

NOTICE OF MEETING  
PLANNING COMMISSION  
CITY OF ST. GEORGE  
WASHINGTON COUNTY, UTAH

**PRESENT:** Chairman Ray Draper  
Commissioner Natalie Larsen  
Commissioner Steve Kemp  
Commissioner Elise West

**CITY STAFF:** Assistant Public Works Director Wes Jenkins  
Community Development Director John Willis  
Assistant City Attorney Bryan Pack  
Planner III Dan Boles  
Planner III Michael Hadley  
Development Office Supervisor Brenda Hatch

**EXCUSED:** Commissioner Emily Andrus  
Commissioner Nathan Fisher

**CALL TO ORDER/FLAG SALUTE**

Chair Draper called the meeting to order at 5:00 pm. Commissioner Larsen led the flag salute. Chair Draper announced that because we only have 4 commissioners all items will need to be unanimous and if any applicant would like to pull their item please let staff know. Chair Draper indicated that item 2A was pulled from the agenda.

**1. ZONE CHANGE AMENDMENT (ZCA) (Public Hearing) Legislative**

- A. Consider a request to amend the Snow Canyon Commercial Planned Development zone to add “grocery store” to the approved use list and review the conceptual site plan for a grocery store on approximately 4.75 acres located generally on the south-west corner of Snow Canyon Pkwy and 2000 North. The applicant is Brokers Investments, LLC and the representative is Neil Walker. The project is known as Snow Canyon Commercial Center. Case No. 2021-ZCA-020 (Staff – Dan Boles)

Dan Boles presented the following:

Dan Boles – The general plan suggests commercial, the use does comply with that designation. There were some categories that would have worked for what they propose to do, there is retail listed. Just to be clear they are asking for the use of grocery store to be added tonight. They are meeting the parking requirements and the drive aisle requirements. They are showing a pad out toward the street, if and when that is built it will need to come back through the process. The building does meet the height requirements. The landscape that is showed does meet code; we will look at it closely if this is approved. The building will be primarily brick, stucco, and split faced CMU. Hardy board will be used as an accent. It will be 29 feet tall. There is an 18-foot sign proposed.

Commissioner Larsen – The lights, how tall will they be?

Dan Boles – You can go up to 30 feet high, everything has to be downfacing, you can have 1-foot candle at the property line and cannot exceed 10-foot candles on the site.

Commissioner Larsen – Will they have access on 2000 North or off of Snow Canyon Parkway?

Dan Boles – The site plan shows both.

Commissioner Kemp – What about the power line easement?

Dan Boles – It basically follows the landscape.

Neil Walter – I am the applicant. The property was rezoned as PD a couple of years ago, but prior to that it was zoned commercial. We are working with the City to design for traffic control. We are seeing a couple sites for example, in the other municipalities, where the back of the building is sitting really close to the neighborhoods, as close as possible. Because of the power easement we have a substantial setback to try and create room. We are substantially lower than the maximum height of 40 feet for a residential home. We tried to be very sensitive to the neighbors in the area. There is an easement across the two parcels for access to Dixie Drive to try and make sure the circulation is good.

Chair Draper – So the lighting will they be 30-foot poles?

Neil Walter – Yes, we are sensitive to the lighting we recognize that this is an important issue and we are not proposing to light it up.

Chair Draper – Is there a reason you asked for an 18-foot sign, when only 15 feet is allowed by code?

Neil Walter – No, that was maybe an oversight on our part, we are not seeking anything that is non-conforming.

Chair Draper – What about hours of operation?

Neil Walter – I don't know the answer to that, but the operator of the store is here on Zoom and could speak to it.

Commissioner West – To get into the shopping center on 2000 is there a turning lane on 2000? What about U-turns?

Neil Walter – There is currently a turning lane on 2000. U-turns would be up to the city.

Discussion continued on traffic at the intersection and turning in and out of the property.

Commissioner West – Do you think there is a need for this store when there are 2 other stores so close by?

Neil Walter – Jared Mitchell from Associated has looked at the market studies and they feel like there is a need that is being unfulfilled.

Commissioner Larsen – Do you have any anticipation on when the other two parcels will be developed?

Neil Walter – I can only speculate. Harts was slated to be on the corner, they sold their company and the parcel. We are waiting to see what the proposal is.

Tim Rigby – We are excited about this project; we think it's in a great location. I know one of the questions are the hours of operation. We are looking at 7:00 am to 11:00 pm, the lighting in the parking lot would dimmish after the closing.

Chair Draper opened the public hearing.

John Brems – My concern is that Snow Canyon Parkway is a beautiful road, St. George has spent millions on it. This development is not quite there, I think it detracts from Snow Canyon Parkway; it needs more 360-degree architecture. I don't see anything about roof treatment. Most of the houses in Castle Rock will look down on this building without roof treatments we will be looking at air conditioners. The lighting plan, comments from staff say that it's subject to a photometric plan that will be required but it doesn't what it will provide. Will there be dark sky treatment standards? What about trespass etc.? The sign is too tall, it's not consistent with the area. There is no definition in St. George Code for a grocery store. Before this is added I want to know what you mean by grocery store. There is no reference to hours of operation or delivery hours. I don't see any plan or location of delivery docks or how semi traffic gets in and out. These are my initial comments, I think it needs more work.

Commissioner West – I was wondering myself about the semis, the flow of traffic of cars going in and out.

Joyce Kelly – I would like to second all of the comments of the person who just spoke. Snow Canyon Parkway is a gem of St. George, by allowing a grocery store into the code, is like literally changing the rules in the middle of the game. You will then make Snow Canyon Parkway like every other over developed, traffic riddled, street. I wish the members of the Planning Commission would actually go out to Snow Canyon, look at Pioneer Parkway, look at Dixie Downs Drive. All of those intersections are heavy with traffic. It's dangerous at this point as it is. A grocery store would be a magnet for more traffic. It's going to lessen our value of life. The increased traffic is going to be dangerous. People also come here to recreate. This is the second time that this zone has been asked to be changed, you keep changing the rules, I don't understand why there are zones if we're not going to stick with them. And as the gentleman spoke this project has a lot of work to do on it. I wish you would take consideration of the residents that live in this area. I've been a resident of St. George for 20 years; I've lived in this area for 15 years. The parkway is a beautiful thorofare.

Lex Ence – In listening to this gal talk I agree with her in a lot of ways. One thing I think that is important to remember is that if a grocery store or growth doesn't happen in additional places, what do you think happens to the places where those grocery stores are? The impact only increases there. It is important to continue to build the infrastructure to accommodate all the people who are moving

to the area. They are coming in large amounts. We need to keep in mind the impacts of the whole area not just one roadway.

Ashlee Phillips – Right across the street from the grocery store on 2000 is an elementary school. Where I'm from alcohol is sold in grocery stores and I know Utah's laws have loosened. I am afraid of the elementary school right across the street from a grocery store, it just doesn't make sense from a residential and from a safety standpoint for the kids also.

Mark Colo – We are planning on moving to St. George, my concern is do we have enough information to make this decision. I think there are there are probably still some stones to be overturned and some other questions to be answered. What is the color of this building? I know it might sound minor, but sometimes they stand out more if they are a certain color. Do we know what color it is going to be? Will it have public restrooms?

Michelle Gregory – I stated all of my concerns in my letter. It's not just the hideous grocery store which we don't need, we already have 2 major grocery stores within 1.2 miles. I don't get why anybody thinks we need a grocery store at this intersection. No one has discussed the 196 retail stalls that is in the plan to be built on the same parcel. You're talking about major, major retail, probably boutique type stores and then aren't you also considering some sort of a fast-food drive thru on that plan? I can't imagine that the access points that you are showing on that diagram, I mean it is just going to be a nightmare. Plus, the fact that it is going to totally ruin the whole look of Snow Canyon Parkway.

Chair Draper closed the public hearing.

Chair Draper re opened the public meeting.

Elwin Davis – I live in Castle Rock. We have a lot of traffic from Ivins and Ivins is growing tremendously. They are building a lot and traffic is a problem. We have had accidents from people coming out of our subdivision onto Snow Canyon Parkway. That amount of traffic, the increase and the way people drive on Snow Canyon Parkway is an issue. What will Digby's give us that the stores that are nearby don't? I have to drive and getting in and out of our subdivision is very difficult. Sometimes the only option is to go out then make a U-turn to get onto Snow Canyon Parkway. The traffic really needs to be looked at. Unless there is an overwhelming reason for that store to be there, I see no reason to grant permission to build there.

Chair Draper Closed the public hearing.

Chair Draper – For the record we indicate that multiple opportunities, multiple vehicles for speaking on this issue have been provided through Zoom using the reaction button, the chat feature and \*9 on the phone.

Neil Walters – Thank you, I wanted to comment on a few of the concerns. I think traffic is a significant concern in our community. We are anxious to be supportive and work with the City to increase the safety at this intersection. We have already indicated that we are happy to work with the City on the sign height and the lighting. We have planned for the semi traffic and how that would work, we have a plan for that which can be submitted to staff. The property here has been

zoned commercial for a long time, we rezoned to PD because the City felt that was the right thing to do. There was a mention from the distance to the elementary school, but I think we have conformed to the distance, we will work with staff to make sure. We know that this is high visibility, that many people are coming to our area and we want to have a high-quality project that is a credit to the community.

Commissioner Larsen – Wes, has there been a traffic study recently on Snow Canyon Parkway?

Wes Jenkins – I don't know for sure, but I think so because the City has been in process to find a way to mitigate the traffic, we have looked at a roundabout and a signal.

Commissioner Larsen – What made you not do the roundabout?

Wes Jenkins – Cost. I believe the signal will be in before this is built, we have the design now so it can be bid out.

Commissioner Kemp – Based on my reading of the use list, I don't think you needed to bring this forward, it is clear that everything a grocery store has is in the use list.

Commissioner Larsen – I think we need to be sensitive to the whole community, as we try to become more of a walking community and a stay in your neighborhood community, as long as it's done well.

Commissioner Kemp – We did receive all the letters, we have personally read all the letters, most of the time we go out and look at these things before the meeting. I know that staff is putting in a lot of time with the developer to make sure that use of the property fits with the neighborhood.

Chair Draper – We take this position very seriously and we try to make the best decisions for the community.

Commissioner West – Thank you for taking the time to send the letters, they are looked at.

MOTION: Commissioner Larsen made a motion to recommend approval of item 1A Snow Canyon Commercial Planned Development with all of staff's recommendations including the lighting and the sign be within ordinance.

SECOND: Commissioner West

ROLL CALL VOTE:

AYES (4)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Natalie Larsen

Commissioner Elise West

NAYS (0)

Motion Carries unanimous recommend approval

- B. Consider A request for a zone change amendment to the Ledges of St. George PD. The property currently is zoned M & G (Mining and Grazing). The property owner is requesting the property be zoned PD-R (Planned Development Residential) and be added to the Ledges of St George PD. The property is generally located at 1550 W and 5150 N and is approximately 12.5 acres. Applicant is The Ledges at Snow Canyon LLC and the Representative is Stacy Young. Case No. 2021-ZC-021 (Staff – Mike Hadley)

Mike Hadley presented the following:

Mike Hadley – This piece is located kind of in the middle of nowhere right now. The general plan is LDR it allows up to 4 units per acre, they have indicated with this application that there will be no more than 3 units per acre.

Chair Draper – You said this area was included in the master plan, is that right?

Mike Hadley – No, this zone change is to add it to the master plan.

Commissioner Larsen – To the south of this is where the storage units are going?

Mike Hadley – Yes, there is a proposal for that.

Stacy Young – The land ownership is slightly different on either side of this property; we have recently acquired it. This will be more of the same lot sizes that we have going on out there.

Chair Draper opened the public hearing.

Lynn Morgan - I have concern how they are going to access this and if they will add more roads.

Chair Draper closed the public hearing.

Chair Draper – For the record we indicate that multiple opportunities, multiple vehicles for speaking on this issue have been provided through Zoom using the reaction button, the chat feature and \*9 on the phone.

Stacy Young – We will be extending Ledges Parkway on the south and will continue to a roundabout then from there one of the roads will extend to the storage facility and we will pave as we go.

Commissioner Larsen – So if I understood it will continue along highway 18 going south, it's not going through a neighborhood?

Stacy Young – The alignment is basically where the existing dirt road is. If you were to drive out to the equestrian center today, the road roughly follows that alignment.

Commissioner Kemp – From reading the narrative and looking at it, the densities that they are adding are well below the amount approved with the original approval.

MOTION: Commissioner West made a motion to recommend approval of Item 1B a zone change amendment to the Ledges of St. George including all of staff's comments.

SECOND: Commissioner Kemp

ROLL CALL VOTE:

AYES (4)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Natalie Larsen

Commissioner Elise West

NAYS (0)

Motion Carries unanimous recommend approval

- C. Consider a request for an amendment to the Desert Color PD (Planned Development). The application is a request for approval of a zone change amendment in order to construct the next pod in the Desert Color development. The pod is 58.58 acres. This proposed phase would create 262 new units of single and multi-family housing. The location of the proposed pod is directly south of the existing Auburn Hills phases 3 and is called Sage Haven Plat B. Case No. 2021-ZCA-023 (Staff – Dan Boles)

Dan Boles presented the following:

Dan Boles – Last meeting you heard Sage Haven plat A; this is the second half of that. These are mostly single family. You are looking at the multi-family portion of this. They are meeting and exceeding their civic and open space requirements. There will be one new product here, they don't have it designed. Those will have to come before you once they design that product. They have exceeded the parking requirements combined with plat A and plat B. Most have a driveway, but if not, they have the visitor parking. There will be a total of 262 units, 197 will be single family 65 will be multi-family.

Commissioner West – What is the half circle there?

Dan Boles – I believe it is civic space. The applicant can answer that.

Ryan Lay – I'm here on Bob's behalf. I believe that is civic space.

Chair Draper opened the public hearing.

Chair Draper closed the public hearing.

Chair Draper – For the record we indicate that multiple opportunities, multiple vehicles for speaking on this issue have been provided through Zoom using the reaction button, the chat feature and \*9 on the phone.

MOTION: Commissioner Kemp made a motion to recommend approval to the City Council Item 1C for an amendment to the Desert Color PD on 58.58 acres including all comments made by staff and what is included in the development agreement.

SECOND: Commissioner Larsen  
ROLL CALL VOTE:  
AYES (4)  
Chairman Ray Draper  
Commissioner Steve Kemp  
Commissioner Natalie Larsen  
Commissioner Elise West  
NAYS (0)  
Motion Carries unanimous recommend approval

**2. ZONE CHANGE (ZC) (Public Hearing) Legislative**

- A. Consider a request to change the zone from R-4 (Multiple Family Residential) to C-3 (Commercial). The property is generally located at 1032 E & 100 S and is approximately 3.14 acres. Case No. 2021-ZC-019. Applicant is Quail Creek Health Holdings LLC and the Representative is Scott Woolsey (Staff – Mike Hadley)

THIS ITEM WAS PULLED FROM THE AGENDA

- B. Consider a request for a zone change from A-1 (Agricultural 1-acre minimum lots) to RE-12.5 (Residential Estate with a minimum lot size of 12,500 sq ft). The property is generally located at the corner of River Road and 2800 S and is approximately 7.09 acres. Case No. 2021-ZC-022. Applicant is Dixie Property Holdings LLC and the Representative is Laura Hermes. (Staff – Mike Hadley)

Mike Hadley presented the following:

Mike Hadley – There is RE-12.5 to the east and south. R-1-10 to the north, RE-12.5 to the south. The general plan designates this a LDR which is 4 units per acre. There is a commercial area shown to the west.

Commissioner Larsen – On the north side is that a wash?

Mike Hadley – There is a canal there and I believe there is a plan to put a trail there on the north side of the property.

Chair Draper – Will they cover the canal?

Mike Hadley – I’m not sure if they decided to enclose or cover it or not.

Commissioner Larsen – I know traffic is very tricky on that corner, is there any plan to do a right-hand turn lane?

Mike Hadley – That would need to come in for a zone change to make the property across the way commercial it is only indicted on the general plan.

Laura Hermes – We plan to carry 2000 E through the parcel to help with the traffic.

Chair Draper opened the public hearing.

Dennis Lamb – This section of ditch is open, the part in Bridal Gate portion was enclosed. There is a bike path right of way and there is an easement with utilities. We want to know who owns the ditch? Who is responsible to maintain it? I think the City is, they came out last year and cleaned out some bushes. I met with the City engineer in 2016 and she told me that was a drainage ditch. That ditch is full with water. I was told that it was part of the master plan that the ditch would be covered and there would be a bike trail built on it. Concern with water and flooding was expressed. I am supportive of making the zone change but after these concerns are addressed. Why did Sunterra get a pass and not develop that as the trail system? Does the owner know that they are signing up to cover that ditch?

Jerry Johnson – When I first moved here in 2011 you could jump across that ditch and it wasn't very deep. It's gotten deeper and deeper. All the water from all the drainage goes into that ditch, who is going to take care of that ditch. I would like to know where the road is going to come out. I would like to know if the owner has done soil tests.

Lex Ence – I can give you some background on this. I looked at buying this property from my grandma a couple years ago. Washington Conservancy District own that ground and it is their job to maintain that waterway. They have some kind of agreement with the City to maintain it. They admitted the liability that they were open to by leaving it open. That isn't a bike trail, it is an equestrian trail for livestock. That is a huge concern that they left it open. Alpha Engineering did drainage studies which I don't think were complete. Concern for the drainage was expressed. They have to figure out how to cover the ditch, it is a liability to the City and the Conservancy District. It's irresponsible to not do something with that. They need to figure out the drainage over here. I have tried to contact the City for the past year about the drainage. I have not got any response from the City; I am ready to sue all parties involved.

Jana Barlow – I live right next to this property on the north. I am agricultural also. If this changes from agricultural I think I'm the only one left. I look out my back window and after a rain storm or after Fort Pierce has water in it this area is flooded. This intersection has mud. Ft. Pierce floods 3 or 4 times a year. I don't know how they can give people permission to build homes here. This ditch that they are talking about, they come along and drain it out, the grate gets plugged up and floods over too. If something isn't done about it, I don't know how you give them permission to build.

Donald Johnson – I am a grandpa and grandpas are sometimes protective of your grandkids. That ditch is not less than 25 ft wide and it goes from about 15 feet to 6 feet deep in places. If a kid falls in it, I don't think they are going to get out. This is a family neighborhood. We were promised when we bought the home it would be a trail and it would add to our property value. The bottom of the ditch is full of debris. I have no beef with putting homes in this area, but this ditch needs to be dealt with to remove liability and enhance our neighborhood.

Todd Smith – The ditch goes from covered to uncovered right at the corner of my house. I'm all for homes, but we are going to increase the scope of liability which increases the liability to all of us. If we are putting roads and non-porous surfaces, we will increase the water in the area. This is the right time to put something in place to resolve these issues. We get all of the run off from The Knolls. There is a lot of water running down that ditch.

Curt Shattuck – I live right here in Rink Estates, my concern is we are going to have a lot more traffic on 2800 South, taking a left if very difficult. This is a wonderful property, but after a rainstorm I have seen it have 2 plus feet of water. I am concerned about the water. There is actually a small drainage ditch that is supposed to be to the east of Todd Smith's property that has been filled in. There are a few things to address, I am not against the zone, I am concerned about how small the lots will be.

Chair Draper closed the public hearing.

Chair Draper – For the record we indicate that multiple opportunities, multiple vehicles for speaking on this issue have been provided through Zoom using the reaction button, the chat feature and \*9 on the phone.

Commissioner West – Where is the water coming from?

Commissioner Kemp – I believe that the Washington Canal Company owns the ditch.

Wes Jenkins – I believe that the 3 detention basins that come from Washington City go into the 42-inch storm drain system. When Meadow Valley Estates and Coyote Springs developed, the Conservancy District, the City, and the developers shared the cost to pipe the canal. When Sunterra developed the Conservancy would not participate so the City would not participate, the developer did not have enough funds to pay for it, so the City allowed them to develop leaving the canal open. The City has an application in to get monies to pipe the ditch from the NRCS, it will pipe the ditch from Little Valley Road to the Ft. Pierce wash. That ditch is a stormwater ditch, it takes a lot. One of the concerns about developing this property is the drainage, it is in a low spot.

Commissioner Larsen – When the owner spoke, she said they were going to finish 2000 East, will that alleviate some of this?

Wes Jenkins – That will help traffic flow, but not drainage.

Chair Draper – I am assuming that this property owner would work with the City to cover up the ditch. Tonight, this is just a zone change so when they come back through to develop, they will need to address all of these items.

Wes Jenkins – When the preliminary plat comes through, we will ask for more detail regarding drainage than we do on normal subdivision.

MOTION: Commissioner West made a motion to recommend approval of the zone change for number 2B a zone change from A-1 to RE-12.5.

Commissioner Kemp – I am uncomfortable with all the issues.

Bryan Pack – All these issues will not be resolved tonight; this is for the zone change only, that is all that will

be acknowledged with this motion.  
SECOND: Commissioner Kemp  
ROLL CALL VOTE:  
AYES (4)  
Chairman Ray Draper  
Commissioner Steve Kemp  
Commissioner Natalie Larsen  
Commissioner Elise West  
NAYS (0)  
Motion Carries unanimous recommend approval

Chair Draper – We will take a 5-minute recess.

Chair Draper – We will reopen the Planning Commission meeting.

### **3. HILLSIDE PERMIT (HS) Administrative**

Consider a request for a Hillside Development Permit to allow development of a Restaurant/Multi-Tenant Commercial Building located at approximately 1276 S Black Ridge Drive and 1190 S Bluff Street. The property is zoned C-2 (Highway Commercial) and is approximately 2.13 acres. The Applicant is Commerce Point LLC and the representative is Austin Akin. No. 2019-HS-012. (Staff – Wes Jenkins)

Wes Jenkins presented the following:

Wes Jenkins – This property really isn't in the hillside; it is in the geological hazard area. The UGS put together these maps and they are kind of like the general plan, they are bubbles. Because this property fell in this area, we required this to go to hillside.

Chair Draper - There are some buildings already above that, right?

Wes Jenkins – Yes. The applicant submitted a hillside study, there was some discussion that the landslide study was too narrow and it didn't focus on the landslide, just the hillside adjacent to the property so the hillside tabled it and asked them to look at the other reports and come back with another study. They did come back, and their study was different than the study for the hotel. We had two studies that didn't agree, so the City hired a 3<sup>rd</sup> party to look at this study, they were the 3<sup>rd</sup> party reviewer for the hotel study. The 3<sup>rd</sup> party felt like this study had merit. Our 3<sup>rd</sup> party reviewer felt comfortable with the study and that this property wouldn't need to be held the conditions the hotel was. They are saying that the slip point comes out west of where their project is, so they don't have to worry about the factor of safety for the entire landslide. They did say to get it to a 1.5, they are going to put in a wall that is 18 inches thick that goes down at least 4 ft to get below that slip. The 3<sup>rd</sup> party reviewer said they were comfortable with that analysis.

Commissioner Kemp – I am wondering when they produced that map?

Wes Jenkins – I'm not sure.

Discussion on the map and what it shows.

Commissioner Kemp – By having a 3<sup>rd</sup> party reviewer look at this would we be incurring any liability?

Bryan Pack – Not any more than we would anyway, it's up to the developer to fix these problems. It's not up to the City to fix them.

Discussion continued on liability.

Commissioner Larsen – Black Ridge Drive is really wonky, so I'm wondering if they put something under that?

Wes Jenkins – I believe they did put in some geogrid. That is some of the concern, you will see some of that on those roads in the future. If you keep the water away and out of it, you can really limit the way that it would heave.

Commissioner West – I wonder why that land would be considered to be built upon, when you have to have all these studies and mitigation?

Commissioner Kemp – Money, there are only certain places you can do commercial where it can be seen.

Commissioner Larsen – Are these two property owners working together?

Wes Jenkins – Not that I'm aware of.

Discussion continued on the other development and whether the developers are working together.

Wes Jenkins – The only condition would be to follow what was written in the study done by the Geotechnical engineer. They would have to make sure those measures are taken.

MOTION: Commissioner West made a motion to approve Item 3 a Hillside Development Permit to allow development of a Restaurant/Multi-Tenant Commercial Building.

SECOND: Chair Draper

ROLL CALL VOTE:

AYES (2)

Chairman Ray Draper

Commissioner Elise West

NAYS (2)

Commissioner Steve Kemp

Commissioner Natalie Larsen

Motion failed

Commissioner Kemp – I have concerns about the site. I am concerned about the liability to the City.

Chair Draper – I think if staff is comfortable and the attorney said that we wouldn't gain any more than normal liability then I am ok with it.

John Willis – You have a couple of options; you can recommend denial and it will still move on to City Council and they will either approve or deny it. The other option is to table it to the next meeting.

Commissioner Kemp – I am wanting to table it so that it can come before the entire Planning Commission.

Commissioner Larsen – I have lived in the area a long time and I have seen great geological findings and I have still seen the mountains move. I think that we have 2 opposing studies.

Austin Atkin – We have been working on this project for quite some time, it has been approved by the hillside committee. Our soils engineer is competent, he can answer technical questions if the Commission would like. We are comfortable and we would like to move forward.

Chair Draper – The hillside committee has approved this, right? They know more about the hillside than I do.

Commissioner Kemp – I would like to see a full commission here to make this decision. I don't feel comfortable moving forward.

Commissioner Larsen – I think Black Ridge Drive speaks for itself it is still moving.

MOTION: Commissioner Kemp made a motion to table Item 4A to the next meeting on March 9, 2021.

SECOND: Commissioner Larsen

ROLL CALL VOTE:

AYES (4)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Natalie Larsen

Commissioner Elise West

NAYS (0)

Motion Carries unanimous recommend approval

#### **4. CONDITIONAL USE PERMIT (CUP) Administrative**

A. Consider a request for a Conditional Use Permit for the Commerce Pointe Phase 1 commercial development. The applicant is seeking approval of building 1200 on Lot 3 for a multi-use restaurant. The property is located at the northwest corner of South Bluff Street and Black Ridge Dr. The applicant is Commerce Point LLC and the representative is Austin Atkin. Case No. 2021-CUP-002 (Staff – Mike Hadley)

Mike Hadley presented the following:

MOTION: Commissioner Larsen made a motion to table Item 4A to the next meeting on March 9, 2021

SECOND: Commissioner Kemp

ROLL CALL VOTE:

AYES (4)  
Chairman Ray Draper  
Commissioner Steve Kemp  
Commissioner Natalie Larsen  
Commissioner Elise West  
NAYS (0)  
Motion Carries unanimous recommend approval

- B. Consider a request for a Conditional Use Permit to amend an existing short-term rental/bed and breakfast to allow for construction of an on-site manager suite. The project is located at 217 North 100 West. The applicant is Scott Armour. The project is known as the Mulberry Inn. Case No. 2021-CUP-004 (Staff – Dan Boles)

Dan Boles presented the following:

Dan Boles – This has actually been a bed and breakfast since 1981, then sold in 2020, at that time the CUP was amended to add short term rental. Currently this is being operated as a bed and breakfast with a manager living in one of the 7 rooms. They would like to amend the conditional use permit to provide a manager’s suite, so 7 rooms plus a manager suite. Their parking is sufficient. They are doing a small amount of remodeling. They will still have one garage doors.

Commissioner Larsen – That is a wonderful house, I have spent some time there as a child.

Discussion on the house.

MOTION: Commissioner Kemp made a motion to recommend for approval a conditional use permit for Item 4B to amend an existing short-term rental/bed and breakfast to allow for construction of an on-site manager suite. The project is located at 217 North 100 West. Including the review criteria included in the packet by staff.

SECOND: Commissioner Larsen

ROLL CALL VOTE:

AYES (4)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Natalie Larsen

Commissioner Elise West

NAYS (0)

Motion Carries unanimous recommend approval

- C. Consider a request for a Conditional Use Permit to operate a short term (vacation) rental on a designated landmark site. The project is located at 163 South Main. The applicant is Alex Lindgren. The project will be known as the JJ Milne Home. Case No. 2021-CUP-003 (Staff – Dan Boles)

Dan Boles presented the following:

Dan Boles – The property was designated by the City Council as a Landmark Site in December of 2020. The applicant is making some improvements to the home, there is a list of things they are planning on doing. The parking spaces appear to be sufficient. Staff has recommended approval.

Commissioner Larsen – Is there a manager, and is there a maximum that can stay there? I have a concern with that downtown.

John Willis – You can put a cap on how many people can stay there with this Conditional Use Permit and I would recommend you do. They are requesting 10 people. The City has given these landmark homes the opportunity to have these conditional uses if they maintain the historic home.

MOTION: Commissioner Kemp made a motion to recommend approval on Item 4C a request for a Conditional Use Permit to operate a short term (vacation) rental on a designated landmark site. The project is located at 163 South Main based on the conditions that are listed in the review criteria in the packet.

SECOND: Commissioner Larsen

ROLL CALL VOTE:

AYES (4)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Natalie Larsen

Commissioner Elise West

NAYS (0)

Motion Carries unanimous recommend approval

## 5. **PRELIMINARY PLAT (PP) Administrative**

- A. Consider a request for a two hundred and seventy (270) lot residential subdivision known as Desert Color Sage Haven Plat A, located at approximately Southern Spine Road and Carnelian Parkway. The property is 69.72 acres and is zoned PD-R. The applicant is Bush and Gudgell, representative Bob Hermandson. Case No. 2021-PP-006. (Staff – Wes Jenkins)

Wes Jenkins presented the following:

Wes Jenkins – You saw this at the last Planning Commission where Dan presented the zone change now this is the plat for that zone change.

MOTION: Commissioner Kemp made a motion to recommend approval of Item 5A a two hundred and seventy (270) lot residential subdivision known as Desert Color Sage Haven Plat A, located at approximately Southern Spine Road and Carnelian Parkway. The property is 69.72 acres

SECOND: Commissioner West

ROLL CALL VOTE:

AYES (4)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Natalie Larsen

Commissioner Elise West

NAYS (0)

Motion Carries unanimous recommend approval

- B. Consider a request for an eight (8) lot residential subdivision known as Crimson Estates, located at approximately the south side of 2450 South and 3430 East. The property is 9.86 acres and is zoned A-1. The applicant is Bush and Gudgell, representative Bob Hermandson. Case No. 2021-PP-007. (Staff – Wes Jenkins)

Wes Jenkins presented the following:

Wes Jenkins – Council has decided that 2450 should be an improved road so they will need to put in curb and gutter and sidewalk.

MOTION: Commissioner Larsen made a motion to recommend approval of Item 5B the preliminary plat for Crimson Estates.

SECOND: Commissioner Kemp

ROLL CALL VOTE:

AYES (4)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Natalie Larsen

Commissioner Elise West

NAYS (0)

Motion Carries unanimous recommend approval

- C. Consider a request for a seventy-six (76) lot residential subdivision known as Fairway East Phases 1-4, located at approximately 1180 West and 5170 North (Ledges Pkwy). The property is 26.13 acres and is zoned PD-R. The applicant is Development Solutions, representative Logan Blake. Case No. 2021-PP-008. (Staff – Wes Jenkins)

Wes Jenkins presented the following:

Wes Jenkins – They will be extending the parkway.

MOTION: Commissioner West made a motion to recommend approval of Item 5C a seventy-six (76) lot residential subdivision known as Fairway East Phases 1-4, located at approximately 1180 West and 5170 North (Ledges Pkwy)

SECOND: Commissioner Kemp

ROLL CALL VOTE:

AYES (4)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Natalie Larsen

Commissioner Elise West

NAYS (0)

Motion Carries unanimous recommend approval

- D. Consider a request for a six (6) lot residential subdivision known as Rustic Estates, located at approximately 1905 East Rustic Drive. The property is 2.377 acres and is zoned R-1-10. The applicant is Kuma Engineering, representative Brett Henke. Case No. 2021-PP-009. (Staff – Wes Jenkins)

Wes Jenkins presented the following:

Wes Jenkins – You saw the zone change come through recently. There is a flag lot that would get its access from Rustic Drive. They would not be allowed to access from River Road, they will all access off of Rustic Drive.

Commissioner Kemp – So does that lot wrap around Century Link?

Wes Jenkins – Yes, they own all this property, so they decided to put it in that one lot 5.

Discussion on the property between Century Link and lot 6.

Commissioner Larsen – I think it's a nice addition to this corner.

Jordon Houston – The existing home is lot 6. Lot 5 goes all around the Century Link property. We are going to keep the home on lot 6 as a rental, we don't want to put too much property with the rental. By including it in lot 5 we think the homeowner will take care of it and it won't become a weed patch.

Discussion on where the property lines are located and should be located.

Commissioner Kemp – It doesn't seem like that land should be with parcel 5, you should just keep it in the Bundy lot.

Chair Draper – What we have before us is what we have to vote on.

<p>MOTION: Commissioner Larsen made a motion to recommend approval of item 5D a preliminary plat for Rustic Estates. SECOND: Chair Draper ROLL CALL VOTE: AYES (2) Chairman Ray Draper Commissioner Natalie Larsen NAYS (2) Commissioner Steve Kemp Commissioner Elise West Motion Failed</p>
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Commissioner Larsen – I would vote for this because I think they have to deal with all of this stuff with Century Link. I think it will add to the neighborhood and people will want to live here.

Commissioner Kemp – I think you should straighten those property lines and keep the piece next to the Century Link in the Bundy lot, lot 6.

Chair Draper – You will have a block wall there, you will have a block wall on River Road and also on the corner.

Commissioner West – I agree that it is better to have the development there than what is there now.

Discussion continued regarding lot 5 and 6.

Jordan Houston – We have hit this from every angle and after all the time and energy this is what we came up with. This flag lot is a big lot that will give the feel of a .25-acre lot. Lot 5, we know you can't build anything on that strip of land and the Lumen, who bought out Century Link, property, and the existing property. We did look at this in every way and we felt this was the best approach.

Wes Jenkins – You are the recommending body to City Council so you can make recommendations to adjust the lot lines and then he can take it to council and present it how he wants.

MOTION: Commissioner Kemp made a motion to recommend approval of item 5D a preliminary plat for a 6 lot residential subdivision Rustic Estates with the following conditions, the lot lines on lot number 5 be adjusted to include the approximately 4900 square ft south of the telephone company parcel be included in lot number 6 and the 10 ft strip of land on the south side of the existing lot number 6 be added to lot number 6 as an easement for drainage.

SECOND: Commissioner Larsen

ROLL CALL VOTE:

AYES (4)

Chairman Ray Draper

Commissioner Natalie Larsen

Commissioner Steve Kemp

Commissioner Elise West

NAYS (0)

Motion Carries unanimous recommend approval

## 6. MINUTES

Consider approval of the minutes from the January 26, 2020 meeting.

MOTION: Commissioner Larsen made a motion to approve the minutes from January 26, 2021.

SECOND: Commissioner Kemp

ROLL CALL VOTE:

AYES (4)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Natalie Larsen

Commissioner Elise West

NAYS (0)

Motion Carries unanimous recommend approval

## 7. CITY COUNCIL ACTIONS

*The Community Development Director will report on the items heard at City Council from the February 11, 2021 meeting.*

1. ZRA – Title 10 Rooftop Landscaping

2. ZC – St George Art Museum
3. ZC – Abberly Farms
4. ZC – Webb Acres
5. ZC – Sharrah Apts

**8. ADJOURN**

MOTION: Commissioner Larsen made a motion to adjourn at 8:39 pm

SECOND: Commissioner Kemp

ROLL CALL VOTE:

AYES (4)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Natalie Larsen

Commissioner Elise West

NAYS (0)

Motion Carries unanimous recommend approval