Development Residential) to PD-C (Planned Development Commercial), and to approve construction of a 2-story medical office building for “Matt’s Place.” This review includes a conceptual site plan, landscaping plan, building elevations, the proposed ‘use,’ and the conceptual colors and materials. This site is on approximately 0.82 acres and is located at 126 W 200 N. Case No. 2019-ZC-010. (Staff – Ray Snyder)
2. ZONE

Ray Snyder presented item 1B zone change amendment as shown in the staff report. The general plan was approved in February.

Commissioners and staff discuss the use, programs and zones.

Jim Dean, applicant

Mr. Dean explained that this is a medical office building being used for a 501C3 non profit. We own the Seasons Skilled Nursing Center next door. We have one going in Centerville and will be expanding to Utah County.

The applicant and commissioners discuss the daily operations of the facility, treatment to be given and by which type of licensed professionals, dates and times of operation, multi-level care, and social skills.

Open the Public Hearing

Close the Public Hearing

Dannielle Larkin stated that she is excited about what will be housed at this location. This is an awesome gift to our community. I have watched information on this type of treatment and it is extremely effective for these kids and their families.

Commissioner Buehner asked if Mr. Dean developed the Seasons.

Mr. Dean stated that he designed and developed this building.

Commissioners and applicants continue to discuss the design, surrounding area building design and historical feel of this neighborhood.

Commissioners are shown photos of neighboring homes and properties and discuss the design element of the historical downtown area.

Joe Bowcutt stated that an important part of this treatment is that this has a homey feel.

Chairman Fisher explained that the design ideas can be shared with the applicant, then leave it to them as to how they want to change it, if at all.

Commissioners and legal discuss the use allowed.

Ray Snyder reviewed the suggested conditions with the addition of

10) No overnight stay

11) Hours and days

12) Design to be complementary to the surrounding area.

Commissioners discuss the option of requiring this item to come back to the Planning Commission again.

PD-R to PD-C a school would be permitted a medical office would be permitted so either use is acceptable.

Commissioners and legal continue to discuss the zone and uses.

Mrs. Dean explained the typical patient scenario on an outpatient basis. The patient would come in for a psychiatric evaluation plan and treatment and go for medication and medication management. We are not a substance abuse treatment facility. However, some of our patients do have substance abuse issues but we are not a substance abuse treatment facility. Those patients would come and go for medication management as if they were at their pediatrician's office. We have some kids that might have anxiety or depression. They would come for medication management, in addition to therapy. Those that have significant issues, our program is not designed for IQs under 70, as far as the day treatment goes. They might still come for medication management or they might come for some sort of therapy either family or individual but these are not the severely autistic population that will be in the day treatment facility. If they are in the day treatment facility, mindfulness group then they come in the morning, go right to a group therapeutic group for 45 minutes to an hour, then they go to a school setting, in Davis County the district provided a paraprofessional, who works with our staff, with our students. We keep it to about 13 kids. They go to school, they have free time with recreational therapist that are therapeutic in nature. Then there is lunch time, off site activities at a park. They come back another therapeutic group, then art, music, yoga, this is during the hours of 8:30 am to 2:00 pm. Testing is done and then individual and family therapy. The licensed professionals, the psychologist, the physician, the physician assistant, nurse practitioners and social workers, and recreational therapist. The non licensed staff would be a site tech, in the therapeutic milieu working with the children, implementing the behavior plans that are determined by the licensed providers. This is for the day treatment. If they are doing well we step them down to half day treatment and then back to their school or home environment and then transition them into home and school full time. If they regress and have a problem they come back into a partial day treatment for IOP because we like to keep them in that home and school environment as much as possible so that they can habituate those skills that we've taught them. I need to clarify that it is not a school. It is maintaining that school environment in a therapeutic setting. As if they were in a residential treatment setting, which we are not a residential treatment setting has a school with a teacher but we are not there to teach. We will work with the schools but it is done in the school setting.

Commissioners and staff discuss the use.

MOTION: Commissioner Larkin made a motion to recommend approval to the City Council of item 1B zone change from PD-R to PD-C for a Matt's Place located at 126 W. 200 N. and approve the conceptual site plan, landscaping plan, building elevations, use, colors and materials board with changes zone same use include all staff comments and also including no overnight stay, the use time Monday through Saturday 8am to 8pm and the design to be consistent with the surrounding area. License service providers with other non-medication management and therapy, social skills and occupational therapy. Setback landscape, lighting and street trees on 200 North

SECOND: Commissioner Barry

AYES (4)

Chairman Nathan Fisher

Commissioner Dannielle Larkin

Commissioner Summer Barry

Commissioner David Brager

NAYS (1)

Commissioner Don Buhner

Motion carries

Chairman Fisher recused himself for item number 2.

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

- A. Consider a zone change amendment to the PD-C (Planned Development Commercial) zone to develop a commercial building on Lot 5 of the BGG Commercial Center on approximately 0.71 acres. This property is generally located southwest of the intersection of Riverside Drive and River Road. Case No. 2019-ZCA-011. (Staff –Ray Snyder)

Ray Snyder presented item 2A zone change amendment as shown in the staff report. Staff recommends a dance studio at this location but it is not included in the PD-C use list. The use list would have to be amended to include this use if approved.

Joe Bowcutt asked about if the roadway access behind this project is a private road.

Ray Snyder explained that the road is private and will go all the way through.

Victoria Hales stated that we don't decide this. We did require them to have a property owner

What the Planning Commission needs to decide is if this is a suitable use for this location or if this would make sense in this area. The legislative decision regarding access to the East is not being considered tonight.

Commissioners and staff continue to discuss the access, cross access agreements and CC&R's.

Grant Carter, Applicant

Miranda Hancock, Manager of Dance Studio

Mr. Carter showed the proposed drive off of the Riverside Access with access as shown on the maps. We would not block this access. The front doors are to the North, enter through Riverside and drop off and go back out as shown on the maps, between 4pm and 8pm at night. The CC&Rs have been amended to include a dance studio but I think this will be a very nice building. It will match the surrounding buildings.

Ms. Hancock stated that the classes begin at 3:15pm, with encouraging carpooling.

Commissioners and applicants discuss the flow of the access.

Victoria Hales stated that this comes in through the adjacent lot to the west with a 25' lot in the BGG commercial to lot 5. This is lot 5 as shown on the maps.

Open the Public Hearing

Close the Public Hearing

Victoria stated that we only have four commissioners because our chair is not voting on this issue and any vote would have to be unanimous.

Commissioners discuss the CC&R's, traffic concerns, access and flow of traffic for drop off.

Commissioner Larkin wants to express her appreciation to those that have written letters, we read them and take these concerns into consideration. She feels that the concerns in these letters have been addressed by the applicant.

Councilman Bowcut asked if there was a change to the drop off, would that change the parking requirements.

Dr. Carter, commissioners and staff discussed the parking, drop off, access as shown on the maps and future development with cross access.

MOTION: Commissioner Brager made a motion to recommend approval to city council of item 2A zone change amendment to the PD-C zone to develop a commercial building on Lot 5 of the BGG Commercial Center generally located southwest of the intersection of Riverside Drive and River Road including all staff comments, conditional upon 1) photometric dark sky lighting 2) including a dance studio in the use list and 3) circulating the access for drop off and pick up.

SECOND: Commissioner Larkin

AYES (4)

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner Summer Barry

Commissioner David Brager

NAYS (0)

Motion carries

B. Consider a zone change amendment for Desert Color Phase 1 Residential Planned Development for a resort space / amenity center. Desert Color is generally located East of I-15 and south of Southern Parkway and west of Desert Color Parkway. Case No. 2019-ZCA-012. (Staff – Carol Davidson)

John Willis presented item 2B zone change amendment for Desert Color Phase 1, as shown on the staff report.

Victoria Hales stated that there is some Desert Color signage we are not approving the signage. All of this came in with the PD and parking across the street will have to be allocated for this particular development.

Commissioner Buehner asked about the pool.

Bob Hermandson, Bush and Gudgell

The resort area is what you are looking at today. For clarification, it states that this is a temporary staging area, this is not a temporary but this is open for anyone in Desert Color.

Commissioner Larkin asked for clarification on the access.

Mr. Hermandson explained that this is a private HOA with fees but anyone that comes with them friends and family can come with them. The flyby is shown and reviewed as shown on the maps, including the clubhouse area with manned gates. This is a desert modern style patterned off of

Lagoona Beach, Florida. Residence will be able to come in and use the deck space, restaurant, with rentable areas. We are building the civic space and the amenities on the front end. This area will serve as the civic space for this area. Single Family detached and attached are shown on the maps. The lagoons with white sand beaches are shown and the details with detention areas are explained to the commission. This is a stand alone unit that is well fed. It doesn't involve secondary water or culinary water at about 10 feet deep at the deepest.

Victoria Hales asked for clarification of parking areas outside of the undeveloped areas.

Mr. Hermandson explained that this model will be added with homes. The boundary areas were reviewed and shown on the maps. Mr. Hermandson explained that the clubhouse will begin immediately and the other development will be coming soon. The amenity and civic spaces are to be up and running before the homes. The sign location is mislabeled but shown in a different location.

Victoria Hales asked if the restaurant is open to the public.

Mr. Hermandson explained that the restaurant is only accessed to members.

MOTION: Commissioner Larkin made a motion to recommend approval to city council of item 2B zone change amendment for Desert Color Phase 1 generally located East of I-15 and South of Southern Parkway and West of Desert Color Parkway including all staff comments, conditional upon parking lot design, zoning regulations, and light plan will meet the

SECOND: Commissioner Barry

Clarification - not approving the signs at this time and the location of the sign

SECOND: Barry

AYES (5)

Chairman Nathan Fisher

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner Summer Barry

Commissioner David Brager

NAYS (0)

Motion carries

3. **CONDITIONAL USE PERMIT (CUP)**



A. Consider a conditional use permit for Advenire Hotel Historic District Bar Establishment. The property is located at the southwest corner of Main Street and St George Boulevard. The property is zoned C-4 (Central Business District). The applicant is SG Boulevard Hotel LLC. Case No. 2019-CUP-009 (Staff – Ray Snyder)

Ray Snyder presented item 3A request to allow Advenire Hotel Historic District Bar as shown in the staff report and on the maps. There are four (4) opposition letters as reviewed. Conditional upon 1) Compliance with the State of Utah alcohol requirements 2) Local Consent requirements and 3) findings A-K are mitigated.

Commissioner Buehner asked for clarification of the bar in the restaurant.

Ray Snyder stated that recently there was an ordinances for four (4) licenses in the Historic District

Legal, commissioners and staff discuss the bar license versus restaurant alcohol license.

Matt Hansen, PEG Development

The bar is connected to the restaurant

Jason Neely, In Group Hospitality

The Sego Ranch restaurant in Kanab just won “Best Dining”. The programing as the restaurant and the bar will be individually separated. We are not trying to turn this into Mesquite or Las Vegas. There is a patio but we haven’t determined whether drinks will be served on the patio. Food will be on in the restaurant and bar. There will be a separate bar.

Matt Hansen explained the floor plan as shown on the maps. It’s a unique hotel, these are higher end four star plus properties. We are providing a place for those that drink to do it in a nice environment. It is a fine establishment experience. We are trying to provide an alternative to the options currently available in St. George. The room rates will not create a negative environment. The bar location is shown on the maps.

Commissioner Brager asked if you can access the patio area from the sidewalk.

Mr. Hansen stated that you cannot access the patio from the sidewalk only an internal access. This is a high level environment, the drinks are in the \$12 to \$15 range.

Commissioner Buehner asked about general public access and pool tables.

Mr. Neely stated that no pool tables, only in his office.

Commissioners and applicants continue to discuss the location of the bar, access to the bar and off premise alcohol. Restrictions allowing alcohol to be served outside on a patio. Mitigating the detrimental effects created by the conditional use.

Victoria Hales stated that a conditional use shall be permitted if the detrimental effects can be mitigated. If they meet the State and City code requirements it doesn't seem like a way to not allow a CUP.

Commissioners and legal continue to discuss the requirements, patio access and approval for this CUP.

MOTION: Commissioner Barry made a motion to recommend approval to city council of item 3A CUP for Adveniere Hotel Historic District Bar Establishment and find that the detrimental effects have been mitigated. Conditional upon following all of staffs recommendations and city and state requirements.

SECOND: Commissioner Brager

Chairman Fisher asked to amend the motion to consider enclosed area would stay available to be open to the public with it being enclosed as shown on the plans.

Motion Amended: Commissioner Barry

SECOND: Commissioner Brager

AYES (5)

Chairman Nathan Fisher

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner Summer Barry

Commissioner David Brager

NAYS (0)

Motion carries

B. Consider a request for a conditional use permit to allow construction of an approximate 17'-9 1/2" high RV Garage on Lot 65 in the Red Butte Phase 4 subdivision. The property is located at 2588 South 2310 East. The property is zoned RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size). The owners are Mr. and Mrs. Matthew Bills. Case No. 2019-CUP-007 (Staff – Ray Snyder)

Ray Snyder presented item 3B a conditional use permit for RV Garage height, location, setbacks, and plans as shown in the staff report.

Commissioners and staff review the height of the garage.

Victoria Hales stated that an indemnification agreement to access public utility easement must be recorded and roof drainage has to drain on their own property.

Mr. Matthew Bills, Applicant

The reason for the height requested is the neighbor drains into his property and a 2 percent slope for the driveway will drain. A french drain will be put in to divert the water from the property.

MOTION: Commissioner Buehner made a motion to recommend approval of item 3B CUP to allow construction of approximately 21' 3 ½ " high RV Garage at 2588 South 2310 East as drawn. Finding that all detrimental effects A-K have been mitigated as noted in the staff report.

SECOND: Commissioner Brager

Victoria Hales requested that a recorded indemnification agreement to access public utility easement be a condition of the approval.

MOTION AMENDED: Commissioner Buehner amended the motion to include a condition of the recorded indemnification agreement to access public utility.

SECOND: Commissioner Brager

AYES (5)

Chairman Nathan Fisher

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner Summer Barry

Commissioner David Brager

NAYS (0)

Motion carries.

4. **PRELIMINARY PLATS (PP)**

Consider a five (5) lot residential subdivision for “Desert Color Resort Phase 1”  
Located east of I-15 and south of Southern Parkway and west of Desert Color Parkway.  
The property is zoned PD TNZ-Resort (Planned Development, Traditional Neighborhood  
Zone). The representative is Bob Hermandson. Case No. 2019-PP- 011 (Staff – Wes  
Jenkins)

Wes Jenkins presented item 4 with four (4) showing as civic space as previously shown on the  
maps.

MOTION: Commissioner Larkin made a motion to recommend approval for item 4  
preliminary plat for “Desert Color Parkway Phase 1” located east of I-15 and south of  
Southern Parkway and west of Desert Color Parkway and include all staff comments.

SECOND: Commissioner Barry

AYES (5)

Chairman Nathan Fisher

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner Summer Barry

Commissioner David Brager

NAYS (0)

Motion carries

5. **FINAL PLATS (FP)**

- A. Consider a one (1) lot commercial final subdivision plat for “1140 South Street  
Church Subdivision.” Located at 1140 South Street and 3210 East Street. The  
property is zoned A-1 (Agricultural). The representative is Marc Brown, Brown  
Consulting Engineers. Case No. 2017-FP-098 (Staff – Wes Jenkins)

Wes Jenkins presented item 5A as shown on the maps. All aspects of this final subdivision plat  
were reviewed and meet the conditions of the preliminary plat. This is not a Commercial  
Subdivision plat.

This is an agricultural final subdivision plat

MOTION: Commissioner Brager made a motion to recommend approval for item 5A final plat for “1140 South Street Church Subdivision” located at 1140 South Street and 3210 East Street and authorize the chairman to sign.

SECOND: Commissioner Buehner

AYES (5)

Chairman Nathan Fisher

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner Summer Barry

Commissioner David Brager

NAYS (0)

Motion carries

B. Consider a thirty-eight (38) lot residential final subdivision plat for the “Residences at Four Fifty.” Located at 450 North Street and 2720 East Street. The property is zoned PD-R (Planned Development Residential). The representative is Michael Purdy, Cornerpoint. Case No. 2019-FP-009 (Staff – Wes Jenkins)

Wes Jenkins presented item 5B as shown on the maps. All aspects of this final subdivision plat were reviewed and meet the conditions of the preliminary plat.

Victoria Hales asked for clarification on the access.

Wes Jenkins explained the access as shown on the maps.

MOTION: Commissioner Barry made a motion to recommend approval for item 5B final plat for “Residences at Four Fifty” located at 450 North Street and 2720 East Street and authorize the chairman to sign.

SECOND: Commissioner Buehner

AYES (5)

Chairman Nathan Fisher

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner Summer Barry

Commissioner David Brager

NAYS (0)

Motion carries

C. Consider an amended and extended final plat request for “**Amira Condominiums**” being a residential subdivision plat. This request is to consider a Final Subdivision Plat for a 47 Unit residential condominium subdivision that is located at 1999 W Canyon View Dr. Zoning is PD-R (Planned Development Residential 5,000 SQ/FT minimum lot size). Michael Purdy, representative Case No. 2019-FP-002.

Wes Jenkins presented item 5C as shown on the maps. All aspects of this final subdivision plat were reviewed and meet the conditions of the preliminary plat. And provide an easement to provide access to this road.

MOTION: Commissioner Barry made a motion to recommend approval for item 5C final plat for “**Amira Condominiums**” being a residential condominium subdivision plat, located at 1999 W Canyon View Drive, conditional upon providing easement access to the existing condos and authorize the chairman to sign.

SECOND: Commissioner Larkin

AYES (5)

Chairman Nathan Fisher

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner Summer Barry

Commissioner David Brager

NAYS (0)

Motion carries

6. **EASEMENT VACATION/AMENDED FINAL SUBDIVISION PLAT (LRE)**

Consider an easement vacation / amended final subdivision plat for “Lot 34 and 35 Colony Park Subdivision Phase 2.” Located at approximately 916 South 800 east Circle. The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size). The representative is Brandon Anderson, Rosenberg Associates. Case No. 2019-LRE-003 (Staff – Wes Jenkins).

Wes Jenkins presented item 6 easement vacation/amended final subdivision plat for Lot 34 and 35 Colony Park Subdivision Phase 2 as shown on the maps.

MOTION: Commissioner made a motion to recommend approval for item 6 easement vacation/amended final subdivision plat for Lot 34 and 35 Colon Park Subdivision Phase 2.

SECOND: Commissioner Barry

AYES (5)

Chairman Nathan Fisher

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner Summer Barry

Commissioner David Brager

NAYS (0)

Motion carries

7. **ROADWAY DEDICATION PLAT (FDP)**

Consider a roadway dedication plat for “Panther Way and 3050 East Street.” Located at approximately Panther Way (750 North) and 3050 East Street. The representative is Michael Purdy, Cornerpoint. Case No. 2018-FP-070 (Staff – Wes Jenkins)

Wes Jenkins presented item 7 as shown on the maps.



MOTION: Commissioner Buehner made a motion to recommend approval for item 7 roadway dedication plat for “Panther Way (750 North) and 3050 East Street” with the condition that the easements be put on the plat and subject to legal review before going to City Council.

SECOND: Commissioner Larkin

AYES (5)

Chairman Nathan Fisher

Commissioner Dannielle Larkin

Commissioner Don Buehner

Commissioner Summer Barry

Commissioner David Brager

NAYS (0)

Motion carries

8. **CITY COUNCIL ACTIONS – February 21, 2019**

*Planning staff will report on the following items heard at City Council*

- A. GPA – Marv Blosch – MDR to COM – expand storage
- B. ZRA – 10-1-11
- C. CUP – Fire Station # 9
- D. CUP – Reserve Garage
- E. CUP – Convert Fire Station # 2

**ADJOURN**

MOTION: Commissioner Brager made a motion to adjourn.

SECOND: Commissioner Buehner

Meeting adjourned at 8:41 pm.