

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

**PRESENT:** Chairman Ray Draper  
Commissioner Natalie Larsen  
Commissioner Emily Andrus  
Commissioner Nathan Fisher  
Commissioner Steve Kemp  
Commissioner Elise West  
Commissioner Austin Anderson

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

**EXCUSED:**

**CALL TO ORDER/FLAG SALUTE**

Chair Draper called the meeting to order at 5:02 pm. Commissioner Larsen led the flag salute. Chair Draper introduced Austin Anderson as the new Planning Commissioner. Chair Draper announced that Item 2A and Item 3 were removed from this agenda.

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

Consider a request to change the zone from R-1-10 (Residential Single Family, 10,000 sq ft minimum sized lots) to PD-R (Planned Development Residential) on approximately 12.24 acres located on the north-west corner of Gap Canyon Pkwy and Divario Canyon Drive. The applicant is proposing 184 multi-family units on the property. The applicant is Davies Design Build and the representative is Jon Jensen. The project will be known as Ascesa at Divario. Case No. 2021-ZC-028 (Staff - Dan Boles)

Dan Boles presented the following:

Dan Boles – The property is currently zoned as R-1-10, there is a bit of history with this property is a part of the development agreement for what was called The Lakes, currently called Divario. In 2008 this property was changed to a PD but because of the amount of time that has passed the approval ran out, that is why the property is zoned R-1-10 currently. The development agreement allows them 2922 units. The general plan amendment for Divario was approved in 2009 which shows this are as High Density Residential. The number of units are the same in number that they were approved for in 2008. Dan showed the buildings that were approved in 2008. Again, that was what was approved, but has lapsed. The new proposal shows 9 buildings, they meet the parking requirements in the code. They are

showing the correct amount of open space and they are meeting the guidelines for the amenities that are required by code for this project. These are 3-story buildings that are just short of 40 feet tall. There are 2-story buildings that will be approximately 29 feet tall. The hillside review board reviewed the entire Divario site in 2009. They determined that this area is not in need of further review by the hillside board. There is open space that is to the north and west of this property that must be preserved as open space. You should have received several letters both yesterday and today.

Commissioner Fisher – How long ago did their approval expire?

Dan Boles – 18 months after approval was granted.

Wes Jenkins – In 2018 the City did intersection counts on Sunbrook and Dixie Drive. There were 481 right turns from 6:00 am to 6:00 pm. There were 426 left hand turns that day. UDOT has about 2500 which accounts for trips both ways. Our Public Works Director did an analysis to see if a traffic light was warranted there. He came up with about 1000 turning right and 900 turning left, which would account for about 4000 total. If you remember back, Canyon View came in and we had done an analysis they had about 5,000 trips total. That's pretty close to this. Canyon View is an arterial street not a collector. In our traffic management policy is that it should handle about 6000 per day. They are under design with the traffic signal at Sunbrook. The next two will be at Canyon View and possibly at Rogers Road (Sky Rocket Road). Allienta Drive will eventually tie into Gap Canyon Drive, it's a minor collector and it will allow access. Canyon View Drive will be an access, Sky Rocket Road will be the fourth and there will be a 5<sup>th</sup> road where the unincorporated area is. The annexation has not happened yet. We will have 5 accesses to the Divario Development from Dixie Drive.

Chair Draper – Do you know when these roads will be connected?

Wes Jenkins – They will be developed with the development of the various areas of Divario and the annexation of the property for the 5<sup>th</sup> access.

Chair Draper – Will the current roads that access this development today will the roads handle the amount of development for this project?

Wes Jenkins – Yes, it would accommodate all of that, we are really on the low end of trips on these roads.

Commissioner Larsen – Is there a timeframe for the signals.

Wes Jenkins – Only the one at Dixie Drive and Sunbrook.

Chair Draper – One of the concerns was that the notification wasn't met, another was that the building height met code.

Dan Boles – The notices met code, they were post marked the Friday prior to last Friday. The building height does meet code it is below 40 feet.

Chair Draper – The other concern was a substation.

Wes Jenkins – The City has purchased a property at the corner of Sunbrook and Gap Canyon Drive, that is the location of the future substation.

Chair Draper – The parking is a concern as well, people are concerned about parking on the streets.

Dan Boles – We have been encouraging people to not ask for reductions in parking. This project is meeting the code.

Mark Teepe – We did a work shop a couple of weeks ago and I did an abbreviated power point to show you all. We have a master plan that is mixed use, we have a maximum density of 3196 residential units. In exchange for the development agreement we identified all of the trails they would like to preserve; in addition, we are giving up 25 acres for a community park and we have to develop a 4-acre park for the development. All of the trails will be connected to the neighborhoods. We have been working diligently with the biking and hiking community to develop and connect those trails. As part of the development agreement we did a traffic study. We will need to update the traffic study when we hit 1000 units. We are obligated to participate in the infrastructure.

Rick Rosenberg – I am the principle engineer at Rosenberg and Associates, we have been working on this property since 1992. This substation will be part of the entire grid to supply utilities to the surrounding areas. This site borders Gap Canyon Parkway, it has 4 lanes in each direction with turning lanes. It also has trails that run parallel to it. It also fronts Divario Canyon Parkway. This site has been previously graded and is ready to go in. All utilities are stubbed to the project now. I anticipate that the buildings will step down as you go from the west to the east.

Commissioner Kemp – What is the maximum height of a single-family home?

Dan Boles – It is 40 feet.

Rick Rosenberg – The development agreement set up the process to collect fees for the transportation charges. Each lot that closes out there they collect a percentage to go toward the traffic improvements.

Ed Axley – We love St. George and we are excited to be down there. We are a 40 plus year old company, we have been an 18 year plus parade of homes participant, we have won at least 16 people choice awards.

Commissioner West – Will the community center that will be there will it be rented for events by the residents in that area? Or is it just strictly the clubhouse for the pool?

Ed Axley – The intent is for it to be an amenity to the community there, it wouldn't be for profit.

Commissioner Fisher – What is the size of the units?

Jon Jensen – We will have one-bedroom units at 900 square feet up to 3-bedroom units at 1400 square feet.

Chair Draper opened the public meeting we have many people here for this so we will give a time limit of 2 minutes.

Bob Routsong – This gentleman over here gave a lot of statistics on traffic; we would like to have copies of what the statistics are. I live in Sunbrook, there are probably 8 or 9 streets that enter Sunbrook Drive. I am very concerned, Sunbrook Drive has 4 lanes, 2 in each direction separated by shrubs and trees and so forth. Our concern is the amount of traffic that is going to go on to Sunbrook. I have to be very careful to turn left past the divider. Our concern is the amount of traffic that is going to increase there. These people, when they want to go to the market they will want to take the quickest route and that's Sunbrook Drive therefore you need to disapprove this development. I want to know how many on the Commission are builders. I know one is and I don't know that he is unbiased.

Tom Williams – All the conversations that have been going on have been going on for years. They have been doing it 13 years. We have only had 7 days from the notice and the notice only went out 500 feet around. I am concerned about what the site will look like. This is the first-time real people have been able to comment on this. Please consider what took place in November at the south end of Divario that was denied because St. George and Divario claim that it's all about the views.

Jeff Richardson – The premium lots that are alongside the gorge that are going to face this development paid premium lot prices, none of us knew anything about this development coming. We haven't had enough time, none of us knew about it in the Senterri Development. The views are going to go away. The one thing I would ask is for the Commission to table this for 30 to 60 days.

Neil Dixon – I am a retired builder and I am biased. I live on the northeast portion of Sunbrook. In my opinion this multifamily does not fit into that area. I don't have anything against multifamily, it just doesn't fit in that area. Concerns about traffic and our development didn't hear about this meeting until last night.

Patti Riquelne – I want to oppose the change in zoning. I am concerned about traffic; I am concerned about the safety of having a multifamily unit there. Right now, we are a small community. The third point is when we moved into the community we paid a premium for the view.

Joyce Christensen – We are homeowners, there is a big difference between renting and homeownership. We take care of that area as homeowners; we are going to take better care of it than renters. We know that we are lucky to be there.

Boyd Perry – My main concern is safety, the intersection of Sunbrook and Dixie. You could send your officers out there and you would probably get a total of 50 to 60 miles per hour. My main concern is safety for the people who live in those neighborhoods.

Arthur Chioffe – I wouldn't have bought my house if I had known that condominiums were going to be there. I think 10% of the problem is traffic. I paid a premium for the views. I wish the builder would make his money somewhere else.

Tom Wright – I live in Sunbrook, I overlook the fairway on the 8<sup>th</sup> T-box. I wasn't notified, it will be light up all night long as they always are because it's an apartment. You can't walk across Sunbrook Boulevard now without almost getting run over by speeders. The presenters didn't talk about the they didn't tell us when the environmental impact was done, and has it been updated and how it was updated, 2 they talked about traffic coming on to Sunbrook when nobody talked about the traffic on Dixie highway. You are going to hear that from everybody. If you are going to do this development, you are going to have to put crosswalks across the road. I know you said the notifications were legal but that is

something you might want to consider because I sit right on the bluff and I can see everything that's going on, but that needs to be changed because people who are being impacted because of the development should be notified.

Jeff Klous – We bought here because we were told that there would only be single family homes. As far as the traffic goes I understand roads will be built and things are promised but there is only one way in and out, there is no where to go. Before you start building something as a monstrosity like this just be aware that the infrastructure is how it is.

William Bennett – We have a lot of high-density housing already off of Canyon View Drive, I don't oppose having more but I would want it in the same place. This property is not properly placed. They are taking views and lifetime dreams from people that had no idea this was going to occur. Plantation Drive was to be started after 60 homes were built in Divario, where is it? Sunbrook Drive is taking a beating, without the other roads coming in to accept some of that beating it will take more. We were here first, and we appreciate the area. The City of St. George is an entity and the citizens are the soul. Who are we intending to serve? The entity or the soul?

Rich Derup – The letter that you sent out that said 500 ft, there are no houses within 500 feet of the proposed development. You need to take into consideration the water, high density uses more.

Menlo Smith – I was one of the original developers of Sunbrook. I want to commend all of you for turning down this appeal on a prior occasion and I hope you'll do it again. We have a case of Oregon syndrome here, now that I'm here I want you to stay away. What is the impact on the tax revenue comparing the 184 units of multifamily and 184 single family homes?

Pat Smart – I am a resident in Sunbrook. I completely agree with what has been said tonight. As part of Sunbrook we have CC&Rs, we have strict rules to keep the area nice. With multifamily apartments they won't take care of the area. I can see renters coming down and walking across the field and having a football game on the golf course. Most police officers will tell you that there is more crime with multifamily. That is a concern for me and our neighbors. If we bring in 184 renters they don't care about the community.

Dana Lyman – I wanted to reintegrate about the investment we have made in that beautiful area and the privilege that we have had to put down roots in that beautiful area. We are so invested in that area. We pick up trash, we feel safe, we walk our dogs and our grandchildren. We worry that people who are just coming in to pay rent for a year or 6 months are not going to have roots.

Helen Curry – Why when it was approved in 2008 nothing was built? In regard to that, how many of us would move there now if the high density was already there? I don't think any of us would. It doesn't seem to fit the area. Our neighborhood has about 3 children in it. For a lot of us it is a retirement area. I love kids, but I just don't think it fits.

James Duckett – I am lot number 6, and I did pay a premium for the views. I didn't know if you guys know but everything in our neighborhood is only single story.

Ramon Riquelme – I don't want to repeat what has been said before. My main concern is the change of environment. We want to enjoy our children and grandchildren in a safe place. You are not here to

represent the developers, you are here to represent us, the citizens and tax payers. Our only resource is you.

Garret Lyman – A lot has been said from our neighbors that has been excellent. I talked to Jon Jensen last week. I had an open mind. He said that is the first time in 20 years that anyone had called him from an impacted neighborhood. My question is in business we have to come up with added value to sell things in business. As a planning commission, what added value will the 184 apartments bring?

Steve Kessley – I am a retired Public Works senior inspector; I've worked for multiple city agencies. When I bought my home, I asked if I could build a 4-foot wall at the back of my property to keep critters out of my back yard, I was told no because it would spoil the view. Now they are putting in apartment buildings. I know they have promised infrastructure, if the housing market turns you're going to get stuck with a development with no access. I've seen it happen. In 2008 the housing market flipped, and we ended up with undone roads and general developments that had no access.

Rick Kirkwood – I wrote a letter, the reason to deny the project is that it is simply not conducive to this area. It's about money. If it is about affordability then they should be capped at 70% of the median income on the rent they can collect. The department comments made on the staff report were inadequate. The public notice was not adequate. I say these things to you because I was a city manager myself. The citizens need to be heard.

Dave Snyder – My concern is that there will be a pool on the back side of this proposed building that butts up against my backyard. I'm concerned about the noise that will be generated.

Rich Cherian – There has been a lot of comments about the inconsistency. If you do the math and you look at the density of this parcel compared to Senterri, there is a 5-time difference in density. That is an enormous difference in two parcels that are adjacent to each other. It will greatly diminish the experience of being there.

Lewis Withers – There aren't any 40-foot single story houses in Senterri Canyon. We are only allowed to go 25 feet off the ground. The other numbers thrown around about the traffic situation, they're old numbers and they are waiting for numbers to come in. All the lights in our subdivision are pointed down to protect the sky. Those rules don't apply to apartment buildings. We feel as though we have been defrauded. Now all the basic reasons I invested in this retirement home, are not there. As far as notification goes you may have crossed your t's and dotted your i's but when it is impacting so many people they need to know. I think there are some other people who need to be notified. You need to table this issue. We need more time to see if we need to prepare a better defense, to see if we need legal representation.

Chair Draper closed the public meeting.

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 Fisher – I'm wondering if you can show us what is existing in the area now, already built?

Dan Boles described what in the area has been under construction and/or approved.

Commissioner Anderson – The question was brought up about the light being installed on Sunbrook and Dixie Drive, it's my understanding that the developer has given the City money for the light. Does the City decide when the light goes in?

Wes Jenkins – The agreement anticipated possible impacts that this development would have on Dixie Drive. In that agreement there were improvements that had to be put in in order for this development to develop.

Commissioner Anderson – So if the developer doesn't finish, the city has already received the money and they will put the light in when it's needed?

Wes Jenkins – No, the agreement runs with the land, so as it is developed the city receives the money per lot developed.

Commissioner Kemp – How big are those roads?

Wes Jenkins – Gap Canyon Drive will be a minor arterial; it will be a 90-foot road.

Commissioner Andrus – Was there any analysis done along the other roads?

Wes Jenkins – No, there wasn't we just looked at the Sunbrook and Dixie Drive intersection.

Commissioner Kemp – How wide is Sunbrook Drive?

Wes Jenkins – It's an 80 foot or 90-foot road, it's an arterial. It is similar to 3000 East.

Discussion on roads and traffic continued.

Commissioner Andrus – Is there a plan for maintenance as far as apartment buildings go? Also, if we could address the question of noise, pool hours and lighting?

Jon Jensen – The plan to maintain the property of the project. Generally speaking, when you develop a multifamily project, when you have apartment rents, 30% of the rent goes toward pool house, landscape maintenance. There is a large motivation to not let the property value go down. We build quality projects; we don't want these properties to not be amazing. There will be consideration on the lighting, the city does have an applicable code. We would be happy to accommodate for the night skies and the neighbors. I think it's a reasonable expectation to know that we will create an environment that is fair and equitable for our neighbors. We may be able to move the pool area to mitigate the noise to the neighbors.

Commissioner Larsen – We heard a lot tonight about single level family homes that were built, was that a condition when you sold the property to the developers?

Mark Teeppen – We sold those lots to Ence Homes at R-1-10 and we did not restrict the height of the homes, that was Ence's choice. They were provided with the master plan and documents to show to the people who bought there. I don't know if they shared the documents with the home owners.

Commissioner Fisher – Don't we have a lighting ordinance?

Dan Boles – Yes, our lighting ordinance requires lighting to be shielded, only one candle foot can be at the property line and only ten candle feet on the site. The only projects that are not subject to the lighting ordinance is single family homes.

Jon Jensen – We are proposing luxury units, we are interested in maintaining a higher and above average price for apartments. We are trying to align some of the units, so they are perpendicular to the western property line. There is a 72-foot elevation change from the far southwest corner to the far northeast corner and some of those buildings are strategically put in there to try to follow the contouring of the slope to help bring the building tops down. The buildings are 40 feet or less, we put together a concept for pitched roofs on them so that they would fit better with the neighborhood. It takes us about 2 years to put a resident there after this approval, it is quite a time. We don't have a build model that builds the buildings all at once. The buildings will be built out within an 18-month span. We have had some pretty reasonable and rational conversations with the neighbors. I appreciate everyone who has talked to me about the development. A lot of the concerns we can mitigate. We can't necessarily control what people do inside the apartments, but we can control what goes on outside and what is parked there. There are lots and lots of renters that are very good people. We love Divario and we love St. George, I'm from St. George. I think there are a lot of reasonable concerns.

Commissioner Fisher – I would like to thank everybody here that has been respectful of this process.

Commissioner Andrus – I feel like the Divario development has done a good job of doing their part in the traffic improvements. I feel comfortable with the numbers that Wes gave on the roads. I think there have been legitimate concerns about site distance with trees, the City can mitigate that. All of the things like lighting and noise the City has ordinances for. I feel like Divario has done a good job.

Commissioner Kemp – Several comments were made about why this project wasn't built in 2008, also about clustering high density. I think if you cluster high density all in one area you create problems of traffic and sprawl. I think that we are trying to mix densities so that you don't have sprawl with a bunch of single-family residential estates. When I look at the packet it looks like the single-family homes have more than a 100 ft buffer between them and this project. Often times that isn't the case. The transition from big people mover streets to neighborhood streets are what we have when we try to develop these corners. The traffic light at Sunbrook is in the pipe and I think it's happening. For the residents that said they weren't given enough time, understand that we make a recommendation to the City Council and that additional information can be provided to the City Council that may make a difference on the approval.

Commissioner West – It sounds like Jon Jensen is open to change regarding the pool, this isn't set in stone.

Commissioner Larsen – I struggle with this. Zoning is static and it is ever changing. In this beautiful area that we live in you don't own the view, that is a hard concept. I don't know if they need to go to this density but as a property owner they are allowed to develop their property.

Commissioner Fisher – I think there are few places that the natural conditions provide a buffer like this one. I know that it is difficult to imagine apartments near you, but things are always changing. I don't



know of any other areas of town that would be better suited for this product, the roads, and the natural buffering. For years I have heard many implications that apartments or condos breed a certain class of people and I am certain that everyone one of us were renters at one point and to assume that renters are going to be a worse class of people are disappointing.

Chair Draper – I agree with that.

Commissioner West – I rent my home; I have never owned for various reasons. This seems to be the way of the future. I think the key element is to adapt to change. I appreciate where you are coming from. I am passionate about all of us getting along and working together. I appreciate your comments. You have a few weeks to prepare for the City Council.

Commissioner Larsen – These apartments, I have a feeling that Divario is going to do a great job. This may have very little impact because of who may be renting there.

MOTION: Commissioner Andrus made a motion to recommend approval to the City Council the zone change from R-1-10 to PD-R at Ascensa at Divario with the comments that are in the staff report as well as the findings for approval that the proposed amendment meet the requirements of section 10-7 of the zoning code and that the applicant has stated that they would revise the site to meet minimum parking requirements.

SECOND: Commissioner Fisher

Commissioner Fisher – I ask that you would amend the motion that the developer work with the City on the comments of the pool.

Commissioner Andrus – I will amend my motion.

ROLL CALL VOTE:

AYES (7)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Natalie Larsen

Commissioner Elise West

Commissioner Nathan Fisher

Commissioner Austin Anderson

NAYS (0)

Motion Carries unanimous recommend approval

Chair Draper – We will take a 10-minute recess.

Chair Draper – Reconvened the meeting at 7:46 pm.

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

- A. Consider a request for a zone change amendment to the Gateway Commons PD. The property currently is zoned PD-C (Planned Development Commercial). The property owner is requesting an amendment to the current PD-C (Planned Development Commercial) zone to amend the use list on the property which is located at 1580 W Gateway Dr. The property is Lot 7 of the Gateway Commons subdivision and is approximately 2.02 acres. The applicant is The Humane Society and the Representative is Craig Cook. Case No. 2021-ZCA-027 (Staff – Mike Hadley)

THIS ITEM HAS BEEN REMOVED FROM THIS AGENDA

- B. Consider a request for an amendment to the Dino Crossing PD (Planned Development) zoning in order to amend their master sign program on their approximately 26 acre property. The property is generally located north of the Mall Drive and Dinosaur Crossing Drive intersection. The applicant is Woodbury Corporation and the representative is Kamron Dorman. The project will be known as Dinosaur Crossing Phase 2 Master Sign Plan Amendment. Case No. 2021-ZCA-026 (Staff – Dan Boles)

Dan Boles presented the following:

Dan Boles – The site is the Smith’s site on Mall Drive we are looking specifically at the corner of Dinosaur Crossing Drive and Mall Drive. They are proposing to eliminate a sign by the gas pumps and increase the sign at that corner. They want to have a sign that is 12 ft tall and 96 square feet.

Chair Draper – So it sounds like their total square feet is less than what was originally approved then?

Dan Boles – Yes.

Kameron Dorman – This is one of the last things we needed to get done to stretch the boundaries of advertising for the clients we have in that subdivision. By eliminating that one sign it eliminates some of the sign congestion and it puts it on the corner to be able to be seen on Mall Drive.

Chair Draper – I appreciate the signs that you are putting in. Most people don’t spend the money on the signs like that. In my opinion it is not a very large sign, I think it would fit the property very well.

Chair Draper opened the public meeting.

Chair Draper closed the public meeting.

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 of the Dinosaur Crossing PD (Planned Development) zoning in order to amend their master sign program on their approximately 26 acre property as presented by staff.

SECOND: Commissioner Larsen

ROLL CALL VOTE:

AYES (7)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Natalie Larsen

Commissioner Elise West

Commissioner Nathan Fisher

Commissioner Austin Anderson NAYS (0) Motion Carries unanimous recommend approval
---

- C. Consider a request for a zone change amendment for the Desert Color PD (Planned Development). The zone change amendment would allow the applicant to construct eight townhome buildings on the site with a total of 26 units. The site is approximately 12.03 acres and is located generally west of the lagoon, north of Lagoon Parkway. The applicant is Desert Color St. George, LLC and the representative is Craig Coats (Alliance Consulting). The project is known as Desert Color Resort Phase 5. Case No. 2021-ZCA-025 (Staff – Dan Boles)

Dan Boles – These are in the resort area; the majority are 3-plex's and there are two 4-plex's. They have garages and driveways. They are parked adequately. They added parking spaces interspersed throughout. They are exceeding the parking requirement for Desert Color. They are at 8% civic space, required to have 5%.

Commissioner Larsen – On the civic space, I know the lagoon is their main civic space, but the density is getting pretty deep out there. Can we make the motion, so they have to identify the civic space?

Dan Boles – I would caution on that; the civic space is different from the amenities. The civic space is supposed to be open space.

John Willis – The Desert Color book has a definition of what the Civic Space in the TNZ zone should be. I think that it is appropriate for the applicant to stand up and speak to what the Civic Space will be. We will go through the book to make sure it meets the definition.

Discussion on Civic Space continued.

Craig Coats – On these Civic Spaces we have a couple different options. These are really to be walking spaces to the lagoon. The one to the far west is a grass area for children to play on. On one of the civic spaces in 2B there was a fire pit. Then in 3 there was a grass area to play on.

John Willis – In the development agreement says any Civic Space under 1 acre goes through the normal process, but anything less you won't see that detail. We will at staff level make sure that it complies with the development agreement at the site plan review.

Chair Draper opened the public meeting.

Chair Draper closed the public meeting.

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 Fisher made a motion to recommend approval of Item 2C Desert Color PD including staff comments.
--

SECOND: Commissioner Kemp  
ROLL CALL VOTE:  
AYES (7)  
Chairman Ray Draper  
Commissioner Steve Kemp  
Commissioner Emily Andrus  
Commissioner Natalie Larsen  
Commissioner Elise West  
Commissioner Nathan Fisher  
Commissioner Austin Anderson  
NAYS (0)  
Motion Carries unanimous recommend approval

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

Consider a request for a conditional use permit. The property currently is zoned R-3 (Multi-Family Residential). The property owner is requesting a Conditional Use Permit for the Willow Bend townhomes project. The property is located generally north of Judy Lane along the east side of Riverside Drive and is approximately 16.39 acres. The applicant is The Lofts Development LLC and the Representative is Dave Nasal. Case No. 2021-CUP-005 (Staff – Mike Hadley)

THIS ITEM HAS BEEN REMOVED FROM THIS AGENDA

**4. PRELIMINARY PLAT (PP) Administrative**

- A. Consider a request for a fifty-seven (57) lot residential subdivision known as Desert Color Resort Phase 5 located at approximately Lagoon Parkway and Akoya Pearl Road. The property is 12.03 acres and is zoned PD-R. The applicant Bush and Gudgell, representative Bob Hermandson. Case No. 2021-PP-013. (Staff – Wes Jenkins)

Wes Jenkins presented the following:

Wes Jenkins – This is the preliminary plat that goes with the zone change you just heard.

Commissioner Kemp – Do we know what the lots that are not included in this?

Craig Coats – The smaller lots will be condo units; the bigger will be a higher density and we will be bringing this to you soon.

MOTION: Commissioner Kemp made a motion to recommend approval of the fifty-seven (57) lot residential subdivision known as Desert Color Resort Phase 5 located at approximately Lagoon Parkway and Akoya Pearl Road with all staff comments included.  
SECOND: Commissioner Larsen  
ROLL CALL VOTE:  
AYES (7)

Chairman Ray Draper  
Commissioner Steve Kemp  
Commissioner Emily Andrus  
Commissioner Natalie Larsen  
Commissioner Elise West  
Commissioner Nathan Fisher  
Commissioner Austin Anderson  
NAYS (0)  
Motion Carries unanimous recommend approval

- B. Consider a request for a twenty (20) lot, residential subdivision known as Desert Color Resort Phase 2D located approximately Marilla Drive and Periwinkle Lane. The property is 1.16 acres and is zoned PD-R. The applicant is Bush and Gudgell, representative Bob Hermandson. Case No. 2021-PP-012 (Staff – Wes Jenkins)

Wes Jenkins presented the following:

Wes Jenkins – This zone change came before you at the last planning commission. This is near the Atkinville Wash.

Commissioner Kemp – Where is the parking?

Bob Hermandson – It is stacked. All the parking is contained on site.

MOTION: Commissioner West made a motion to recommend approval of Item 4B a twenty (20) lot, residential subdivision known as Desert Color Resort Phase 2D located approximately Marilla Drive and Periwinkle Lane. The property is 1.16 acres and is zoned PD-R.  
SECOND: Commissioner Andrus  
ROLL CALL VOTE:  
AYES (7)  
Chairman Ray Draper  
Commissioner Steve Kemp  
Commissioner Emily Andrus  
Commissioner Natalie Larsen  
Commissioner Elise West  
Commissioner Nathan Fisher  
Commissioner Austin Anderson  
NAYS (0)  
Motion Carries unanimous recommend approval

- C. Consider a request for a forty-nine (49) lot, residential subdivision known as Webb Acres located at approximately Seegmiller Drive and 3330 East. The property is 25.40 acres and is zoned RE-20. The applicant is Development Solutions Group, representative Ryan Thomas. Case No. 2021-PP-014 (Staff – Wes Jenkins)

Wes Jenkins presented the following:

Wes Jenkins – This is to the east of 3210 and along Seegmiller Drive. They are requesting lot size averaging, 24 of the 49 lots are less than the minimum 20,000 square feet. They are meeting the ordinance for lot size averaging, which is 50% of the lots are the minimum or larger. The smallest is 13,364 square feet and the largest is 27,424 square feet.

Commissioner Larsen – It seems like the City's goal wasn't achieved if almost half the lots are less than half an acre. It's interesting that the 1/3 acre lots are up against the Abberly Subdivision that has large lots and animal rights.

Wes Jenkins – The council has kind of relaxed keeping the larger lots south of Seemiller Drive.

MOTION: Commissioner Fisher made a motion to recommend approval to City Council Item 4C a preliminary plat for Webb Acres.

SECOND: Commissioner Larsen

ROLL CALL VOTE:

AYES (7)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Natalie Larsen

Commissioner Elise West

Commissioner Nathan Fisher

Commissioner Austin Anderson

NAYS (0)

Motion Carries unanimous recommend approval

- D. Consider a request for a six (6) lot, residential subdivision known as Abberly Farms located along Seegmiller Drive and just east of 3210 East. The property is 9.82 acres and is zoned RE-20/A-1 (4 lots RE-20, 2 lots A-1). The applicant is Development Solutions Group, representative Ryan Thomas. Case No. 2021-PP-015 (Staff – Wes Jenkins)

Wes Jenkins presented the following:

Wes Jenkins – This one is just north and west of that last one. Four lots will be in the RE-20 zone and the other two are going to be the A-1 zone. The City is working with the developer to realign the road. The City is also putting in a large detention basin to collect the runoff from the south.

Commissioner Kemp – How do you access lot 6?

Wes Jenkins – It will come off the road here.

Commissioner Kemp – Is the cul-de-sac private?

Wes Jenkins – No, it's public.

Commissioner Kemp – Who will maintain it?

Wes Jenkins – The City will have an agreement with the developer and the developer will take care of it.

MOTION: Commissioner Larsen made a motion to recommend approval of Item 4D a preliminary plat for Abberly Farms with all staff recommendations.

SECOND: Commissioner West

ROLL CALL VOTE:

AYES (7)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Natalie Larsen

Commissioner Elise West

Commissioner Nathan Fisher

Commissioner Austin Anderson

NAYS (0)

Motion Carries unanimous recommend approval

## 5. **MINUTES**

Consider approval of the minutes from the February 23, 2021 and the March 9, 2021 meetings.

MOTION: Commissioner Larsen made a motion to approve the minutes from the February 23, 2021 and the March 9, 2021 meetings.

SECOND: Commissioner West

ROLL CALL VOTE:

AYES (7)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Natalie Larsen

Commissioner Elise West

Commissioner Nathan Fisher

Commissioner Austin Anderson

NAYS (0)

Motion Carries unanimous recommend approval

## 6. **CITY COUNCIL ACTIONS**

*John Willis the Community Development Director will report on the items heard at City Council from the March 18, 2021 meeting.*

1. ZCA - The Ledges of St George

2. ZCA - Snow Canyon Pkwy
3. ZCA - Desert Color Sage Haven (Pod 6) Plat B
4. ZCA – Red Cliffs Mall
5. ZC - Laurel Canyon
6. CUP – Commerce Point bldg. 1200
7. HS – Commerce Point bldg. 1200
8. PP – Desert Color Pod 6 Sage Haven Plat B
9. PP – Fairways East
10. PP – Rosalia Ridge

**7. ADJOURN**

MOTION: Commissioner Anderson made a motion to adjourn at 8:29 pm.

SECOND: Commissioner West

ROLL CALL VOTE:

AYES (7)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Natalie Larsen

Commissioner Elise West

Commissioner Nathan Fisher

Commissioner Austin Anderson

NAYS (0)

Motion Carries unanimous recommend approval