

**ST. GEORGE CITY COUNCIL MINUTES
ELECTRONIC REGULAR MEETING
NOVEMBER 19, 2020 5:00 P.M.
VIA ZOOM**

PRESENT:

**Mayor Jon Pike
Councilmember Michele Randall
Councilmember Bryan Smethurst
Councilmember Gregg McArthur
Councilmember Dannielle Larkin
City Manager Adam Lenhard
City Attorney Shawn Guzman
City Recorder Christina Fernandez**

EXCUSED:

Councilmember Jimmie Hughes

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance.

Mayor Pike read a determination he wrote regarding conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the location based on the following facts:

1. Across the country Covid-19 levels have continued to grow.
2. On Nov 11, 2020, Governor Herbert ordered everyone to wear face masks. In addition, he asked everyone to telework if at all possible and to use extra precautions. He even instructed individuals to not gather socially with anyone they do not live with.
3. The Covid-19 levels in the state of Utah have continued at high rates with Saturday, November 14 reaching an all-time high of 4,986.
4. The hospitals and ICU units are operating at near capacity.
5. Washington County Covid-19 numbers have continued to rise, with 160 new cases, for example, on November 14, 2020.
6. On November 16, 2020, the City Manager, Adam Lenhard, ordered all city employees to telework if it is possible for them to do so.

MOTION: A motion was made by Councilmember Randall to approve the determination.

SECOND: The motion was seconded by Councilmember Smethurst.

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

Councilmember Randall – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye

The vote was unanimous and the motion carried.

The invocation was offered by Reverend Jimi Kestin and the Pledge of Allegiance to the Flag was led by Mayor Pike.

Mayor Pike read a proclamation proclaiming December 1, 2020 as GivingTuesday.

Dawn McLain provided statistics for volunteerism and non-profit organizations.

Kye Nordfelt provided an update on the Bloomington Hills Neighborhood Trail.

Councilmember Larkin introduced Raine Christensen and explained he has started cleaning up trash around the City. He recently began the Love Where You Live campaign.

Mr. Christensen expressed his gratitude and noted he is impressed with City leadership. He thanked those that help pick up the trash throughout the City.

CONSENT CALENDAR:

- a. Consider approval of a Federal Aid Agreement with UDOT for the Foremaster Dr. Culvert Replacement Project.**
- b. Consider approval of a new hangar lease with Northcom 74, LLC for Hangar Lots 56k & 57L.**
- c. Consider approval of an addendum to the Greater Together Small Business Resilience Fund Agreement with the St. George Chamber Foundation to convert the City's original \$250,000 zero-interest loan contribution to a grant.**
- d. Consider approval of Addendum #7 to the Tech Ridge Purchase and Option Agreement for the takedown of 35.74 acres of retired St. George Airport property and to extend the Development Agreement deadline to March 31, 2021.**
- e. Consider approval of an Escrow Agreement for Takedown 2 of the Tech Ridge property by Tech Ridge, LLC. The 35.74 total acres including the property west of Dixie Technical College and the Tech Office parcel, and the Trail Head property to the north.**
- f. Consider approval of the minutes from the meetings held on September 10, 2020; September 24, 2020; October 1, 2020; and November 5, 2020.**

Economic Development and Housing Director Shirlayne Quayle noted items d and e should be approved subject to review by the Legal Department.

MOTION: A motion was made by Councilmember Randall to approve the consent calendar with items d and e are subject to review by the Legal Department.

SECOND: The motion was seconded by Councilmember Larkin.

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

Councilmember Randall – aye
Councilmember Smethurst – aye

Councilmember McArthur – aye
Councilmember Larkin – aye

The vote was unanimous and the motion carried.

AMEND GENERAL PLAN / ORDINANCE:

Consider approval of an ordinance changing the general plan from HDR (High Density Residential) to COM (Commercial) on approximately 3.19 acres located at 1032 East 100 South.

Planner Genna Goodwin presented the request to amend the general plan from HDR (High Density Residential) to COM (Commercial) on approximately 3.19 acres located at 1032 East 100 South. She provided a PowerPoint presentation covering the following topics: existing general plan map. The Planning Commission recommended approval. If the current use remains, the applicant needs to change the general plan to commercial; currently, it does not meet City code. The applicant hopes to expand the number of beds once the zone change is approved.

MOTION: A motion was made by Councilmember McArthur to approve the ordinance changing the general plan from HDR (High Density Residential) to COM (Commercial) on approximately 3.19 acres located at 1032 East 100 South.

SECOND: The motion was seconded by Councilmember Smethurst.

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

Councilmember Randall – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye

The vote was unanimous and the motion carried.

AMEND GENERAL PLAN / ORDINANCE:

Consider approval of an ordinance changing the general plan from PO (Professional Office) and LDR (Low Density Residential) to MDR (Medium Density Residential) and LDR (Low Density Residential) on approximately 1.514 and 1.512 acres respectively for a total of approximately 3.026 acres located at approximately 900 West along Valley View Drive.

Planner Genna Goodwin presented the request to change the general plan from PO and LDR to MDE and LDR approximately 1.514 and 1.512 acres respectively for a total of approximately 3.026 acres located at approximately 900 West along Valley View Drive. She presented a PowerPoint presentation covering the following topics: existing zoning map; existing general plan; and map of proposal. The Planning Commission recommended approval.

After being asked by Councilmember McArthur, Community Development Director John Willis stated this is a change to the general plan. The access will be addressed during the subdivision review.

Applicant Raine Christensen noted the access will be off Valley View Drive. He outlined the proposal for the medium density residential – ten (10) total units in five (5) buildings consisting of duplexes and triplexes, on a cul-de-sac. Most of the units will be owned, not rented. He is aware of the issues that were raised in the past by neighbors, he wants this to be conducive with the neighborhood.

MOTION: A motion was made by Councilmember Larkin to approve the ordinance changing the general plan from PO (Professional Office) and LDR (Low Density Residential) to MDR (Medium Density Residential) and LDR (Low Density Residential) on approximately 1.514 and 1.512 acres respectively for a total of approximately 3.026 acres located at approximately 900 West along Valley View Drive.

SECOND: The motion was seconded by Councilmember Randall.

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

Councilmember Randall – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye

The vote was unanimous and the motion carried.

AMEND PD / ORDINANCE:

Consider approval of an ordinance for a PD (Planned Development) Amendment in order to adjust the approved Desert Color zone plan located at the corner of I-15 and Southern Parkway; zoning is PD-R and PD-C (Planned Development Residential and Commercial).

Planner Dan Boles presented the request to amend the Planned Development in order to adjust the approved Desert Color zone plan located at the corner of I-15 and Southern Parkway. He provided a PowerPoint presentation covering the following topics: proposed changes; setback table; and language correction. The Planning Commission recommended approval.

Applicant Bob Hermandson noted these are all clarification items, not to request any changes.

MOTION: A motion was made by Councilmember Randall to approve the ordinance for a PD (Planned Development) Amendment in order to adjust the approved Desert Color zone plan located at the corner of I-15 and Southern Parkway; zoning is PD-R and PD-C (Planned Development Residential and Commercial).

SECOND: The motion was seconded by Councilmember Larkin.

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

Councilmember Randall – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye

The vote was unanimous and the motion carried.

ZONE CHANGE / ORDINANCE:

Consider approval of an ordinance changing the zone from R-1-10 (single-family residential, 10,000 sq. ft. minimum lot size) to PD-R (Planned Development Residential) on approximately 24 acres generally located on the west side of the intersection of Canyon View Drive and Gap Canyon Drive.

Planner Dan Boles presented the request to change the zone from R-1-10 (single-family residential, 10,000 sq. ft. minimum lot size) to PD-R (Planned Development Residential) on approximately 24 acres generally located on the west side of the intersection of Canyon View Drive and Gap Canyon Drive. He provided a PowerPoint presentation covering the following topics: zoning map; general plan map; conceptual site plan; landscape plan; elevations; renderings; and materials. The Planning Commission recommended approval. A number of neighbors attended the Planning Commission meeting and voiced concerns, mainly with traffic.

Assistant Public Works Director Wes Jenkins provided a background of the traffic studies and roads in the area. A traffic study was performed for the entire development around 2005/2006. The study concluded with 7-8 recommendations of improvements, most of which pertained to Dixie Drive. Other improvements included competition of Canyon View Drive and the extension of Plantations Drive (Gap Canyon Drive) down to the Tonaquint area. As part of their agreement with the City, there is a per lot cost the developer would pay to the City as each subdivision platted to assist with the cost of the improvements along Dixie Drive. The developer has already paid for a portion of the extension of Canyon View Drive. In 2013, the traffic study was updated specifically for this PA area, the completion of Canyon View Drive was recommended. In 2018, the City did a traffic analysis at Dixie Drive and Canyon View Drive to see if a traffic signal was warranted when a commercial subdivision was being proposed. In both traffic studies for 2013 and 2018, the traffic along Canyon View drive was almost identical; traffic on Dixie Drive increased. When the proposed development is complete, the traffic on Canyon View Drive will go from approximately 2,400 vehicles to 4,500 vehicles per day which is under the capacity of about 6,000 vehicles. When the project is complete, there will be five (5) connection points between this area and Dixie Drive. He spoke about the capacity and completion time frames of the other roads in the area.

Mayor Pike inquired about what the City can do to help get the roads completed. He is concerned that too much is developed prior to the roads being built.

Councilmember Larkin commented that she is worried about the traffic in this area.

Mr. Jenkins noted staff will have to keep that in mind and follow up with this issue as the south side progresses. The 2005/2006 traffic study says that if the City feels like traffic has increased, the City Engineer may require additions to the traffic study to explain how traffic will flow out of the subdivision to Dixie Drive.

Applicant Jonathan Jensen explained they are interested in building a project for his company; they are trying to minimize the total impact on the total acreage. Their hope is to provide a sufficient amount of amenities to help residents and visitors to the property. Their goal is to be a long-term stake holder in the St. George area. He understands there are challenges with this property – topography, adding improvements, and utilities; he believes they have been able to work on all of these issues. They would like to build a high-quality project and hope this is a good addition to what St. George is looking for. He recognized that people are stressed with change and they do not discount but rather appreciate the concerns of the neighbors. They hope to create a continuation of enjoyment for the number of people who use the private property currently as the start of their bike rides or hikes.

After being ask by Councilmember McArthur, Mr. Jensen stated there are currently no plans to allow access or a staging area, nor have they created a plan around this opportunity. When the project began, they did not anticipate this continuing, but they are happy to work something out. He would like to use the site plan approval process to give an opportunity to add such components.

Rick Rosenberg explained this project is part of the larger Divario project and part of the development agreement approved several years ago. He noted there is a large recreation area near this property that is proposed to be part of a public park per the development agreement. That area can be available for the continued use of recreation; a number of people currently park and start their rides or hikes there. Development of this proposed project does not prohibit the recreation use that is happening now. There are plans as a total, to maintain the recreational biking. He showed the trail corridors on the project master plan. The community park will be about 25+ acres and can provide good access. He added this project contributed to the construction Sunbrook Drive, the extension of Canyon View Drive, and are setting aside funds to pay for other improvements as required. The entire traffic plan in this area were all master plan issues that were made as a result of the planning of this property over the past 30 years.

Mr. Boles suggested that if approved, the applicant work with staff to work on a conservation easement or something to lock in the open space on PA3.

Mayor Pike commented that he appreciated Mr. Jensen for saying that they would be willing to help facilitate trail access. He would like to see this as a stipulation as part of the motion.

City Attorney Shawn Guzman agreed. He would like to see a conservation easement in favor of the City so everyone knows they have to come to the City to do anything with the property.

Councilmember McArthur asked if the Council wants higher density with open space or medium density on this parcel.

Councilmember Larkin noted she is not against higher density development in certain areas of this development; however, Gap Canyon is iconic and highly used. She is

concerned about higher density near and the view from Gap Canyon; she would like the buildings to be lower. Further, she is concerned with the parking from a high-density project. She would like to see a lower impact, medium density project in this particular spot.

Councilmembers Randall and Councilmember Smethurst agreed.

Mayor Pike noted this property is currently zoned R-1-10 and on the general plan was planned for medium density residential. He asked how much of the property is developable and how many homes would be built if it remained R-1-10 and would that work.

Mr. Rosenberg replied he believes most of the property is developable and approximately 75 homes could be built if the property remained R-1-10. He outlined options for the site.

Mr. Boles put a map on the screen and outlined the planning area.

Mr. Jensen noted the majority of what they do not plan to build on is developable. They prefer not to move mountains. He spoke about the height of the proposed project. The plan shows the buildings far from the neighbors to the east, maybe they should move back towards the road.

After being asked by Councilmember McArthur, City Attorney Shawn Guzman explained the development agreement has a map for this pod. He asked Mr. Boles what the map says. Mr. Boles showed the map and stated it shows medium density residential, up to nine (9) units per acre. Mr. Guzman stated there is topography and infrastructure to take into account. Parking was brought up as a concern, he believes this is a valid concern as Gap Canyon Drive will be an arterial road and was not designed to allow for parking. If there is a concern with the number of stalls for this project, the Council can take that into consideration and may reduce the amount of overall units on the parcel.

Councilmember McArthur commented he project could be a higher density than R-1-10; however, what has been proposed is not what he believes the Council wants to see on this property based on tonight's discussion.

MOTION: A motion was made by Councilmember McArthur to deny the ordinance changing the zone from R-1-10 (single-family residential, 10,000 sq. ft. minimum lot size) to PD-R (Planned Development Residential) on approximately 24 acres generally located on the west side of the intersection of Canyon View Drive and Gap Canyon Drive.

SECOND: The motion was seconded by Councilmember Randall.

Councilmember Randall commented she would like the applicant to return with something that is better suited in this area. The plans proposed is too much density in one area.

Councilmember McArthur noted the density is approved at up to nine (9) units per acres and per the plans, it feels like the developer is trying get all nine (9); he doesn't feel it quite works.

Councilmember Larkin agreed. She believes this is one of the most valuable areas of the City.

Councilmember Smethurst commented that the proposal is too much in one area and does not believe it fits.

Mr. Jensen noted he is aware of the recreating in the area, he did not know how many people are trespassing to recreate in the area. He does not discount the concerns of the Council and noted they are conscience of the elements in the area.

Mayor Pike read a chat from Mark Teepen.

Mr. Teepen explained they have worked over the years to ensure the canyons remain open to the public. This project, as it is clustered, provides for a better viewshed. With regards to the parking, they can add more stalls if necessary. They have made efforts to keep this area beautiful.

Mayor Pike commented he appreciates what their team is trying to do overall. The struggle is that this is an important piece and will be a big change if approved as presented. The Council is not saying they don't want anything built, they have something else in mind.

City Attorney Shawn Guzman advised this is part of a development agreement with a master plan; therefore, he asked for clarification on why the item was denied so the developer understands what the Council may consider.

Councilmember McArthur outlined the reasons for denial; the clustered aspect of the project - the Council would like to see it spread-out a bit more; parking issues; and access to the trails for those that want to continue to utilize the area.

Councilmember Larkin added height is a big deal, as well as pitched roofs – the Council would like a low visual impact.

Mayor Pike noted the height would be under 35 feet; a single-family home could be that tall.

Mr. Willis stated the proposed height is 39 ½ feet.

Councilmember Larkin commented the spirit of the message it to have a low visual impact. What was proposed was a higher visual impact. She appreciates all of the open space being preserved. The open space will be what sells the property and valued generation after generation.

Councilmembers Randall and McArthur agreed adding these notes to the motion.

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

Councilmember Randall – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Consider approval of the preliminary plat for Johnson Arch at The Ledges Phase 2 a 17-lot residential subdivision located approximately 5500 North and 1420 West (Johnson Arch Drive).

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Johnson Arch at The Ledges Phase 2 a 17-lot residential subdivision located approximately 5500 North and 1420 West (Johnson Arch Drive). He showed and outlined the preliminary plat.

MOTION: A motion was made by Councilmember Randall to approve the preliminary plat for Johnson Arch at the Ledges Phase 2.

SECOND: The motion was seconded by Councilmember Smethurst.

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

Councilmember Randall – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Consider approval of the preliminary plat for Rilassante at Divario, a 1-lot residential subdivision located in the Divario Development along the future extension of Gap Canyon Parkway south of the intersection of Sunbrook Drive and Gap Canyon Parkway.

Assistant Public Works Director Wes Jenkins stated this item was associated with the zone change that was denied.

As the applicants left the Zoom meeting prior to this item, City Attorney Shawn Guzman advised the Council to table the item.

MOTION: A motion was made by Councilmember Randall to table the item until December 3, 2020.

SECOND: The motion was seconded by Councilmember Larkin.

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

Councilmember Randall – aye
Councilmember Smethurst – aye

Councilmember McArthur – aye
Councilmember Larkin – aye

The vote was unanimous and the motion carried.

REPORTS FROM MAYOR, COUNCILMEMBERS, AND CITY MANAGER:

No reports were given.

ADJOURN:

MOTION: A motion was made by Councilmember Randall to adjourn.

SECOND: The motion was seconded by Councilmember Smethurst.

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

Councilmember Randall – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye

The vote was unanimous and the motion carried.

Christina Fernandez, City Recorder