

**NOTICE OF REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF ST. GEORGE,  
WASHINGTON COUNTY, UTAH**

**Public Notice**

Public notice is hereby given that the City Council of the City of St. George, Washington County, Utah, will hold a regular meeting at the St. George City Offices located at 175 East 200 North, St. George, Utah, on Thursday, March 18, 2021 commencing at 5:00 p.m.

The meeting will be broadcast via Zoom. Persons who are allowed to comment during the meeting may do so via Zoom. To login to the meeting you may do so by visiting: <https://zoom.us/j/99258198888> or by calling one of the following phone numbers:

One tap mobile

+12532158782,,99258198888# US (Tacoma)

+13462487799,,99258198888# US (Houston)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

Meeting ID: 992 5819 8888

Find your local number: <https://zoom.us/u/az0cax4if>

Instructions for participation will be given at the onset of the meeting.

The agenda for the meeting is as follows:

Call to Order

Invocation

Flag Salute

**1. Consent Calendar.**

**a. Consider approval of a sole source contract with Qwest Communications Company, LLC DBA Centurylink QCC for the Dispatch Center 911 phone maintenance.**

BACKGROUND and RECOMMENDATION: The Police Department is submitting a maintenance contract for dispatch phone equipment. The contract is with Lumen (Centurylink) who is the sole source provider for those services. The contract has been reviewed and approved by the Legal Department and is ready for review and approval by the Mayor. Staff recommends approval.

**b. Consider approval of the HIDTA ONDCP 2021 grant award.**

BACKGROUND and RECOMMENDATION: The HIDTA ONDCP 2021 Grant Award funding of \$167,780.00 to be approved for use by the Police Department. This is an annual award to fund the Washington County Drug Task Force. Staff recommends approval.



2. **Public hearing and approval of the Program Year 2020 Annual Action Plan (AAP) for the Community Development Block Grant (CDBG) program.**

BACKGROUND and RECOMMENDATION: The 2020 AAP outlines proposed projects by the City's CDBG program to address identified needs during PY2020 (FY2021), the second year of the City's 2019-2023 five-year Consolidated Plan. This item was previously heard on 12/17/2020 and 02/04/2021. Staff has addressed changes required by HUD and added prior year resources to the Public Facilities & Infrastructure funding. Staff recommends approval.

3. **Public hearing and consideration of approval for a subdivision amendment for Anasazi Hills at Entrada Phase 2 Amending Lots 47 & 53 by adjusting the lot line and the public utility easement along the common lot line.**

BACKGROUND and RECOMMENDATION: This request is to consider a subdivision amendment for Anasazi Hills at Entrada Phase 2, amending Lots 47 & 53 by adjusting the lot line and the public utility easement along the common lot line. This is located at 2484 Moenavi Circle; zoning is PD-R. The Joint Utilities Commission recommended approval.

4. **Consider whether to approve the acquisition through eminent domain property to be used for a roadway and temporary easement (SG-TC-8) to be used for widening River Road in the vicinity of 1230 East 1050 South. The owner should be allowed to speak if present.**

BACKGROUND and RECOMMENDATION: William R. and Louise Seger have agreed and been very cooperative in selling property to the City of St. George needed for the widening of River Road. Their mortgage company has been unresponsive to requests to execute a "partial deed of reconveyance." The City of St. George is seeking authorization to commence an eminent domain action and is following statutory procedures, including this public meeting, in preparation of filing such action. Notice of this meeting was sent directly to the owner. Staff recommends approval.

5. **Consider approval of an ordinance for a zone change amendment to The Ledges at St George PD (Planned Development) on 12.5 acres located at approximately 1550 West 5150 North. Case No 2021-ZCA-021.**

BACKGROUND and RECOMMENDATION: Annex into the Ledges master plan 12.5 acres located between the existing project boundary and the Lava Bluffs Equestrian Center. The annexation property is currently zoned Mining and Grazing and designated on the General Plan map as Low Density Residential (LDR). The proposed annexation would incorporate the property into the Ledges PD residential zone and allow for a maximum density of three homes per acre. The Planning Commission recommended approval for the zone change amendment with comments and conditions outlined in the staff report.

6. **Consider approval of an ordinance changing the zone from A-1 (Agriculture-40,000 sq. ft. minimum lot size) to RE 12.5 (Residential Estate 12,500 sq. ft. minimum lot size) on approximately 7.09 acres located at the corner of River Road and 2800 South. Case No 2021-ZC-022.**

BACKGROUND and RECOMMENDATION: The proposal is for a zone change for the Laurel Canyon development, a residential development from A-1 (Agriculture –



40,000 sq. ft. minimum lot size) to RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size). The Planning Commission recommended approval.

7. **Consider approval of an ordinance amending the Snow Canyon Commercial Planned Development zone to add "grocery store" to the approved use list and review concept plans for a proposed grocery store on approximately 4.75 acres generally located on the southwest corner of Snow Canyon Parkway and 2000 North. The project is to be known as Snow Canyon Commercial Center. Case No. 2021-ZCA-020**

BACKGROUND and RECOMMENDATION: The property was rezoned to PD-C in December of 2018. The use list approved at that time listed retail uses but not specifically a grocery store. On February 23, 2021, the Planning Commission held a hearing to hear from the public. After taking public comment, the Planning Commission recommended approval with conditions which are outlined in the staff report.

8. **Consider approval of an ordinance amending the Red Cliffs Mall Planned Development Commercial zone to modify their sign package and amend the site plan. The application is to be known as Red Cliffs Mall PD Amendment on approximately 39.37 acres located on the southwest intersection of Red Cliffs Drive and Mall Drive. Case No. 2020-ZCA-006**

BACKGROUND and RECOMMENDATION: The proposal is to allow construction of a plaza, update the mall sign package, and make other modifications to the mall site. The underlying general plan is COM (Commercial). The Planning Commission recommended approval.

9. **Consider approval of an ordinance amending the Desert Color Planned Development Residential (PD-R) zone to allow a new neighborhood development to be known as Sage Haven (Pod 6) Plat 'B' on approximately 58.58 acres generally located east of I-15, south of Southern Parkway, and south of Auburn Hills. Case No. 2021-ZCA-023**

BACKGROUND and RECOMMENDATION: This request is the second of two plats that will make up Pod 6 of the Desert Color development. This neighborhood is separate from the Desert Color Resort and Auburn Hills neighborhoods. Plat 'B' will have a total of 262 units. The general plan calls for primarily residential and the zoning is PD-R (Planned Development Residential). The Planning Commission recommended approval.

10. **Consider approval of the preliminary plat for Desert Color Sage Haven Plat B, a 262-lot residential subdivision located in the Desert Color development south of Auburn Hills along the southerly extension of Carnelian Parkway.**

BACKGROUND and RECOMMENDATION: This proposed preliminary plat is located in the Desert Color development south of Auburn Hills along the southerly extension of Carnelian Parkway. The Planning Commission recommended approval.

11. **Consider approval of a hillside permit to allow development on the site of a restaurant/multi-tenant commercial building within the hillside to be known as Commerce Point North on approximately 2.13 acres located at approximately 1276 S Black Ridge Drive/1190 S Bluff Street. Case No. 2020-HS-012**



BACKGROUND and RECOMMENDATION: The Hillside Review Board (HSRB) held two meetings on the site to review the potential of hazards on the property and general to the area. The HSRB recommended approval of the application. After holding a third-party review on the reports supplied by the applicant, the application was forwarded to the Planning Commission for their review.

12. **Consider approval of a conditional use permit to develop Commerce Point Bldg. 1200 on lot 3 in the Commerce Point Phase 1 commercial subdivision on approximately 16 acres located at the intersection of Bluff Street and Black Ridge Drive. Case No 2021-CUP-002.**

BACKGROUND and RECOMMENDATION: The proposal is for a conditional use permit. Buildings with a ground floor (footprint) area of 20,000 square feet or more, or a site with an aggregate ground floor (footprint) square footage of 20,000 square feet or more are required to obtain a conditional use permit. The Planning Commission recommended approval.

13. **Consider approval of the preliminary plat for Fairway East Phases 1-4, a 76-lot residential subdivision located in the Ledges Development at approximately 1180 West and Ledges Parkway.**

BACKGROUND and RECOMMENDATION: This proposed preliminary plat is located in the Ledges Development at approximately 1180 West and Ledges Parkway. The Planning Commission recommended approval.

14. **Consider approval of the preliminary plat for Rosalia Ridge at Divario, 47-lot residential subdivision located in the Divario development south of the Varano Vista subdivision along Divario Canyon Drive at approximately 600 South.**


BACKGROUND and RECOMMENDATION: This proposed preliminary is located in the Divario development south of the Varano Vista subdivision along Divario Canyon Drive at approximately 600 South. The Planning Commission recommended approval.

15. **Appointments to Boards and Commissions of the City.**

16. **Reports from Mayor, Councilmembers, and City Manager.**

17. **Request a closed session to discuss litigation, property acquisition or sale or the character and professional competence or physical or mental health of an individual.**

  
Annette Hansen, Deputy City Recorder

  
Date

REASONABLE ACCOMMODATION: The City of St. George will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs. Please contact the City Human Resources Office, 627-4674, at least 24 hours in advance if you have special needs.



# GENERATION M<sup>2</sup>

Media in the Lives of 8- to 18-Year-Olds

A Kaiser Family Foundation Study

JANUARY 2010

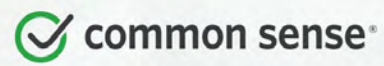




## Introduction

As anyone who knows a teen or a tween can attest, media are among the most powerful forces in young people's lives today. ***Eight- to eighteen-year-olds*** spend more time with media than in any other activity besides (maybe) sleeping—an average of more than ***7½ hours*** a day, ***seven days*** a week. The TV shows they watch, video games they play, songs they listen to, books they read and websites they visit are an enormous part of their lives, offering a constant stream of messages about families, peers, relationships, gender roles, sex, violence, food, values, clothes, and an abundance of other topics too long to list.





***2015***

**THE COMMON SENSE CENSUS:  
MEDIA USE BY TWEENS AND TEENS**

A Common Sense Media Research Brief



On any given day, American *teenagers* (13- to 18-year-olds) average about *nine hours* (8:56) of entertainment media use, excluding time spent at school or for homework. *Tweens* (8- to 12-year-olds) use an average of about *six hours*' (5:55) worth of entertainment media daily.



# The Problems

1. Mass Media Consumption

2. Sedentary Lifestyle



What are the effects of sedentary lifestyles and growing media consumption on our youth?





# Physical health

1. Childhood obesity
2. Hypertension
3. Hyperlipidemia
4. Diabetes and pre-diabetes
  - ◇ Current rates indicate that *1 in 3* children born now will eventually develop diabetes type 2
5. Sleep apnea and asthma
6. Joint problems
7. Gastroesophageal reflux disease



# Mental health

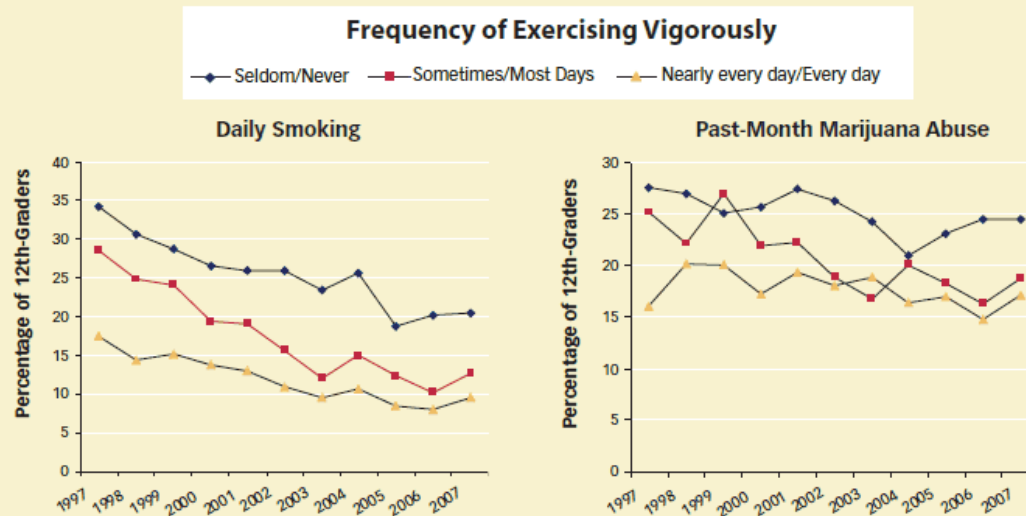
- ◇ Self-esteem
- ◇ Depression
- ◇ Anxiety
- ◇ Mood disorders
- ◇ Eating Disorders
- ◇ ADHD
- ◇ Physical aggression and anger management
- ◇ Poor academic performance
- ◇ Sleep quality and quantity
- ◇ Cyberbullying
- ◇ Suicide



# Substance Abuse

## WHAT THE NUMBERS SAY

### Lower Rates of Cigarette and Marijuana Smoking Among Exercising Teens



Teens who exercise regularly are less likely than less active peers to have smoked cigarettes daily or to have abused marijuana during the past month. This pattern has persisted over the past decade, according to an annual survey of the nation's high school students.

**Source:** An analysis of repeated cross-sectional data from the Monitoring the Future Survey, by Dr. Lloyd Johnston, University of Michigan.



GET  
OUT  
SIDE





## The State of Utah Outdoor Recreation Vision



*"The nearly universal appreciation of these preserved landscapes, restored waters, and cleaner air through outdoor recreation is a modern expression of our freedom and leisure to enjoy the wonderful life that generations past have built for us."*  
—Ronald Reagan

January 2013

# Why promote outdoor recreation in southern Utah?



# Physical, Mental, Social Benefits

- ◇ Regular exercise is associated with *lower risk for anxiety, depression*
- ◇ Physical activity in the outdoors has been associated with *decreased* rates of *ADHD*
- ◇ Physical activity is associated with *better performance in school*
- ◇ Outdoor activity in a natural setting can improve children's *mental and physical health*.
- ◇ *Unstructured play* promotes *creativity* and *imagination*, builds dexterity and physical strength, promotes healthy *brain development*, teaches children how to *work* in groups, *share*, *negotiate* and learn to *resolve conflicts*.
- ◇ The chances of engaging in physical activity are more likely outside in nature than indoors
- ◇ In one study, children felt less psychological distress *and restored capacity for attention* if they lived in an area with more natural surroundings
- ◇ Increase in *mental wellbeing* immediately after one session of exercise in a natural setting
- ◇ Strengthen *family bonds* through recreation
- ◇ Build social networks and *sense of community*



- ◇ Technology
- ◇ Time management
- ◇ Lack of parental support
- ◇ Lack of transportation
- ◇ Money
- ◇ Lack of training or instruction
- ◇ Perception of danger

◇ Opportunity

◇ Education

◇ Financial

\*Outdoor Nation

## Barriers to the Outdoors?



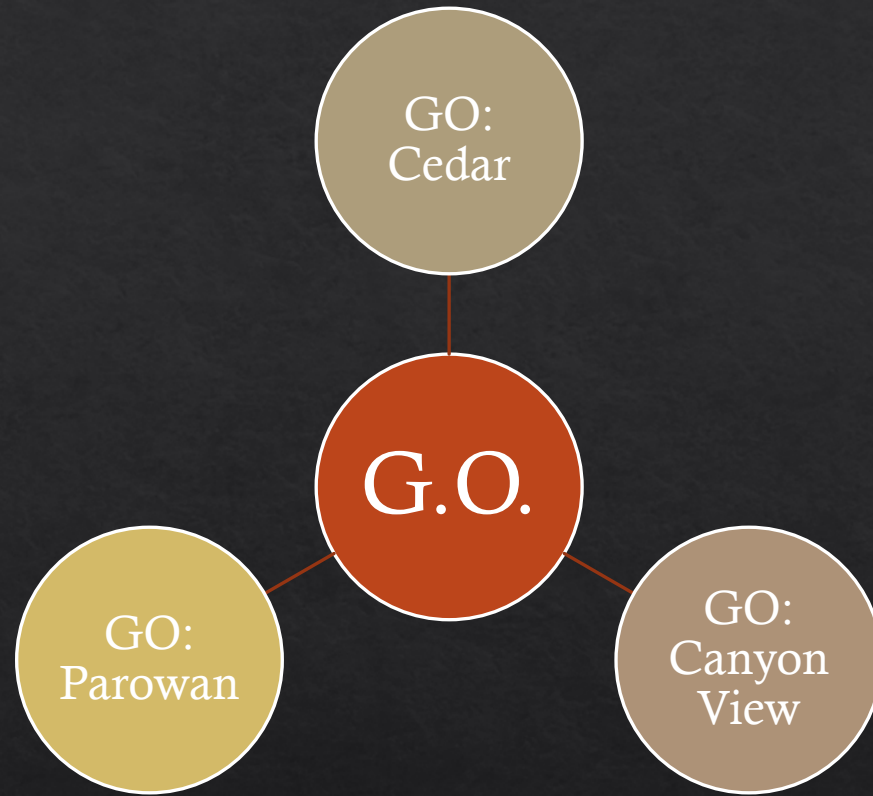
# G.O. Clubs

- ◆ Club in each high school in the region
- ◆ Youth may network and meet other people who engage in activities that they are interested in
- ◆ Teacher at each school to sponsor the club and help supervise
- ◆ Club members elect a president, vice president and treasurer to help run the club at each school

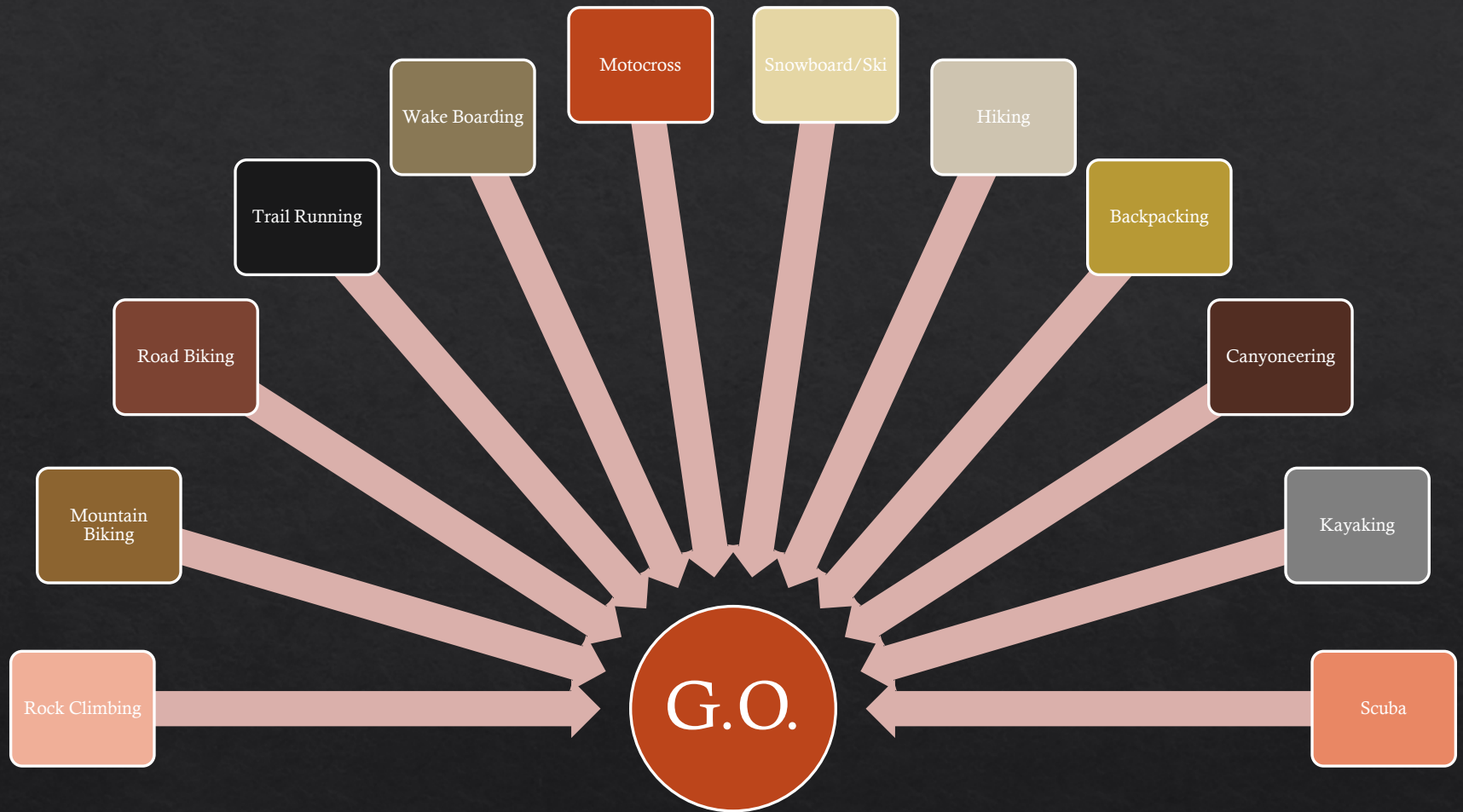














# Activities at the school level

- ◆ Each Get Outside club will plan and execute activities for their members.
  - ◆ Group trail run
  - ◆ Group rock climb
  - ◆ Group mountain bike ride
  - ◆ Group hike
  - ◆ Group kayak outing
  - ◆ Etc.



# Get outside activities

- ◆ Promote events for:
  - ◆ Clinics
    - ◆ Climbing
    - ◆ Biking
    - ◆ Kayaking
    - ◆ Skiing
  - ◆ Backpacking, ie Havasupai, Escalante
  - ◆ Hiking
  - ◆ Paddling
  - ◆ Fly Fishing
  - ◆ Brian Head Ski Trip
  - ◆ Etc.



















# Our Outreach

- ◆ In just over 2 years, we have been able to help:
  - ◆ Over 200 youth rock climb
  - ◆ 65 youth mountain bike
  - ◆ Over 400 youth ski and snowboard
  - ◆ Over 200 youth wakeboard and wake surf
  - ◆ Hundreds of youth hiking, paddle boarding, kayaking, scuba diving
  - ◆ Over 100 youth engaged in service projects



# Utah Office of Outdoor Recreation Every Kid Outdoors Award 2020





DRAFT

Agenda Item Number : 1a

## Request For Council Action

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**Date Submitted** 03/08/2021 08:41 AM

**Proposed City Council  
Date** 00/00/0000

**Applicant** St. George Police Department

**Subject** Consider approval of a sole source contract with Qwest Communications Company, LLC DBA Centurylink QCC for the Dispatch Center 911 phone maintenance.

**Background** The Police Department is submitting a maintenance contract for Dispatch phone equipment. The contract is with Lumen (Century Link) who is the sole source provider for those services. The contract has been reviewed and approved by the Legal Department and is ready for review and approval by the mayor.

**Proposed Resolution** Staff recommends approval.

**Cost** \$

**Action Taken**

**Requested by** Mike Giles

**File Attachments**

**Approved by Legal  
Department?** Yes

**Approved by City Admin  
Services?** NA

**Approved in Budget?** N/A **Amount:**



**PARTICIPATING ADDENDUM  
BETWEEN  
St George PD  
AND  
QWEST COMMUNICATIONS COMPANY, LLC D/B/A CENTURYLINK QCC**

The undersigned hereby represents, acknowledges, and agrees as follows:

1. The undersigned represents that it is a government department, institution, agency or political subdivision (i.e., colleges, school districts, counties, cities, etc.) located in the state of Utah ("Eligible Purchaser"); and, as such, it is qualified to purchase CenturyLink Data Communications Services ("Service(s)") pursuant to the terms and conditions of the Qwest Communications Company, LLC d/b/a CenturyLink QCC, State of Utah – Statewide Contract #136401, OMR: N37737/Content ID: 414213, executed on or about June 26, 2013, by and between Qwest Communications Company, LLC d/b/a CenturyLink QCC("CenturyLink") and the State of Utah, Division of Purchasing and General Services, as amended, including its Exhibits and Attachments (hereafter the "Underlying Contract").
2. The undersigned ("Purchaser") is executing this Participating Addendum for the purpose of purchasing Service from CenturyLink pursuant to the CenturyLink Underlying Contract. Purchaser will be subject to all terms and conditions of this Participating Addendum and the Underlying Contract. Purchaser will be responsible for any and all use of Services under this Participating Addendum and the Underlying Contract, including but not limited to responsibility for payment obligations. Purchaser will be CenturyLink's customer of record for the Services provided under this Participating Addendum and the Underlying Contract.
3. **DESCRIPTION OF SERVICES.** CenturyLink will provide to Purchaser the Services as set forth in the Underlying Contract and on the Attachment 1 (if required), Service Locations, attached hereto and incorporated by reference (the "Services"). To the extent Services are tariffed, and where such terms and conditions of the CenturyLink applicable tariffs do not conflict with the Underlying Contract, the provisions of the tariff will apply and, in such cases, references in this Agreement to Service Schedule(s) will instead be deemed to refer to the applicable tariff.
4. **TERM.** This Participating Addendum is effective as of the latest signature date below ("Effective Date"). The Term for Service begins on the date Service is available to Customer, as evidenced by CenturyLink records ("Initial Term") and ends upon expiration of the last-to-expire Service ordered hereunder.
5. **PRIMARY CONTACT.** The primary Purchaser contact individual for this Participating Addendum is as follows:  
Cindy Flowers, 265 N 200 E, St. George, UT, 435-627-4300, cindy.flowers@sgcity.org
6. This Participating Addendum and the Underlying Contract set forth the entire agreement between the parties and supersede all previous communications, representations or agreements, whether oral or written, with respect to the subject matter hereof. Terms and conditions inconsistent with, contrary or in addition to the terms and conditions of this Participating Addendum and the Underlying Contract will not be added to or incorporated into this Participating Addendum or the Underlying Contract, by any subsequent purchase order or otherwise and any such attempts to add or incorporate such terms and conditions are hereby rejected. The terms and conditions of this Participating Addendum and the Underlying Contract will prevail and govern in the case of any such inconsistent or additional terms.

IN WITNESS WHEREOF, the parties have executed this Participating Addendum as of the date of execution by both parties below.

**CUSTOMER: ST GEORGE PD**

**Qwest Communications Company, LLC d/b/a  
CenturyLink QCC**

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Name Typed or Printed

\_\_\_\_\_  
Name Typed or Printed

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Address for Notices:

Address for Notices:  
CenturyLink  
1801 California Street, 9<sup>th</sup> Floor  
Denver, Colorado 80202  
Attn: Legal Department



**ATTACHMENT ONE TO THE  
PARTICIPATING ADDENDUM BETWEEN  
St George PD  
AND  
QWEST COMMUNICATIONS COMPANY, LLC D/B/A CENTURYLINK QCC**

**ATTACHMENT 1  
CENTURYLINK NEXT GENERATION 9-1-1 SERVICE**

**PSAP INFORMATION: St. George Police Department**

**SERVICE LOCATION: 265 N 200 E, St. George, UT**

**BILLING NUMBER: 435-627-4300**



**ATTACHMENT 1**  
**CENTURYLINK PUBLIC SAFETY PRODUCT SALES/INSTALLATION/MAINTENANCE**  
**BETWEEN CUSTOMER AND CENTURYLINK**

[illegible]



**ATTACHMENT 2**  
To the Participating Addendum for  
**CENTURYLINK PUBLIC SAFETY PRODUCT SALES/INSTALLATION/MAINTENANCE**  
BETWEEN CUSTOMER AND CENTURYLINK

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**INSTALLATION**

**1. CenturyLink's Responsibilities.** CenturyLink will ensure that the Product(s) set forth in Attachment 1 have been installed according to the manufacturer's specifications.

**2. Customer's Responsibilities.** Customer is responsible for:

2.1 Preparing the site properly, including, but not limited to, allowing compliance with manufacturer's specifications of floor plan requirements, as well as providing necessary openings, ducts, 4' x 8' sheet of 3/4" plywood for terminals and cross connect field, and conduits in floors and walls.

2.2 Meeting and maintaining proper environmental requirements as indicated by manufacturer of Product(s) listed in Attachment 1.

2.3 Providing electric current and grounds for any necessary purpose, related to this Agreement, with suitable outlets in rooms where required, including, but not limited to, providing proper lighting for installation personnel.

**3. Time and Materials Charges.** Additional time and materials charges are applicable under the following circumstances:

3.1 Any modifications to building's electrical system required to install listed Product(s) that are not properly performed or provided by Customer;

3.2 Drilling of access holes and provisioning of suitable conduit (if required) from equipment room to dispatch center for cable access that are not properly performed or provided by Customer;

3.3 Customer requests that CenturyLink connect the Product(s) to voice recorder equipment which was not purchased under this Agreement.

**4. Target Dates.**

4.1 Installation begin date: (estimated)

4.2 Installation complete date: (estimated)

Customer \_\_\_\_\_  
(Initials)

CenturyLink \_\_\_\_\_  
(Initials)



**ATTACHMENT 3**  
To the Participating Addendum for  
**CENTURYLINK PUBLIC SAFETY PRODUCT SALES/INSTALLATION/MAINTENANCE**  
**BETWEEN CUSTOMER AND CENTURYLINK**

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**MAINTENANCE PROVISIONS**

**General.** After expiration of the warranty period, all Product(s) listed in Attachment 1 will be maintained in accordance with the manufacturer's original performance specifications.

**1. Service and Scope.**

- 1.1 CenturyLink will provide remedial maintenance on Product(s) listed in Attachment 1, 24 hours a day, seven days a week on a call out basis.
- 1.2 CenturyLink will target a response time of two hours from receipt of a call to respond to service-affecting call outs.
- 1.3 Remedial maintenance means maintenance CenturyLink deems reasonably appropriate and necessary to return Product(s) listed in Attachment 1 to proper operating condition as specified by manufacturer's specifications.
- 1.4 Prior to call out, Customer must follow routine test procedures, as specified by CenturyLink, to localize the cause of a problem.
- 1.5 After localization of trouble to the Product(s), Customer will immediately notify CenturyLink, by phone, of any Product(s) malfunction.

**2. Term of Maintenance Provision.**

- 2.1 The term of this Maintenance Provision will be \_\_\_\_\_ months and will begin the day after the warranty period expires for Product(s).
- 2.2 If CenturyLink's agreement with the equipment manufacturer terminates before the end of this Agreement, CenturyLink may discontinue maintenance service with reasonable notice to Customer.

**3. Repair and Replacement of Parts.**

- 3.1 CenturyLink will have the option to repair or replace Product(s) specified in Attachment 1, or parts thereof.
- 3.2 When CenturyLink replaces part(s) or Product(s), the replacement part(s) become the property of Customer, and the replaced part(s) become the property of CenturyLink.
- 3.3 CenturyLink may, at its option, use new, reconditioned, or a later version of the parts or components of Product(s) to replace parts.
- 3.4 If CenturyLink uses parts or Product(s) from a Customer-owned spare parts inventory, the defective part(s) or Product(s) will remain the property of Customer. Customer may, at its option, purchase replacement spare part(s) or Product(s) from CenturyLink. In the case of such exchange, the defective part(s) or Product(s) become the property of CenturyLink and the purchased part(s) or Product(s) become the property of Customer.
- 3.5 Prices for replacement spare part(s) or Product(s) will be the then current CenturyLink list price.

**4. Software Upgrades (Optional).** Customer may select the software upgrade program listed on Attachment 4. The availability of this option is contingent on the type of Product used. If Customer selects the software upgrade program, the manufacturer, through CenturyLink, will make new versions and releases of the Product software available for deployment during the contract period. Customer must agree to the software license agreement(s) provided by the Product manufacturer. If Customer is not willing to agree to a manufacturer's software license terms, CenturyLink will not offer the software upgrade program. The software upgrade program is limited to only the software. If any additional hardware or equipment is required to use the software upgrade program, the cost of such additional hardware or equipment will be Customer's responsibility. Any required labor that is provided by a vendor and/or CenturyLink will be billed on a time & material basis at then-current rates and charges. Rates for the software upgrade program are shown in Attachment 4.

**5. Exclusions.**

- 5.1 This Agreement does not cover service calls for Product(s) listed in Attachment 1 that are damaged as a result of misuse of the Product(s), abusive environment, Customer modification, Customer interfaces with peripheral Product(s), moves, fire, vandalism, operator error, use of improper supplies, Force Majeure events, or other causes beyond normal usage of the Product(s). However, if Customer requests CenturyLink to make repairs under such circumstances, and if CenturyLink agrees to make such repairs, CenturyLink will provide



repair at CenturyLink's then-current hourly charge rate for service technicians. All parts required to repair the Product(s) will be paid by Customer at the then-current parts list price.

5.2 This Agreement does not cover service calls to locations that are remote from the primary locations listed under this Agreement.

5.3 This Agreement does not cover headsets, Uninterruptible Power Supplies ("UPS"), personal computers, and any equipment not listed on Attachment 1 to this Agreement.

**6. Rates and Charges.**

6.1 CenturyLink may initiate an increase on each one-year anniversary of this Maintenance Provision, provided CenturyLink notifies Customer, in writing, 30 days in advance of any such increase. Maintenance charges are provided in Attachment 4 to this Agreement.

Customer \_\_\_\_\_  
(Initials)

CenturyLink \_\_\_\_\_  
(Initials)



**ATTACHMENT 4**  
**To the Participating Addendum for**  
**CENTURYLINK PUBLIC SAFETY PRODUCT SALES/INSTALLATION/MAINTENANCE**  
**BETWEEN CUSTOMER AND CENTURYLINK**

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**PAYMENT SUMMARY**

**1. PRODUCTS.**

**1.1 Product and Installation Pricing Summary.**

Description	Charges
Product	\$
Installation	\$
Total for Product and Installation	\$

**2. Product Payment Schedule.**

Description	Percentage of Total Payment Due	Amount Due
Contract Signing	20%	\$
Equipment Delivery	50%	\$
Date of Acceptance	30 %	\$

**2. WARRANTY AND MAINTENANCE.**

**2.1 Term.** The warranty period and maintenance term are shown below.

Description	Warranty Period and Maintenance Term
Warranty Period	[SELECT ONE YEAR or 90 DAY]
Maintenance Term (after warranty period)	[SELECT TERM (must match term shown in Att 3)]

**2.2 Warranty and Maintenance Payment Schedule.** Customer will pay the following warranty and maintenance charges in accordance with the following payment schedule.

Description	Charges	Billing Schedule
Warranty Period	\$	100% Billed upon Acceptance
First Year Maintenance	\$	[SELECT BILLING SCHEDULE]
Second Year Maintenance	\$	[SELECT BILLING SCHEDULE]
Third Year Maintenance	\$	[SELECT BILLING SCHEDULE]
Fourth Year Maintenance	\$	[SELECT BILLING SCHEDULE]
Fifth Year Maintenance	\$	[SELECT BILLING SCHEDULE]

**3. SOFTWARE UPGRADE PROGRAM.**

**3.1 Software Upgrade Program.** Customer will pay the following software upgrade program charges in accordance with the following payment schedule.

Term	Charges*	Billing Schedule
[SELECT TERM or N/A]	\$	100% Billed upon Acceptance

\*Any labor required and provided by a vendor or CenturyLink will be billed on a time & material basis at then-current rates and charges.

Customer \_\_\_\_\_  
(Initials)

CenturyLink \_\_\_\_\_



DRAFT

Agenda Item Number : 1b

## Request For Council Action

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**Date Submitted** 03/15/2021 11:22 AM

**Proposed City Council  
Date** 03/18/2021

**Applicant** Jordan Minnick

**Subject** Consider approval of the HIDTA ONDCP 2021 grant award.

**Background** The HIDTA ONDCP 2021 Grant Award funding of \$167,780.00 to be approved for use by the Police Department. This is an annual award to fund the Washington County Drug Task Force.

**Proposed Resolution** Approve

**Cost** \$

**Action Taken**

**Requested by** Kyle Whitehead

**File Attachments** hidtaondcp2021grantaward031521112250.pdf

**Approved by Legal  
Department?** Yes

**Approved by City Admin  
Services?** Yes

**Approved in Budget?** N/A **Amount:**





**EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF NATIONAL DRUG CONTROL POLICY**

Washington, D.C. 20503

March 1, 2021

Mr. Adam Lenhard  
St. George Police Department  
265 North 200 East  
St. George, UT 84770-2845

Dear Mr. Lenhard:

We are pleased to inform you that your request for funding from the High Intensity Drug Trafficking Areas (HIDTA) Program has been approved, and a grant (Grant Number G21RM0015A) has been awarded in the amount of \$167,780.00. This grant will support initiatives designed to implement the Strategy proposed by the Executive Board of the Rocky Mountain HIDTA and approved by the Office of National Drug Control Policy (ONDCP).

The grant agreement and conditions are enclosed. By accepting this grant, you assume the administrative and financial responsibilities outlined in the grant conditions. Failure to adhere to the grant conditions may result in the termination of the grant or the initiation of administrative action. ONDCP also may terminate the award if it no longer effectuates program goals or agency priorities.

If you accept this award, please sign both the grant agreement and the conditions and return a copy via email to your respective NHAC accountant or to the following address:

Finance Unit  
National HIDTA Assistance Center  
11200 NW 20th Street, Suite 100  
Miami, FL 33172  
(305) 715-7600

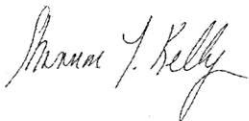
Please keep the original copy of the grant agreement and conditions for your file. If you have any questions pertaining to this grant award, please contact Jayme Delano at (202) 395 - 6794.

Sincerely,

A handwritten signature in cursive script, reading "Shannon J. Kelly".

Shannon Kelly  
National HIDTA Director



<b>Executive Office of the President Office of National Drug Control Policy</b>		<b>Grant Agreement</b>	
1. Recipient Name and Address Adam Lenhard City Manager St. George Police Department 265 North 200 East St. George, UT 84770-2845		4. Award Number (FAIN): G21RM0015A	
		5. Period of Performance: From 01/01/2021 to 12/31/2022	
2. Total Amount of the Federal Funds Obligated: \$167,780	6. Federal Award Date: March 1, 2021	7. Action: Initial	
2A. Budget Approved by the Federal Awarding Agency \$167,780	8. Supplement Number		
3. CFDA Name and Number: <i>High Intensity Drug Trafficking Areas Program - 95.001</i>	9. Previous Award Amount:		
3A. Project Description  <i>High Intensity Drug Trafficking Areas (HIDTA) Program</i>	10. Amount of Federal Funds Obligated by this Action: \$167,780.00		
	11. Total Amount of Federal Award: \$167,780.00		
12. This Grant is non-R&D and approved subject to such conditions or limitations as are set forth on the attached pages.			
13. Statutory Authority for Grant: <i>Public Law 116-260 H.R.133</i>			
<b>AGENCY APPROVAL</b>		<b>RECIPIENT ACCEPTANCE</b>	
14. Typed Name and Title of Approving Official Shannon Kelly National HIDTA Director Office of National Drug Control Policy		15. Typed Name and Title of Authorized Official Adam Lenhard City Manager St. George Police Department	
16. Signature of Approving ONDCP Official 		17. Signature of Authorized Recipient/Date	
<b>AGENCY USE ONLY</b>			
18. Accounting Classification Code DUNS: 627376569 EIN: 1876000275A1		19. HIDTA AWARD <i>OND1070DB2122XX OND6113</i> <i>OND2000000000 OC 410001</i>	



## **GRANT CONDITIONS**

### **A. General Terms and Conditions**

1. This award is subject to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. § 200 (the “§ 200 Uniform Requirements”), as adopted and implemented by the Office of National Drug Control Policy (ONDCP) in 2 C.F.R. §3603. For this award, the § 200 Uniform Requirements supersede, among other things, the provisions of 28 C.F.R. §§ 66 and 70, as well as those of 2 C.F.R. §§ 215, 220, 225, and 230. For more information on the § 200 Uniform Requirements, see <https://cfo.gov/cofar/>. For specific, award-related questions, recipients should contact ONDCP promptly for clarification.
2. This award is subject to the following additional regulations and requirements:
  - 28 C.F.R. § 69 – “New Restrictions on Lobbying”
  - 2 C.F.R. § 25 – “Universal Identifier and System of Award Management”
  - Non-profit Certifications (when applicable)
3. Audits conducted pursuant to 2 C.F.R. § 200, Subpart F, “Audit Requirements” must be submitted no later than 9 months after the close of the grantee’s audited fiscal year to the Federal Audit Clearinghouse at <https://harvester.census.gov/facweb>
4. Grantees are required to submit Federal Financial Reports (FFR) to the Department of Health and Human Services, Division of Payment Management (HHS/DPM). The Federal Financial Report is required to be submitted quarterly and within 90 days after the grant is closed out.
5. The recipient gives the awarding agency or the Government Accountability Office, through any authorized representative, access to, and the right to examine, all paper or electronic records related to the grant.
6. Recipients of HIDTA funds are not agents of ONDCP. Accordingly, the grantee, its fiscal agent(s), employees, contractors, as well as state, local, and Federal participants, either on a collective basis or on a personal level, shall not hold themselves out as being part of, or representing, the Executive Office of the President or ONDCP.
7. These general terms and conditions, as well as archives of previous versions of these general terms and conditions, are available online at [www.whitehouse.gov/ondcp/](http://www.whitehouse.gov/ondcp/).



8. **Mandatory Disclosure Requirement**

As a non-federal entity, you must disclose, in a timely manner, in writing to ONDCP all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Non-federal entities that have received a federal award including the terms and conditions outlined in appendix XII of this part are required to report certain civil, criminal, or administrative proceedings to the System for Award Management (SAM), currently the Federal Awardee Performance and Integrity Information System. Failure to make required disclosures can result in any of the remedies described in § 200.339. (See also 2 C.F.R. §180, 31 U.S.C. § 3321, and 41 U.S.C. § 2313.)

9. Federal Funding Accountability and Transparency (FFATA) / Digital Accountability and Transparency Act (DATA Act). Each applicant is required to (i) be registered in SAM before submitting its application; (ii) provide a valid DUNS number in its application; (iii) continue to maintain an active SAM registration with current information at all times during which it has an active federal award; and (iv) provide all relevant grantee information required for ONDCP to collect for reporting related to FFATA and DATA Act requirements.
10. Subawards are authorized under this grant award. Subawards must be monitored by the award recipient as outlined in 2 C.F.R. § 200.331.
11. Recipients must comply with the Government-wide Suspension and Debarment provision set forth at 2 C.F.R. §180, dealing with all sub-awards and contracts issued under the grant.
12. Recipients are prohibited from using federal grant funds to purchase certain telecommunication and video surveillance services or equipment in alignment with § 889 of the National Defense Authorization Act of 2019, Pub. L. No. 115-232. See 2 C.F.R. § 200.216. See also, HIDTA PPBG, § 7.20, Prohibited Uses of HIDTA Funds.
13. Grantees should provide a preference, to the extent permitted by law, to maximize use of goods, products, and materials produced in the United States. See 2 C.F.R. § 200.322.
14. Failure to adhere to the General Terms and Conditions as well as the Program Specific Terms and Conditions may result in the termination of the grant or the initiation of administrative action. ONDCP may also terminate the award if it no longer effectuates program goals or agency priorities. See 2 C.F.R. § 200.340.



## B. Recipient Integrity and Performance Matters

### Reporting of Matters Related to Recipient Integrity and Performance

#### 1. *General Reporting Requirement*

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then you as the recipient during that period of time must maintain the currency of information reported to SAM that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. This is a statutory requirement under § 872 of Public Law 110-417, as amended (41 U.S.C. § 2313). As required by § 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for federal procurement contracts, will be publicly available. See 41 U.S.C. § 417b(e)(1).

#### 2. *Proceedings About Which You Must Report*

Submit the information required about each proceeding that:

Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;

- a. Contract from the federal government;
- b. Reached its final disposition during the most recent 5 year period; and
- c. Is one of the following:
  - (1) A criminal proceeding that resulted in a conviction, as defined in paragraph 5 of this award term and condition;
  - (2) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;
  - (3) An administrative proceeding, as defined in paragraph 5 of this award term and condition, that resulted in a finding of fault and liability and your payment of either a monetary fine or penalty of \$5,000 or more or reimbursement, restitution, or damages in excess of \$100,000; or
  - (4) Any other criminal, civil, or administrative proceeding if:
    - (i) It could have led to an outcome described in paragraph 2.c.(1), (2), or (3) of this award term and condition;



- (ii) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on your part; and
- (iii) The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

### 3. *Reporting Procedures*

Enter in the SAM Entity Management area the information that SAM requires about each proceeding described in paragraph 2 of this award term and condition. You do not need to submit the information a second time under assistance awards that you received if you already provided the information through SAM because you were required to do so under federal procurement contracts that you were awarded.

### 4. *Reporting Frequency*

During any period of time when you are subject to the requirement in paragraph 1 of this award term and condition, you must report proceedings information through SAM for the most recent 5-year period, either to report new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report. Recipients that have federal contract, grant, and cooperative agreement awards with a cumulative total value greater than \$10,000,000 must disclose semiannually any information about the criminal, civil, and administrative proceedings.

### 5. *Definitions*

For purposes of this award term and condition:

- a. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and state level, but only in connection with performance of a Federal contract or grant. It does not include audits, site visits, corrective plans, or inspection of deliverables.
- b. Conviction, for purposes of this award term and condition, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.
- c. Total value of currently active grants, cooperative agreements, and procurement contracts includes—
  - (1) Only the federal share of the funding under any federal award with a recipient cost share or match; and



- (2) The value of all expected funding increments under a federal award and options, even if not yet exercised.

## C. Program Specific Terms and Conditions

The grant condition is as follows:

1. This award is subject to the requirements in the SUPPORT for Patients and Communities Act, 21 U.S.C. §§ 1701 *et seq.* and in the ONDCP National HIDTA Program Office HIDTA *Program Policy and Budget Guidance* (Jan. 6, 2020) (PPBG). The HIDTA PPBG is issued pursuant to authority granted the Director of ONDCP by the SUPPORT for Patients and Communities Act (21 U.S.C. § 1706) and the Uniform Administration Requirements (2 C.F.R. § 200) which provide the Director of ONDCP authority to coordinate funds and implement oversight and management function with respect to the HIDTA Program. The HIDTA PPBG can be accessed at the following website;  
[https://www.nhac.org/hidta\\_guidance/Program\\_Policy\\_and\\_Budget\\_Guidance2020.pdf](https://www.nhac.org/hidta_guidance/Program_Policy_and_Budget_Guidance2020.pdf)

## D. Federal Award Performance Goals

HIDTA award recipients must adhere to the performance measures, goals and requirements set forth in the PPBG Performance Management chapter (§ 10.0) and the HIDTA Performance Management Process (PMP) database.

## E. Payment Basis

1. A request for advance or reimbursement shall be made using the HHS/DPM system (<https://pms.psc.gov/>).
2. The grantee, must utilize the object classes specified within the initial grant application each time they submit a disbursement request to ONDCP. Requests for payment in the DPM system will not be approved unless the required disbursements have been entered using the corresponding object class designations. Payments will be made via Electronic Fund Transfer to the award recipient's bank account. The bank must be Federal Deposit Insurance Corporation (FDIC) insured. The account must be interest bearing.
3. Except for interest earned on advances of funds exempt under the Intergovernmental Cooperation Act (31 U.S.C. § 6501 *et seq.*) and the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 450), awardees and sub-awardees shall promptly, but at least annually, remit interest earned on advances to HHS/DPM using the remittance instructions provided below.



*Remittance Instructions* – Remittances must include pertinent information of the payee and nature of payment in the memo area (often referred to as “addenda records” by Financial Institutions) as that will assist in the timely posting of interest earned on federal funds. Pertinent details include the Payee Account Number (PAN), reason for check (remittance of interest earned on advance payments), check number (if applicable), awardee name, award number, interest period covered, and contact name and number. The remittance must be submitted as follows:

Through an electronic medium using either Automated Clearing House (ACH) network or a Fedwire Funds Service payment.

(i) For ACH Returns:

Routing Number: 051036706

Account number: 303000

Bank Name and Location: Credit Gateway—ACH Receiver St. Paul, MN

(ii) For Fedwire Returns\*:

Routing Number: 021030004

Account number: 75010501

Bank Name and Location: Federal Reserve Bank Treas NYC/Funds Transfer  
Division New York, NY

(\* Please note organization initiating payment is likely to incur a charge from your Financial Institution for this type of payment)

For recipients that do not have electronic remittance capability, please make check\*\* payable to: “The Department of Health and Human Services.”

Mail Check to Treasury approved lockbox:

HHS Program Support Center, P.O. Box 979132, St. Louis, MO 63197

(\*\* Please allow 4-6 weeks for processing of a payment by check to be applied to the appropriate PMS account)

Any additional information/instructions may be found on the PMS Web site at <http://pms.psc.gov/>.

4. The grantee or subgrantee may keep interest amounts up to \$500 per year for administrative purposes.



## **RECIPIENT ACCEPTANCE OF GRANT CONDITIONS**

Date: \_\_\_\_\_

\_\_\_\_\_  
Adam Lenhard

St. George Police Department



# Initiative Cash by HIDTA

FY 2021

Awarded Budget (as approved by ONDCP)

HIDTA	Agency Name	Initiative	Cash	Type	Grant
Rocky Mountain	St. George Police Department	Washington County Drug Task Force	167,780.00	Investigation	G21RM0015A
Agency Total : St. George Police Department			167,780.00		
Total			167,780.00		



# Budget Detail

## 2021 - Rocky Mountain

Initiative - Washington County Drug Task Force

Investigation

Award Recipient - St. George Police Department (G21RM0015A)

Resource Recipient - St. George Police Department

Indirect Cost: 0.0%

<b>Awarded Budget (as approved by ONDCP)</b>		<b>\$167,780.00</b>
<b>Personnel</b>	<b>Quantity</b>	<b>Amount</b>
Administrative Staff	1	\$12,375.00
<b>Total Personnel</b>		<b>\$12,375.00</b>
<b>Overtime</b>	<b>Quantity</b>	<b>Amount</b>
Investigative - Law Enforcement Officer	10	\$65,250.00
<b>Total Overtime</b>		<b>\$65,250.00</b>
<b>Travel</b>	<b>Quantity</b>	<b>Amount</b>
Administrative	2	\$500.00
<b>Total Travel</b>		<b>\$500.00</b>
<b>Facilities</b>	<b>Quantity</b>	<b>Amount</b>
Lease	1	\$41,000.00
<b>Total Facilities</b>		<b>\$41,000.00</b>
<b>Services</b>	<b>Quantity</b>	<b>Amount</b>
Communications - mobile phones & pagers		\$7,300.00
Service contracts		\$600.00
Shipping & postage		\$100.00
Software - maintenance		\$3,500.00
Subscriptions - database		\$1,080.00
Vehicle lease - passenger	3	\$12,600.00
<b>Total Services</b>		<b>\$25,180.00</b>
<b>Supplies</b>	<b>Quantity</b>	<b>Amount</b>
Investigative/Operational		\$3,275.00
Office		\$700.00
<b>Total Supplies</b>		<b>\$3,975.00</b>
<b>Other</b>	<b>Quantity</b>	<b>Amount</b>
PE/PI/PS		\$19,500.00
<b>Total Other</b>		<b>\$19,500.00</b>
<b>Total Budget</b>		<b>\$167,780.00</b>



DRAFT

Agenda Item Number : 02

## Request For Council Action

---

**Date Submitted** 03/08/2021 03:12 PM

**Proposed City Council  
Date** 03/18/2021

**Applicant** Genna Goodwin

**Subject** Public hearing and approval of the Program Year 2020 Annual Action Plan (AAP) for the Community Development Block Grant (CDBG) program.

**Background** The 2020 AAP outlines proposed projects by the City's CDBG program to address identified needs during PY2020 (FY2021), the second year of the City's 2019-2023 five-year Consolidated Plan. This item was previously heard on 12/17/2020 and 02/04/2021. Staff has addressed changes required by HUD and added prior year resources to the Public Facilities & Infrastructure funding.

**Proposed Resolution** Staff recommends approval.

**Cost** \$

**Action Taken**

**Requested by** Genna Goodwin

**File Attachments** 2020aapdraft302192021pendingccapproval030821151224.docx

**Approved by Legal  
Department?** NA

**Approved by City Admin  
Services?** NA

**Approved in Budget?** N/A **Amount:**





## **2020 Annual Action Plan**

**City of St. George**  
**Economic & Housing** Development  
175 East 200 North  
St. George, Utah 84770



Annual Action Plan  
Setup  
AD-26 Administration  
AD-50 Verify Grantee/PJ Information in IDIS  
AD-55 Verify Grantee/PJ - Program Contacts

Process  
AP-05 Executive Summary  
PR-05 Lead & Responsible Agencies  
AP-10 Consultation  
AP-12 Participation

Annual Action Plan  
AP-15 Expected Resources  
AP-20 Annual Goals and Objectives  
AP-35 Projects  
AP-50 Geographic Distribution  
AP-55 Affordable Housing  
AP-60 Public Housing  
AP-65 Homeless and Other Special Needs Activities  
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AP-85 Other Actions  
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## Executive Summary

### AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

#### 1. Introduction

This Annual Action Plan is intended to satisfy the requirements for CDBG Entitlement Communities by describing the use of Community Development Block Grant (CDBG) funds by the City of St. George, Utah, for its 2020 CDBG Program Year, the second program year of the City's 2019-2023 Five-year Consolidated Plan. The Plan was prepared by the City of St. George's **Economic & Housing Development Department**, which administers the City's CDBG Program through its **Economic Development & Housing Coordinator - CDBG** personnel.

The City of St. George encourages agency collaboration and cooperation to improve program outcomes. Various non-profit agencies, such as the Five County Association of Governments, Dove Center or Family Support Center, will partner to benefit Switchpoint Community Resource Center, the building that was purchased by The City of St. George for the purpose of providing services to the homeless community. Switchpoint differs from a homeless shelter in that it provides a variety of services under one roof including: emergency shelter; emergency food pantry; general assistance with ID's and birth certificates; food stamps; Medicare; Medicaid; domestic violence; employment; resumé building; alcohol and addiction; work to success; parenting; budgeting; clothing vouchers; food vouchers; adult mentoring; and volunteer opportunities for the community.

#### 2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The City of St. George has developed its strategic plan based on an analysis of the data presented in the \*2019-2023 Consolidated Plan and the community participation and stake holder consultation process. Through these efforts, the City has identified two priority needs and associated goals to address those needs. The priority needs are: 1) Quality of life Improvements, and 2) Non-Housing Community Development. To provide for those needs, the goals during the 2020 program year are as follows:

- Increase and Expand Public Services LMI
- Increase and Expand Public Service Special Needs
- Promotion of Fair Housing
- Increase and Improve Access to Public Facilities



- Increase and Expand Capacity Public Infrastructure

*\*Due to the COVID-19 pandemic, the 2019-2023 Consolidated Plan was substantially amended in order to prevent, prepare for, and respond to coronavirus. The goals associated with the 2020 AAP will remain the same, however, if needed, funding will be re-focused on efforts to prevent, prepare for, and respond to coronavirus in accordance with the CARES Act.*

### **3. Evaluation of past performance**

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The City has made significant contributions to provide safe, decent and affordable housing, a suitable living environment, and economic opportunities – especially for low- to moderate-income individuals in the community, through collaborative efforts with public, private, and non-profit community housing providers and service agencies. However, improving the quality of life for City citizens and non-housing community development remain some of the most prolific needs of St. George, as documented by the 2014-2018 Consolidated Plan and the 2017 Consolidated Annual Performance and Evaluation Report (CAPER).

The Consolidated Plan is a comprehensive document that describes the City's housing market conditions, identifies the need for affordable housing and community development, and provides strategies to address the needs over a five-year period. The CAPER provides an assessment of progress towards the five-year goals and the one-year goals of HUD entitlement grants CDBG. The City and its network of service providers are able to meet its goals in providing vital public services to its citizens, however there is ongoing need to continue support for low- and moderate-income households and the special needs population such as the elderly and homeless. Public infrastructure improvements and expansion and increased access to public facilities is needed due to rapidly growing population. As reported in the prior plan's CAPERs, the City has so far been able to accomplish the goals set forth by these needs.

### **4. Summary of Citizen Participation Process and consultation process**

Summary from citizen participation section of plan.

Citizen participation and consultation in the City's CDBG program are vital to its success. The City of St. George continues to work with key nonprofit organizations for consultation of the plan, and to encourage the participation of the citizens they serve, including low- and moderate-income residents who are the primary targets of their various HUD funded programs.

At a minimum, the City adheres to its adopted Citizen Participation Plan. In accordance with that plan, the City of St. George hosts training sessions, attends meetings, holds public meetings and hearings,



places copies of various CDBG plans and reports on the City's website, makes copies of the plans available for review in both draft and final forms, and accepts and incorporates citizen input and feedback. Along with the annual processes, the public is advised of all program planning activities, actions, and plan amendments, by published notices on the City's website and local newspaper. In order to improve program outcomes, the City of St. George also collaborates and cooperates with other governmental agencies as well as a number of profit and non-profit organizations to develop viable program activities. For all CDBG activities, the City of St. George works to provide full accessibility for the disabled and provides translation and hearing-impaired services for those who request them.

Citizen participation and involvement in the development of this Annual Action Plan has not only included the input taken at specifically noticed activities, but in many cases from either direct or indirect interactions with citizens and agencies otherwise involved with any activity associated with an objective of the City's CDBG program. Below is a list of efforts made by the City:

Citizen comments and questions are encouraged at all public meetings. For nonprofit organizations seeking CDBG funding, a funding workshop is hosted to explain the application process.

As the majority of PY2020 funding is being utilized to prevent, prepare for, and respond to the coronavirus pandemic, the City of St. George may temporarily utilize the waivers allowed by the CARES Act. As such, a 5-day public comment period will be held from 03/12/2021 to 03/17/2021 for the 2020 Annual Action Plan. A Public Hearing will be held on 03/18/2020.

05/06/2020: PY2020 Funding Workshop - overview of PY2020 CDBG program funding and potential CDBG-CV funding.

12/12/2020: Public Notice for the 5-day public comment period (in accordance with the CARES Act) to be held from 12/12/2020 to 12/17/2020 for the 2020 Annual Action Plan.

12/17/2020: Public Hearing to address comments by City residents on the 2020 Annual Action Plan.

1/28/2021: Public Notice for the 5-day public comment period (in accordance with the CARES Act) to be held from 1/28/2021 to 02/03/2021 for the 2020 Annual Action Plan.

02/04/2021: Public Hearing to address comments by City residents on the 2020 Annual Action Plan.

02/24/2021: Public Notice for the 5-day public comment period (in accordance with the CARES Act) to be held from 03/12/2021 to 03/17/2021 for the 2020 Annual Action Plan.

03/10/2021: Public Notice for the 5-day public comment period (in accordance with the CARES Act) to be held from 03/12/2021 to 03/17/2021 for the 2020 Annual Action Plan.

03/18/2021: Public Hearing to address comments by City residents on the 2020 Annual Action Plan.



## **5. Summary of public comments**

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

No comments were received.

## **6. Summary of comments or views not accepted and the reasons for not accepting them**

No comments were received.

## **7. Summary**

The 2019-2023 Consolidated Plan was substantially amended in 2020 in order to prevent, prepare for, and respond to coronavirus. The following 2020 Annual Action Plan is the second year of the substantially amended Consolidated Plan.



## PR-05 Lead & Responsible Agencies – 91.200(b)

### 1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	ST. GEORGE, UT	
CDBG Administrator	ST. GEORGE	Economic & Housing Development Department

Narrative (optional):

No narrative necessary.

### Consolidated Plan Public Contact Information

Genna Goodwin, Economic Development & Housing Coordinator - CDBG

Economic & Housing Development Department

City of St. George

175 East 200 North

St. George, Utah 84770

(435) 627-4450



## **AP-10 Consultation – 91.100, 91.200(b), 91.215(I)**

### **1. Introduction**

St. George is engaged in ongoing efforts to increase coordination among its local network of public, private, and non-profit organizations that deliver housing and social services to the community. Some activities to increase coordination to further the goals in this plan include consulting with the St. George Housing Authority on public housing development needs, coordinate strategy with the Five County Association of Governments and the Utah Balance of State CoC to help end homelessness in the City, lead a local consortium of local organizations to help address homelessness in the City, and support mental health agencies in the City to help address the causes of homelessness. The principal organizations are: DOVE Center, St. George Housing Authority, Southwest Center Mental Health, Utah Department of Workforce Service, Erin Kimball Foundation, Red Rock Center for Independence, Habitat for Humanity and the Five County Association of Governments.

As the administrator of HUD's CDBG program, the City's **Economic & Housing** Development Department acts as a hub for community and economic development in the area. Open lines of communication are maintained between the City and the area's many non-profit and social service agencies.

### **Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I))**

Aside from keeping an open-door policy and maintaining ongoing communication with the area's many agencies and service providers, the City's **Economic & Housing** Development Department is engaged in a number of efforts and initiatives to enhance coordination among the community's governmental and service frameworks.

The City holds an annual CDBG workshop to give an overview of the CDBG program's purpose and goals. At this time, organizations also have the opportunity to give feedback on the community's needs.

### **Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.**

St. George partners with many groups in the area to implement housing services for the homeless. These groups include non-profit associations, local government entities, public schools, housing authorities, law enforcement, volunteer fire agencies, the faith community, and financial supporters.

The partnerships were created to maximize the resources available to homeless persons through the development and coordination of an effective and comprehensive continuum of care system addressing



services from homelessness prevention services, outreach services, emergency shelter, transitional housing, permanent supportive housing, and permanent affordable housing.

Monthly, the City's CDBG Administrator attends the Local Homeless Coordinating Committee (LHCC). This meeting is conducted by a member of the St. George City Council. The meetings are held in order to coordinate the varying services between government, non-profit and private partners in our community responsible for providing service options for citizens who may struggle with unemployment, housing, health and mental challenges. As a committee of 25 to 30 partners, we collaborate and try to maximize the limited resources we each have to serve the public. We utilize a statewide database system to keep track of those individuals and families that are most vulnerable and prioritize services according to the greatest need. For the past several years this has been a solid working model and has been successful.

**Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS.**

The City of St. George does not receive ESG funding. However, the City of St. George plays an integral part in the monthly Local Homeless Coordinating Council (LHCC). The LHCC coordinates with service agencies, mental health providers and assisted housing providers to increase the availability of affordable, safe and decent housing. The City acts as Chair for this council and gives direction to service agencies and developers of affordable housing based upon the need of the LHCC. Coordination among service providers has been enhanced as the City has taken lead and encouraged collaboration among the service agencies.



**2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction’s consultations with housing, social service agencies and other entities**

*The following were involved with creating the 2019-2023 Consolidated Plan. Responses have not changed since that time.*

1	<b>Agency/Group/Organization</b>	City of St. George
	<b>Agency/Group/Organization Type</b>	Other government - Local
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Market Analysis
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The City of St. George is the lead agency in administering the CDBG program in the City.
2	<b>Agency/Group/Organization</b>	WASHINGTON COUNTY
	<b>Agency/Group/Organization Type</b>	Other government - County
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The City of St. George is located in and is the primary metro area of Washington County. The City and the County work closely together to address the needs of its citizens.
3	<b>Agency/Group/Organization</b>	FIVE COUNTY ASSOCIATION OF GOVERNMENTS
	<b>Agency/Group/Organization Type</b>	Other government - Local Regional organization
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Economic Development
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Five County Association of Governments (FCAOG) is an association of local governments from the five southwestern counties of the State of Utah. Its mission it to plan, prepare and partner with federal, state and local governments to strengthen the role of southwestern Utah local officials in the execution of state and federal programs at the local level.



4	<b>Agency/Group/Organization</b>	St. George Housing Authority
	<b>Agency/Group/Organization Type</b>	Housing PHA
	<b>What section of the Plan was addressed by Consultation?</b>	Public Housing Needs
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The St. George Housing Authority (SGHA) is the local public housing authority in St. George. It provides the City with consultation on public housing needs.
5	<b>Agency/Group/Organization</b>	St. George Public Works
	<b>Agency/Group/Organization Type</b>	Other government - Local Stormwater Maintenance
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Economic Development Market Analysis
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	St. George Public Works Department works to minimize the effects of storm water and flood-hazards through maintenance and the use of policy and ordinances.
6	<b>Agency/Group/Organization</b>	Dixie Clean Storm Water Coalition
	<b>Agency/Group/Organization Type</b>	Regional organization Planning organization
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Economic Development
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Dixie Clean Storm Water Coalition is formed from members of the surrounding local governments and St. George as well as local organizations. The Coalition works to minimize the effects of storm water in the region and reduce storm water pollution in local streams and rivers through public education and outreach.
7	<b>Agency/Group/Organization</b>	St. George Public Library
	<b>Agency/Group/Organization Type</b>	Public Library
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Economic Development



	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	St. George Library is part of the Washington County Library system. The Library provides public access to computers and access to the internet with no restrictions in regards to eligibility.
8	<b>Agency/Group/Organization</b>	United Way Dixie
	<b>Agency/Group/Organization Type</b>	Regional organization Resources
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Economic Development
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	United Way Dixie assists with 2-1-1, a service that provides people with ways to get help and give help. Services that the program can help people who are in need connect to are health and human services, employment services, food assistance, shelter and housing services, utility assistance, and referrals to internet providers.
9	<b>Agency/Group/Organization</b>	Department of Workforce Services
	<b>Agency/Group/Organization Type</b>	Services-Employment Public Internet Access
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Economic Development
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Department of Workforce Services has an Employment Center with a computer lab and staff available to help in job seeking and training.
10	<b>Agency/Group/Organization</b>	Intermountain Health Care
	<b>Agency/Group/Organization Type</b>	Health Agency Public Internet Access
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Intermountain Health Care is a leading medical health provider in the area. Intermountain Health Care has free public wi-fi on all campuses.



11	<b>Agency/Group/Organization</b>	Washington County Flood Control Authority
	<b>Agency/Group/Organization Type</b>	Other government - County Flood Control Authority
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Economic Development
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Washington County Flood Control Authority is the lead agency in managing flood-hazards in the County and participates with St. George in flood control.
12	<b>Agency/Group/Organization</b>	Washington County Water Conservancy District
	<b>Agency/Group/Organization Type</b>	Other government - County Water Management Services
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Economic Development
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Washington County Water Conservancy District, a not-for-profit public agency, was established to manage Washington County's water needs. The Washington County Water Conservancy District works in conserving, developing, managing and stabilizing water supplies within the county.



**Identify any Agency Types not consulted and provide rationale for not consulting**

No agencies were specifically avoided during the consultation process.

**Other local/regional/state/federal planning efforts considered when preparing the Plan**

<b>Name of Plan</b>	<b>Lead Organization</b>	<b>How do the goals of your Strategic Plan overlap with the goals of each plan?</b>
Continuum of Care	Utah Balance of State	The City of St. George places a high priority on providing shelter, housing and services for persons experiencing homelessness. The City's goals reflect the State's CoC goals for ending homelessness.



## **AP-12 Participation – 91.105, 91.200(c)**

### **1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting**

The City adheres to its HUD approved Citizen Participation Plan. In accordance with that plan, and in many cases in addition to that plan, the City of St. George hosts training sessions, attends meetings, holds public meetings and hearings, places copies of various CDBG plans and reports on the City's website (including draft versions prior to final approval), makes copies of the plans available for review in both draft and final forms, and accepts and incorporates citizen input and feedback. Along with the annual processes, the public is advised of all program planning activities, actions, and plan amendments, by published notices on the City's website, and personal mailings as appropriate. In order to improve program outcomes, the City of St. George also collaborates and cooperates with other governmental agencies as well as a number of for-profit and non-profit organizations to develop viable program activities. For all CDBG activities, the City of St. George works to provide full accessibility for the disabled, and provides translation and hearing-impaired services for those who request them.

Citizen participation and involvement in the development of this Annual Action Plan has not only included the input taken at specifically noticed activities, but in many cases from either direct or indirect interactions with citizens and agencies otherwise involved with any activity associated with an objective of the City's CDBG program. The following summarizes the noticed activities made available for general public participation, involvement and input into the 2020 Action Plan:

05/06/2020: PY2020 Funding Workshop - overview of PY2020 CDBG program funding and potential CDBG-CV funding.

12/12/2020: Public Notice for the 5-day public comment period (in accordance with the CARES Act) to be held from 12/12/2020 to 12/17/2020 for the 2020 Annual Action Plan.

12/17/2020: Public Hearing to address comments by City residents on the 2020 Annual Action Plan.

1/28/2021: Public Notice for the 5-day public comment period (in accordance with the CARES Act) to be held from 1/28/2021 to 02/03/2021 for the 2020 Annual Action Plan.

02/04/2021: Public Hearing to address comments by City residents on the 2020 Annual Action Plan.



02/24/2021: Public Notice for the 5-day public comment period (in accordance with the CARES Act) to be held from 03/12/2021 to 03/17/2021 for the 2020 Annual Action Plan.

03/10/2021: Public Notice for the 5-day public comment period (in accordance with the CARES Act) to be held from 03/12/2021 to 03/17/2021 for the 2020 Annual Action Plan.

03/18/2021: Public Hearing to address comments by City residents on the 2020 Annual Action Plan.

### Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Funding workshop	Non-targeted/broad community	A funding workshop for the 2020 Action Plan funding cycle was held on May 6, 2020. This event was held digitally due to the COVID-19 pandemic and was open to the public. It was attended by potential applicants of CDBG funding. Applications for funding were made available and applications were due May 20,2020.	Representatives from participating organizations asked questions about the upcoming funding cycle including questions about the funding application. Staff provided details about eligible activities, eligible expenditures, reporting and record keeping requirements etc.	All comments accepted.	



Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Public notice	Non-targeted/broad community	A 5-Day Public Comment Notice was made on December 12, 2020 that the Public Comment Period was to begin on December 12 and run through December 17, 2020. This announcement also included the announcement of the Public Hearing on December 17, 2020.	There were no comments received.	All comments accepted.	
2	Public notice	Non-targeted/broad community	A 5-Day Public Comment Notice was made on January 28, 2021 that the Public Comment Period was to begin on January 28 and run through February 03, 2021. This announcement also included the announcement of the Public Hearing on February 04, 2021.	There were no comments received.	All comments accepted.	



Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Public notice	Non-targeted/broad community	A 5-Day Public Comment Notice was made on February 24, 2021 that the Public Comment Period was to begin on March 12 and run through March 17, 2021. This announcement also included the announcement of the Public Hearing on March 18, 2021.	There were no comments received.	All comments accepted.	
2	Public notice	Non-targeted/broad community	A 5-Day Public Comment Notice was made on March 10, 2021 that the Public Comment Period was to begin on March 12 and run through March 17, 2021. This announcement also included the announcement of the Public Hearing on March 18, 2021.	There were no comments received.	All comments accepted.	



Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
3	Public Hearing	Non-targeted/broad community	A Public Hearing was held on December 17, 2020 at City Council Chambers at City Hall, 175 E 200N to address the comments from the City residents on the 2020 Annual Action Plan.	There were no comments received.	All comments accepted.	
3	Public Hearing	Non-targeted/broad community	A Public Hearing was held on February 04, 2021 at City Council Chambers at City Hall, 175 E 200N to address the comments from the City residents on the 2020 Annual Action Plan.	There were no comments received.	All comments accepted.	



Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
3	Public Hearing	Non-targeted/broad community	A Public Hearing was held on March 18, 2021 at City Council Chambers at City Hall, 175 E 200N to address the comments from the City residents on the 2020 Annual Action Plan.	There were no comments received.	All comments accepted.	



## Expected Resources

### AP-15 Expected Resources – 91.220(c)(1,2)

#### Introduction

The City of St. George plans to utilize the following funds during the 2020 program year. They are \$651,676 in entitlement funding from HUD as well as \$60,000 in program income that was received over the past year and \$293,493.05 in funding from previous years.

#### Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition			PY14 69,203.89			
		Admin and Planning						
		Economic Development			PY15 26,993.42			
		Housing						
		Public Improvements	651,676.00	60,000.00	PY16 7,418.46	1,005,169.05	0	
		Public Services			PY17 189,877.28			
					Prior Year Total 293,493.05			



DRAFT

Agenda Item Number : 03

## Request For Council Action

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**Date Submitted** 03/08/2021 04:24 PM

**Proposed City Council  
Date** 03/18/2021

**Applicant** Kevan Bundy, Bundy Surveying Inc.

**Subject** Public Hearing and consideration of approval for a subdivision amendment for Anasazi Hills at Entrada Phase 2 Amending Lots 47 & 53 by adjusting the lot line and the public utility easement along the common lot line.

**Background** This request is to consider a subdivision amendment for Anasazi Hills at Entrada Phase 2 Amending Lots 47 & 53 by adjusting the lot line and the public utility easement along the common lot line. This is located at 2484 Moenavi Cir. Zoning is PD-R.

**Proposed Resolution** JUC Recommends approval

**Cost** \$

**Action Taken**

**Requested by** Todd Jacobsen

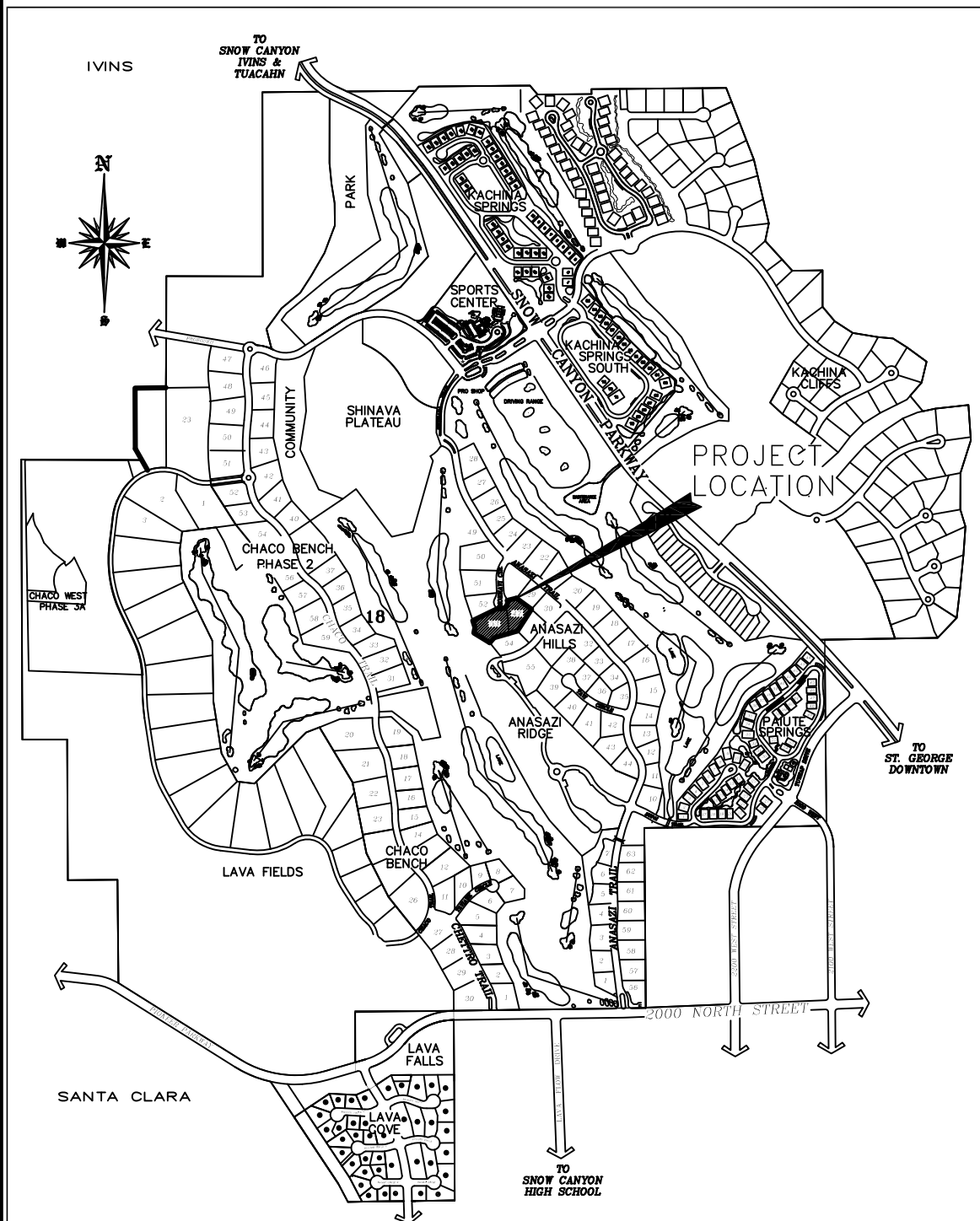
**File Attachments** v-anasazihillsatentradaphase2amendinglots4753-plat030821162436.pdf

**Approved by Legal  
Department?** Yes

**Approved by City Admin  
Services?** NA

**Approved in Budget?** N/A **Amount:**





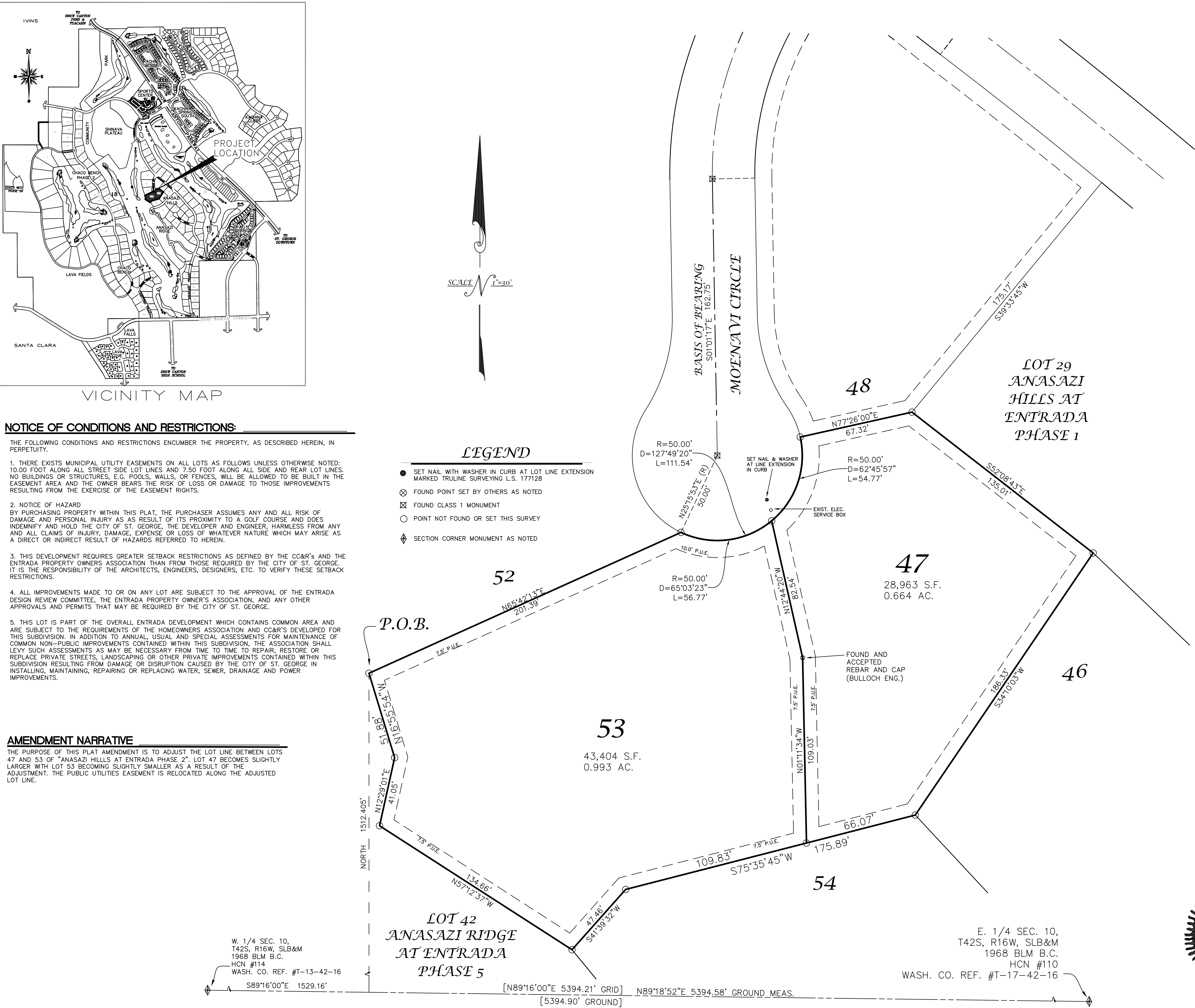
VICINITY MAP

NOTICE OF CONDITIONS AND RESTRICTIONS:

- THE FOLLOWING CONDITIONS AND RESTRICTIONS ENCOMBER THE PROPERTY, AS DESCRIBED HEREIN, IN PERPETUITY.
1. THERE EXISTS MUNICIPAL UTILITY EASEMENTS ON ALL LOTS AS FOLLOWS UNLESS OTHERWISE NOTED: 10.00 FOOT ALONG ALL STREET SIDE LOT LINES AND 7.50 FOOT ALONG ALL SIDE AND REAR LOT LINES. NO BUILDINGS OR STRUCTURES, E.G. POOLS, WALLS, OR FENCES, WILL BE ALLOWED TO BE BUILT IN THE EASEMENT AREA AND THE OWNER BEARS THE RISK OF LOSS OR DAMAGE TO THOSE IMPROVEMENTS RESULTING FROM THE EXERCISE OF THE EASEMENT RIGHTS.
  2. NOTICE OF HAZARD  
BY PURCHASING PROPERTY WITHIN THIS PLAT, THE PURCHASER ASSUMES ANY AND ALL RISK OF DAMAGE AND PERSONAL INJURY AS AS RESULT OF ITS PROXIMITY TO A GOLF COURSE AND DOES INDEMNIFY AND HOLD THE CITY OF ST. GEORGE, THE DEVELOPER AND ENGINEER, HARMLESS FROM ANY AND ALL CLAIMS OF INJURY, DAMAGE, EXPENSE OR LOSS OF WHATEVER NATURE WHICH MAY ARISE AS A DIRECT OR INDIRECT RESULT OF HAZARDS REFERRED TO HEREIN.
  3. THIS DEVELOPMENT REQUIRES GREATER SETBACK RESTRICTIONS AS DEFINED BY THE CC&R's AND THE ENTRADA PROPERTY OWNERS ASSOCIATION THAN FROM THOSE REQUIRED BY THE CITY OF ST. GEORGE. IT IS THE RESPONSIBILITY OF THE ARCHITECTS, ENGINEERS, DESIGNERS, ETC. TO VERIFY THESE SETBACK RESTRICTIONS.
  4. ALL IMPROVEMENTS MADE TO OR ON ANY LOT ARE SUBJECT TO THE APPROVAL OF THE ENTRADA DESIGN REVIEW COMMITTEE, THE ENTRADA PROPERTY OWNER'S ASSOCIATION, AND ANY OTHER APPROVALS AND PERMITS THAT MAY BE REQUIRED BY THE CITY OF ST. GEORGE.
  5. THIS LOT IS PART OF THE OVERALL ENTRADA DEVELOPMENT WHICH CONTAINS COMMON AREA AND ARE SUBJECT TO THE REQUIREMENTS OF THE HOMEOWNERS ASSOCIATION AND CC&R's DEVELOPED FOR THIS SUBDIVISION. IN ADDITION TO ANNUAL USUAL AND SPECIAL ASSESSMENTS FOR MAINTENANCE OF COMMON NON-PUBLIC IMPROVEMENTS CONTAINED WITHIN THIS SUBDIVISION, THE ASSOCIATION SHALL LEVY SUCH ASSESSMENTS AS MAY BE NECESSARY FROM TIME TO TIME TO REPAIR, RESTORE OR REPLACE PRIVATE STREETS, LANDSCAPING OR OTHER PRIVATE IMPROVEMENTS CONTAINED WITHIN THIS SUBDIVISION RESULTING FROM DAMAGE OR DISRUPTION CAUSED BY THE CITY OF ST. GEORGE IN INSTALLING, MAINTAINING, REPAIRING OR REPLACING WATER, SEWER, DRAINAGE AND POWER IMPROVEMENTS.

AMENDMENT NARRATIVE

THE PURPOSE OF THIS PLAT AMENDMENT IS TO ADJUST THE LOT LINE BETWEEN LOTS 47 AND 53 OF "ANASAZI HILLS AT ENTRADA PHASE 2". LOT 47 BECOMES SLIGHTLY LARGER WITH LOT 53 BECOMING SLIGHTLY SMALLER AS A RESULT OF THE ADJUSTMENT. THE PUBLIC UTILITIES EASEMENT IS RELOCATED ALONG THE ADJUSTED LOT LINE.

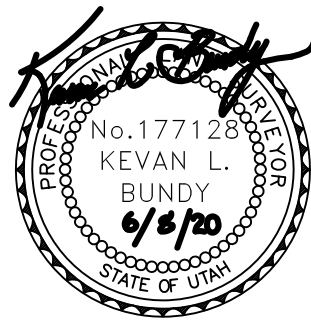


SURVEYOR'S CERTIFICATE

I, KEVAN L. BUNDY, DO HEREBY CERTIFY THAT I HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT, AND HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE HEREON OWNERS, THIS SURVEY WAS COMPLETED AS SHOWN AND DESCRIBED BELOW AND IS TO BE HEREAFTER KNOWN AS:

ANASAZI HILLS AT ENTRADA PHASE 2  
AMENDING LOTS 47 AND 53

AND THAT SAID TRACT OF LAND HAS BEEN SUBDIVIDED INTO LOTS AND EASEMENTS AS SHOWN ON THIS PLAT.



KEVAN L. BUNDY PLS No. 177128

BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF LOT 52, "ANASAZI HILLS AT ENTRADA PHASE 2" SUBDIVISION, SAID POINT BEING SOUTH 89°16'00" EAST, 1529.16 FEET ALONG THE SECTION LINE AND NORTH, 1512.405 FEET FROM THE WEST ¼ CORNER OF SECTION 10, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN; RUNNING THENCE NORTH 65°42'13" EAST, 201.39 FEET ALONG THE SOUTH BOUNDARY LINE OF SAID LOT 52 TO THE RIGHT OF WAY LINE OF "MOENAVI CIRCLE", PRIVATE STREET, SAID POINT ALSO BEING ON THE ARC OF A 50.00 FOOT RADIUS CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS NORTH 25°15'53" EAST; THENCE NORTHEASTERLY, 111.54 FEET ALONG THE ARC OF SAID CURVE AND SAID RIGHT OF WAY THROUGH A CENTRAL ANGLE OF 127°49'20" TO THE SOUTHWEST CORNER OF LOT 48 OF SAID SUBDIVISION; THENCE LEAVING SAID RIGHT OF WAY LINE AND RUNNING NORTH 77°26'00" EAST, 67.32 FEET ALONG THE SOUTH BOUNDARY LINE OF SAID LOT 48 TO THE SOUTHWESTERLY CORNER OF LOT 29 OF "ANASAZI HILLS AT ENTRADA PHASE 1" SUBDIVISION; THENCE SOUTH 52°08'43" EAST, 135.01 FEET ALONG THE SOUTHERLY BOUNDARY LINE OF SAID LOT 29 TO THE NORTHWESTERLY CORNER OF LOT 46 OF "ANASAZI HILLS AT ENTRADA PHASE 2" SUBDIVISION; THENCE SOUTH 34°10'03" WEST, 186.33 FEET ALONG THE WESTERLY BOUNDARY LINE OF SAID LOT 46 TO THE NORTHEASTERLY CORNER OF LOT 54 OF SAID SUBDIVISION; THENCE ALONG THE NORTHERLY BOUNDARY LINE OF SAID LOT 54 IN THE FOLLOWING TWO COURSES: SOUTH 75°55'45" WEST, 175.89 FEET; THENCE SOUTH 41°59'32" WEST, 47.46 FEET TO THE NORTHERLY BOUNDARY LINE OF LOT 42 OF "ANASAZI RIDGE AT ENTRADA PHASE 5" SUBDIVISION; THENCE NORTH 57°12'37" WEST, 134.66 FEET ALONG SAID BOUNDARY LINE TO THE WESTERLY SUBDIVISION BOUNDARY LINE OF "ANASAZI HILLS AT ENTRADA PHASE 2" SUBDIVISION; THENCE ALONG SAID WESTERLY BOUNDARY LINE IN THE FOLLOWING TWO COURSES: NORTH 12°29'01" EAST, 41.05 FEET; THENCE NORTH 16°55'54" WEST, 51.88 FEET TO THE POINT OF BEGINNING. CONTAINING 72,366 SQUARE FEET OR 1.661 ACRES MORE OR LESS.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED OWNER OF ALL THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND EASEMENTS TO BE HEREAFTER KNOWN AS:

ANASAZI HILLS AT ENTRADA PHASE 2  
AMENDING LOTS 47 AND 53

DO HEREBY ACCEPT AND INCORPORATE THE TERMS AND CONDITIONS OF "THE ENTRADA AT SNOW CANYON AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS" RECORDED JUNE 22, 1996 IN BOOK 1017, ON PAGE 0439, BY REASON OF THE DECLARATION OF ANNEXATION DATED AUGUST 27, 1999, AND RECORDED CONCURRENTLY WITH THE PLAT OF "ANASAZI HILLS AT ENTRADA PHASE 2", SAID DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS IS HEREBY INCORPORATED AND MADE PART OF THIS PLAT. REFERENCE IS MADE TO SAID DECLARATION FOR DETAILS CONCERNING THE RIGHTS AND OBLIGATIONS OF PARTIES HAVING OR ACQUIRING AN INTEREST IN THIS DEVELOPMENT. FOR GOOD AND VALUABLE CONSIDERATION RECEIVED, THE UNDERSIGNED OWNER HEREBY DEDICATES AND CONVEYS TO THE CITY OF ST. GEORGE, ALL EASEMENTS NOTED AND/OR SHOWN FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES. THE UNDERSIGNED OWNER DOES HEREBY WARRANT TO THE CITY OF ST. GEORGE AND ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO USE ALL DEDICATIONS AND CONVEYANCES GRANTED HEREIN AGAINST THE CLAIMS OF ALL PERSONS.

BRUCE R. BACKA

OWNERS' ACKNOWLEDGMENT (INDIVIDUAL)

STATE OF UTAH }  
COUNTY OF WASHINGTON } S.S.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020, BY  
BRUCE R. BACKA, OWNER.

NOTARY PUBLIC FULL NAME: \_\_\_\_\_  
COMMISSION NUMBER: \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_  
A NOTARY PUBLIC COMMISSIONED IN UTAH  
(NO STAMP REQUIRED PER UTAH CODE,  
TITLE 46, CHAPTER 1, SECTION 16)

NOTARY PUBLIC

ANASAZI HILLS AT ENTRADA  
PHASE 2  
AMENDING LOTS 47 AND 53

LOCATED IN:  
THE NW 1/4 OF SECTION 10,  
TOWNSHIP 42 SOUTH, RANGE 16 WEST,  
SALT LAKE BASE & MERIDIAN  
SHEET 1 OF 1

BUNDY SURVEYING INCORPORATED 351 SOUTH VALLEY VIEW DRIVE, UNIT 35, ST. GEORGE, UTAH 84770 PHONE: (435) 619-1990	COMMUNITY DEVELOPMENT DIRECTOR APPROVAL	CITY ENGINEER APPROVAL	CITY ATTORNEY APPROVAL	APPROVAL OF THE LAND USE AUTHORITY	APPROVAL AND ACCEPTANCE BY THE CITY OF ST. GEORGE, UTAH	TREASURER APPROVAL	RECORDED NUMBER
MAP DATE: JUNE 8, 2020 REVISIONS: 1. ADJUSTED LOT LINE AND PUBLIC UTILITY EASEMENTS.	I HEREBY VERIFY THAT THIS OFFICE EXAMINED THIS FINAL SUBDIVISION PLAT, AND HEREBY RECOMMENDS APPROVAL ON THIS THE ____ DAY OF _____, 20____.	I HEREBY VERIFY THAT THIS OFFICE EXAMINED THIS FINAL SUBDIVISION PLAT AND HEREBY RECOMMENDS APPROVAL ON THIS THE ____ DAY OF _____, 20____.	APPROVED AS TO FORM, THIS THE ____ DAY OF _____, 20____.	I HEREBY VERIFY THAT THE LAND USE AUTHORITY REVIEWED THIS FINAL SUBDIVISION PLAT AND APPROVED IT ON THIS THE ____ DAY OF _____, 20____, WITH ALL COMMITMENTS AND OBLIGATIONS PERTAINING THERETO.	WE, THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. GEORGE, UTAH, HAVE REVIEWED THIS FINAL SUBDIVISION PLAT, AND BY AUTHORIZATION OF SAID CITY COUNCIL, RECORD IN THE MINUTES OF THIS MEETING OF THE ____ DAY OF _____, 20____, HEREBY APPROVED THIS FINAL SUBDIVISION PLAT WITH ALL COMMITMENTS AND OBLIGATIONS PERTAINING THERETO.	I, WASHINGTON COUNTY TREASURER, CERTIFY ON THIS ____ DAY OF _____, A.D. 20____, THAT ALL TAXES, SPECIAL ASSESSMENTS, AND FEES DUE AND OWING ON THIS SUBDIVISION FINAL PLAT HAVE BEEN PAID IN FULL.	
	COMMUNITY DEVELOPMENT DIRECTOR CITY OF ST. GEORGE	CITY ENGINEER CITY OF ST. GEORGE	CITY ATTORNEY CITY OF ST. GEORGE	LAND USE AUTHORITY CITY OF ST. GEORGE	ATTEST: CITY RECORDER CITY OF ST. GEORGE MAYOR CITY OF ST. GEORGE	WASHINGTON COUNTY TREASURER	WASHINGTON COUNTY RECORDER



DRAFT

Agenda Item Number : 04

## Request For Council Action

---

**Date Submitted** 03/02/2021 10:27 AM

**Proposed City Council  
Date** 03/18/2021

**Applicant** Bryan Pack

**Subject** Consider whether to approve the acquisition through eminent domain property to be used for a roadway and temporary easement (SG-TC-8) to be used for widening River Road in the vicinity of 1230 East 1050 South. The owner should be allowed to speak if present.

**Background** William R. and Louise Segar have agreed and been very cooperative in selling property to St. George needed for widening of River Road. Their mortgage company has been unresponsive to requests to execute a "partial deed of reconveyance." St. George is seeking authorization to commence an eminent domain action and is following statutory procedures, including this public meeting, in preparation of filing such action. Notice of this meeting was sent directly to the owner.

**Proposed Resolution** Approval

**Cost** \$NA

**Action Taken**

**Requested by** Jay Sandberg

**File Attachments** noticemailed22621-segareminentdomain030221103357.pdf

**Approved by Legal  
Department?** Yes

**Approved by City Admin  
Services?** Yes

**Approved in Budget?** Yes **Amount:** NA



## Notice

Notice is hereby given that the St. George City Council will hold a public meeting on Thursday, March 18, 2021, to consider whether an eminent domain action is necessary to acquire a portion of parcel SG-TC-8 within the City of St. George to be used for a public roadway to widen River Road; and a portion of parcel SG-TC-8 within the City of St. George to be used for a temporary easement, as shown on the attached site diagram. Legal descriptions of both the right-of-way to be acquired and the temporary easement to be acquired are attached hereto. The City Council expects to take a vote at the meeting to either approve or deny the proposed taking and by law any owners of any interests in the parcel identified above are entitled to be heard at the meeting. The meeting will be held at St. George City office, City Council Chambers commencing at 5:00 p.m.



Bryan Pack, Assistant City Attorney

February 25, 2021

Date

Pursuant to the Executive Order issued by Governor Gary Herbert on March 18, 2020 regarding Electronic Public Meetings, please be advised that the St. George City Council meeting may be held electronically. If so, the meeting will be broadcast via Zoom. Instructions for participation are listed below.

An anchor location will be located at the St. George City Hall Council Chambers located at 175 E. 200 N., St. George Utah. Due to recommendations from the State of Utah and the Centers for Disease Control and Prevention, electronic attendance/participation is strongly encouraged as space at the anchor location will be limited.

Please contact Christina Fernandez at (435) 627-4003 with any questions regarding electronic participation in the council meeting.

REASONABLE ACCOMMODATION: The City of St. George will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs. Please contact the City Human Resources Office, (435) 627-4674, at least 24 hours in advance if you have special needs.



# Exhibit A

## Account 0035728

### Location

Account Number 0035728

Parcel Number SG-TC-8

Tax District 08 - St George City

Acres 0.78

Situs 1230 E 1050 S , ST GEORGE

**Legal** Subdivision: TERRA COTTA (SG) Lot: 8  
LESS: BEG AT PT OF 30.00 FT RAD CUR LFT  
(RAD PT BEARS N0°46'06" W) SD PT BEING  
N89°15'24" E, 108.38 FT ALG S LN OF LOT 8,  
TERRA COTTA SUBD; SD PT ALSO BEING  
LOC S1°13'13" E, 2627.32 FT ALG C/S/L &  
N89°15'24" E, 479.01 FT FM N1/4 COR SEC 32,  
T42S, R15W, TH NELY 47.32 FT ALG ARC OF  
SD 30.00 FT RAD CUR TO PT OF TNGY; TH  
N1°06'40" W, 188.45 FT ALG E LN OF SD LOT 8;  
TH LEAV SD L/L S3°08'20" W 30.29 FT TO PT  
OF 294.00 FT RAD CUR RGT; TH ALG ARC OF  
SD CUR 37.31 FT TO PT OF 156.00 FT RAD  
RVSE CUR LFT; TH ALG ARC OF SD CUR 31.37  
FT TO PT OF TNGY; TH S1°06'40" E 79.10 FT;  
TH S88°53'20" W 7.00 FT; TH S1°06'40" E 21.00  
FT TO PT OF 20.00 FT RAD CUR RGT (RAD PT  
BEARS S88°53'20" W); TH ALG ARC OF SD  
CUR 31.54 FT TO PT ON S LN OF SD LOT 8; TH  
N89°15'24" E 7.44 FT ALG SD S L/L TO POB.

Parent Accounts

Parent Parcels

Child Accounts

Child Parcels

Sibling Accounts

Sibling Parcels

### Transfers

### Owner

Name SEGER WILLIAM ROBERT & LOUISE TRS  
1230 E 1050 S CIR  
SAINT GEORGE, UT 84790

### Value

Market (2020) \$406,900  
Taxable \$223,795  
Tax Area: 08 Tax Rate: 0.009213  
Type Actual Assessed Acres  
Primary \$406,900 \$223,795 0.780  
Improved

### Entry Number

### Recording Date

<a href="#">00286708</a>	<a href="#">12/31/1985 10:48:00 AM</a>	<a href="#">B: 398 P: 206</a>
<a href="#">00397713</a>	<a href="#">01/09/1992 03:48:00 PM</a>	<a href="#">B: 636 P: 523</a>
<a href="#">00398372</a>	<a href="#">01/22/1992 03:23:00 PM</a>	<a href="#">B: 638 P: 250</a>
<a href="#">00398374</a>	<a href="#">01/22/1992 03:28:00 PM</a>	<a href="#">B: 638 P: 257</a>
<a href="#">00407353</a>	<a href="#">05/26/1992 10:57:00 AM</a>	<a href="#">B: 661 P: 252</a>
<a href="#">00418065</a>	<a href="#">10/26/1992 02:41:00 PM</a>	<a href="#">B: 687 P: 649</a>
<a href="#">00514128</a>	<a href="#">11/01/1995 10:21:00 AM</a>	<a href="#">B: 947 P: 480</a>
<a href="#">20080049111</a>	<a href="#">12/31/2008 08:03:51 AM</a>	
<a href="#">20080049112</a>	<a href="#">12/31/2008 08:03:51 AM</a>	
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<a href="#">20130000216</a>	<a href="#">01/03/2013 12:46:24 PM</a>	
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<a href="#">20130000222</a>	<a href="#">01/03/2013 12:46:24 PM</a>	
<a href="#">20170049812</a>	<a href="#">12/07/2017 03:39:33 PM</a>	



"Tax"

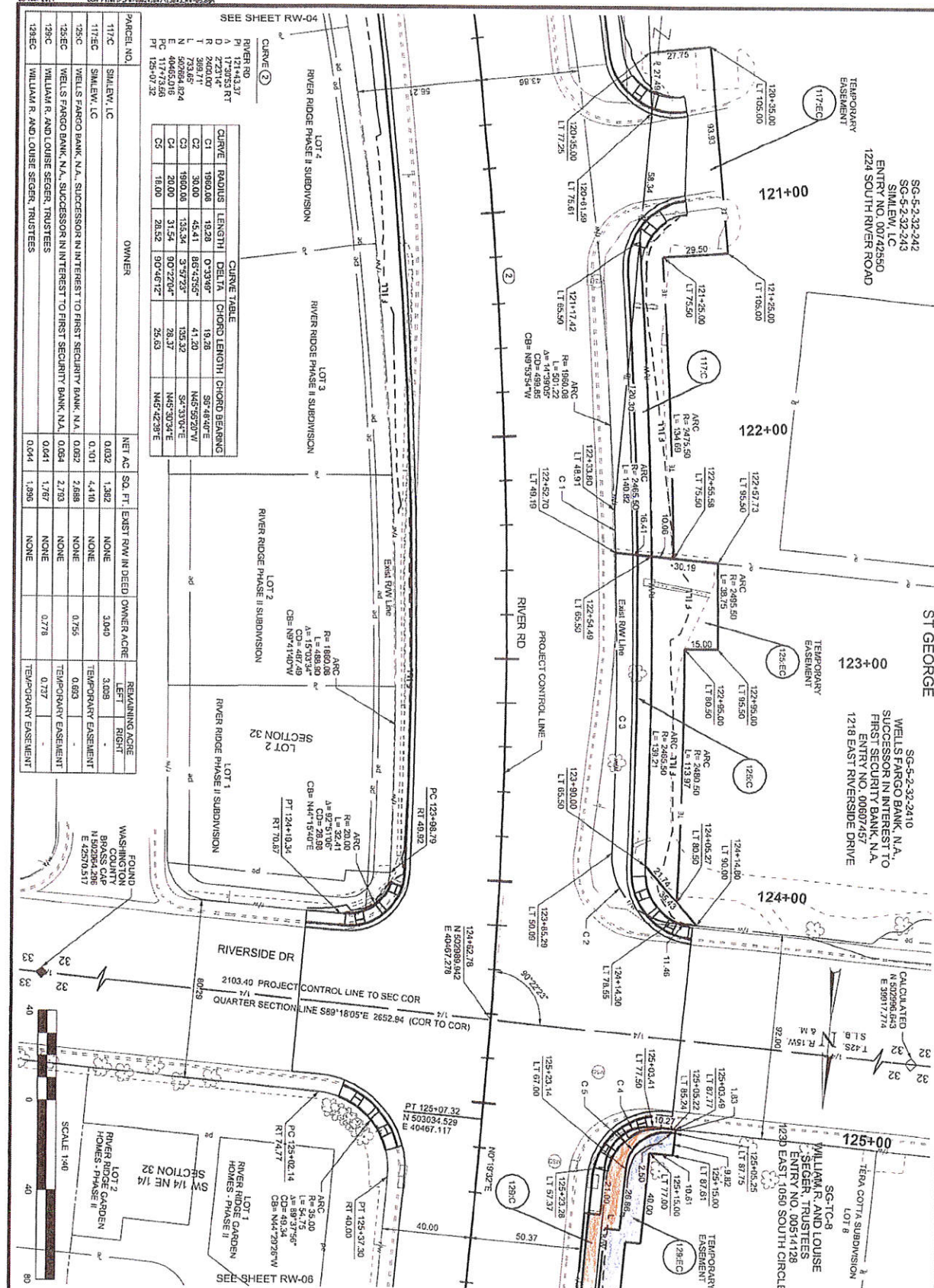
Images

Tax Year	Taxes
2020	\$2,061.82
2019	\$2,106.98

- [GIS](#)







SEE SHEET RW-04

CURVE 3

CURVE NO.	RADIUS	LENGTH	DELTA	CHORD LENGTH	CHORD BEARING
C1	1980.06	19.20	0°13'00"	19.20	S89°48'00"E
C2	30.00	45.41	86°45'55"	41.20	S85°52'00"E
C3	1980.06	13.34	3°47'22"	13.32	S7°30'00"E
C4	20.00	31.54	90°22'04"	28.37	N45°30'00"E
C5	18.00	28.82	90°46'17"	26.83	N45°42'38"E

OWNER

PARCEL NO.	OWNER	NET AC	SQ. FT.	EXIST. ROW IN DEED	OWNER ACRES	REMAINING ACRES
111C	SHAW, LC	0.032	1,382	NONE	3.040	3.008
112C	SHAW, LC	0.001	4,410	NONE	TEMPORARY EASEMENT	0.003
123C	WELLS FARGO BANK, N.A., SUCCESSOR IN INTEREST TO FIRST SECURITY BANK, N.A.	0.093	2,688	NONE	0.755	0.663
124C	WELLS FARGO BANK, N.A., SUCCESSOR IN INTEREST TO FIRST SECURITY BANK, N.A.	0.094	2,703	NONE	TEMPORARY EASEMENT	0.737
125C	WILLIAM R. AND LOUISE SEGER, TRUSTEES	0.041	1,787	NONE	0.778	0.737
126C	WILLIAM R. AND LOUISE SEGER, TRUSTEES	0.041	1,893	NONE	TEMPORARY EASEMENT	0.737

UTAH DEPARTMENT OF TRANSPORTATION

CIVIL SCIENCE

PROJECT: RIVERSIDE DRIVE TO 1450 SOUTH

PROJECT NUMBER: F-LC53(74)

DATE: 3/6/2019

APPROVED: [Signature]

PROFESSIONAL LAND SURVEYOR

REVISIONS:

NO.	DATE	APPROVED BY	REMARKS









January 20, 2021

Secretary of Housing and Urban Development  
451 Seventh Street S.W.  
Washington, DC 20410

Novad Management Consulting  
Attn: Rhonda Holley  
[hecm.servicing@novadconsulting.com](mailto:hecm.servicing@novadconsulting.com)  
[rhonda.holley@novadconsulting.com](mailto:rhonda.holley@novadconsulting.com)  
2401 NW 23<sup>rd</sup> Street, Suite 1A1  
Oklahoma City, OK 73107

Security One Lending  
3131 Camino Del Rio N., Suite #1400  
San Diego, CA 92108

Brown & Associates  
Attn: Charles Brown  
2316 Southmore  
Pasadena, TX 77502

Re: William R. Seger, FHA Case No./HUD No. 521-8593159-951.

To Whom It May Concern:

The City of St. George and UDOT have in good faith attempted to purchase a small portion of a lot owned by William R. and Louise Seger, in St. George, Utah, for necessary roadway improvements adjacent to their home and lot. The proposed purchase is a narrow strip of 0.041 acres. The entire lot is 0.78 acres. An additional temporary construction easement of 0.44 acres is also being purchased. It is our understanding that Security One Lending held the beneficial interest under a Deed of Trust on the property, which has since been assigned to the Secretary of Housing and Urban Development (HUD). The security interest of HUD is more fully identified in [Exhibit A](#) and [Exhibit B](#) attached hereto. The Seger's have agreed to the acquisition, however, to clear the title and complete the transaction, a Partial Deed of Reconveyance on the Trust Deed held by HUD is required.

A few months ago, we sent information and documents to NOVAD who we were informed is the servicer for the mortgage requesting that they process the request for the Partial Deed of Reconveyance. Since the initial request Southern Utah Title, the title company holding the purchase funds in escrow, has made numerous attempts to obtain the reconveyance.

Several critical features of the project are time sensitive, and there is too much risk to the project to delay further, and therefore we find it necessary to begin proceedings to acquire the property, free and clear of the HUD interest through eminent domain. The Right-of-Way is valued at \$40,230.00, as determined by an appraisal obtained by the City enclosed herewith as [Exhibit C](#). If you are interested in



participating in an inspection of the Property with our appraiser, please notify me and I can make such arrangements.

This letter is provided in the spirit of a good-faith effort to negotiate with you to execute the Partial Deed of Reconveyance without using the power of eminent domain, however, the City of St. George may use that power if it is not able to obtain the release in a timely manner. To ensure that the City meets its obligations under governing law, enclosed herewith as Exhibit D is a complete printed copy of the materials provided on the Office of the Property Rights Ombudsman website in accordance with Section 13-43-203 of the Utah Code regarding acquisition of property for a public purpose and a property owner's right to just compensation. These materials can also be found at [www.propertyrights.utah.gov](http://www.propertyrights.utah.gov). The City is required to provide the following disclosures to you.

***1. Your interest in property may be impacted by a public improvement project and you may be entitled to receive just compensation.***

***2. You are entitled to discuss this case with the attorneys at the Office of the Property Rights Ombudsman. The office may be reached at:***

**Office Location:**

***Heber M. Wells Building, 2<sup>nd</sup> Floor***

***160 East 300 South***

***Salt Lake City, Utah***

***Phone: (801) 530-6391***

***Toll-free in Utah: (877) 882-4662***

***Fax: (801) 530-6338***

***Email: [propertyrights@utah.gov](mailto:propertyrights@utah.gov)***

**Mailing Address:**

***Office of the Property Rights Ombudsman***

***State of Utah Department of Commerce***

***PO Box 146702***

***Salt Lake City, Utah 84114-6702***

***3. The Office of Property Rights Ombudsman is a neutral state office staffed by attorneys experienced in eminent domain. Their purpose is to assist citizens and entities in understanding and protecting their property rights. You are entitled to ask questions and request an explanation of your legal options.***

***4. If you have a dispute with the City of St. George over the amount of just compensation due to you, you are entitled to request free mediation or arbitration of the dispute from the Office of the Property Rights Ombudsman. As part of mediation or arbitration, you are entitled to request a free independent valuation of the property.***

***5. Oral representations or promises made during the negotiation process are not binding upon the City of St. George.***

Again, the City of St. George certainly prefers to handle this matter without the need of eminent domain, but we have already forwarded all information that's been requested to process this request and now we need an immediate response. We intend to proceed as soon as possible to an eminent domain lawsuit unless this is resolved immediately. Upon contact from you, I will be the individual speaking on behalf of the City, although no terms will be binding on the City until approved by the St. George City Council and the terms are reduced to a written agreement executed by the parties.



Please review the information disclosed by this letter, including the enclosures, and advise me of your response as soon as possible. I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay Sandberg". The signature is fluid and cursive, with a long, sweeping horizontal line extending from the end of the name.

Jay Sandberg  
St. George City Engineer



DRAFT

Agenda Item Number : 05

## Request For Council Action

---

**Date Submitted** 03/15/2021 09:21 AM

**Proposed City Council  
Date** 03/18/2021

**Applicant** Stacy Young

**Subject** Consider approval of an ordinance for a zone change amendment to the The Ledges at St George PD (Planned Development) on 12.5 acres located at approximately 1550 West 5150 North. Case No 2021-ZCA-021.

**Background** Annex into the Ledges master plan 12.5 acres located between the existing project boundary and the Lava Bluffs Equestrian Center. The annexation property is currently zoned Mining and Grazing and designated on the General Plan map as Low Density Residential (LDR). The proposed annexation would incorporate the property into the Ledges PD residential zone and allow for a maximum density of three homes per acre.

**Proposed Resolution** The Planning Commission recommended approval for the zone change amendment with comments and conditions outlined in the staff report.

**Cost** \$

**Action Taken**

**Requested by** Mike Hadley

**File Attachments** cc2021-zca-021theledgesatstgeorgefinalreport031521092132.pdf

**Approved by Legal  
Department?** Yes

**Approved by City Admin  
Services?** No

**Approved in Budget?** N/A **Amount:**





**PLANNING COMMISSION AGENDA REPORT: 02/23/2021**  
**CITY COUNCIL AGENDA 03/18/2021**

ZONE CHANGE AMENDMENT

**The Ledges of St George**

Case No. 2021-ZCA-021

**Request:** The City of St. George has received a request to consider a zone change amendment to the Ledges of St George PD (Planned Development) zone on approximately 12.5 acres located at approximately 1550 W 5150 N.

**Project Name:** The Ledges of St George

**Applicant:** The Ledges at Snow Canyon LLC

**Representative:** Stacy Young

**Location:** 1550 W 5150 N.

**Acreage:** Approximately 12.5+/- acres.

**General Plan:** The general plan calls for Low Density Residential (LDR) on the property. These are the approved land uses in the LDR classification: R-1-8, R-1-10, R-1-20, R-1-40, RE-12.5, RE-20, RE-37.5, Planned Development Residential.

**Current Zone:** M&G (Mining & Grazing).

**Proposed Zone:** PD-R (Planned Development Residential).

**Proposal:** The following changes to the Ledges of St George PD master plan are proposed:

- 1) Annex into the Ledges master plan 12.5 acres located between the existing project boundary and the Lava Bluffs Equestrian Center. The annexation property is currently zoned Mining and Grazing and designated on the General Plan map as Low Density Residential (LDR). The proposed annexation would incorporate the property into the Ledges PD residential zone and allow for a maximum density of three homes per acre.
- 2) Reallocate residential densities between several future neighborhoods and increase the total project-wide unit allowance to 2,600. This request is based on additional site planning and subdivision layout work completed since the last zone change amendment - **Background note:** The original (2004) PD master plan allowed up to 2,730 residential units. The planned number of homes was later reduced from that level to accommodate a prior



developer's intent to build another 18-hole golf course at the Ledges. The second golf course was not built by the prior developer and the designation was removed from the master land use plan as part of the 2017 PD amendment, however, the total unit allowance was left at a much lower level than the original plan.

Conservatively, at roughly 150 acres for an 18-hole golf course and two dwellings per acre, the abandoned golf course plan represents a 300-unit variable. Thus, the net effect of the proposed 2,600-unit allowance would be a residential land use intensity well below the originally approved master plan.

- 3) Make minor revisions to the alignment of Ledges Parkway. The reallocation of residential units on the map is driven in part by this updated road alignment.

**Hillside:** N/A

**Uses:** Residential Development.

**Staff Comments:** Staff has the following comments.

- Alternatives Actions:**
1. Recommend approval as presented.
  2. Recommend changes.
  3. Table the item to await the submittal of additional information.
  4. Recommend denial.

**Possible Motion:**

The Planning Commission recommended approval of the Zone Change Amendment for The Ledges of St George with the conditions and comments outlined in the staff report.



***THE LEDGES***  
**PLANNED DEVELOPMENT (PD)**  
**ZONE AMENDMENT SUBMITTED**  
**FEBRUARY 2021**

**EXISTING ZONING AND PROPOSED CHANGES**

The Ledges Planned Development (PD) zone was originally approved in November 2004 and subsequently amended in 2006, 2007, 2017, and 2019.

Except as specifically set forth by this application, the master land use plan established by prior approvals is unchanged by this amendment and shall continue in full force and effect according to the terms of the original approved PD as modified by its subsequent amendments.

This application proposes to make the following amendments to the Ledges PD master plan:

- 1) Annex into the Ledges master plan 12.5 acres located between the existing project boundary and the Lava Bluffs Equestrian Center. The annexation property is currently zoned Mining and Grazing and designated on the General Plan map as Low Density Residential (LDR). The proposed annexation would incorporate the property into the Ledges PD residential zone and allow for a maximum density of three homes per acre.
- 2) Reallocate residential densities between several future neighborhoods and increase the total project-wide unit allowance to 2,600. This request is based on additional site planning and subdivision layout work completed since the last zone change amendment.

Background note: The original (2004) PD master plan allowed up to 2,730 residential units. The planned number of homes was later reduced from that level in order to accommodate a prior developer's intent to build another 18-hole golf course at the Ledges. The second golf course was not built by the prior developer and the designation was removed from the master land use plan as part of the 2017 PD amendment, however, the total unit allowance was left at a much lower level than the original plan.

Conservatively, at roughly 150 acres for an 18-hole golf course and two dwellings per acre, the abandoned golf course plan represents a 300-unit variable. Thus, the net effect of the proposed 2,600-unit allowance would be a residential land use intensity well below the originally approved master plan.

- 3) Make minor revisions to the alignment of Ledges Parkway. The reallocation of residential units on the map is driven in part by this updated road alignment.

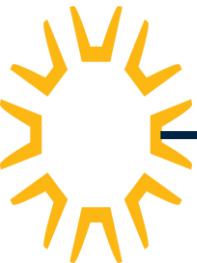






# Zone Change – The Ledges of St George

2021-ZC-021





# Vicinity Map





# Zoning Map





# General Plan Map





**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE CITY ZONING MAP BY AMENDING THE EXISTING THE LEDGES OF ST GEORGE PD-R (PLANNED DEVELOPMENT RESIDENTIAL) ZONE ON APPROXIMATELY 12.5 ACRES TO APPROVE A ZONE CHANGE AMENDMENT TO ALLOW NEW RESIDENTIAL DEVELOPMENT.**

(The Ledges of St George)

**WHEREAS**, the property owner has requested a zone change amendment to the existing PD-R zone on approximately 12.5 acres, to approve and allow new residential development. The site is generally located at 1550 W 5150 N.

**WHEREAS**, the City Council held a public meeting on this request on March 18, 2021; and

**WHEREAS**, the Planning Commission recommends approval of the requested zone change amendment; and

**WHEREAS**, the City Council has determined that the requested zone change amendment to the Zoning Map is justified at this time and is in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

**NOW, THEREFORE, BE IT ORDAINED**, by the St. George City Council, as follows:

**Section 1. Repealer.** Any provision of the St. George City Code found to be in conflict with this Ordinance is hereby repealed.

**Section 2. Enactment.** The City Zoning Map is hereby ordered to be changed to reflect the amendment to the PD-R (Planned Development Residential) zone on 12.5 acres. The zone change amendment and location is more specifically described on the attached property legal description, incorporated herein as Exhibit "A." and parcel exhibit, incorporated herein as Exhibit "B". The project must comply with all conditions, requirements, and restrictions as approved by City Council.

**Section 3. Severability.** If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

**Section 4. Effective Date.** This Ordinance shall take effect immediately on the date executed below, and upon posting in the manner required by law.

APPROVED AND ADOPTED by the St. George City Council, this 18th day of March 2021.

\_\_\_\_\_  
Michele Randall, Mayor

ATTEST:

\_\_\_\_\_  
Christina Fernandez, City Recorder



# Exhibit "A"

## **THE LEDGES OF ST. GEORGE PD AMENDMENT ANNEX DESCRIPTION**

BEGINNING AT A POINT NORTH 88°51'25" WEST ALONG THE SECTION LINE, A DISTANCE OF 542.348 FEET AND NORTH 01°08'35" EAST 1731.601 FEET FROM THE SOUTHEAST CORNER OF SECTION 26, TOWNSHIP 41 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, (BASIS OF BEARING BEING NORTH 88°51'25" WEST BETWEEN THE FOUND GLO BRASS CAP MONUMENTS LOCATED AT THE SOUTHEAST CORNER AND THE SOUTH QUARTER CORNERS OF SAID SECTION 26, AND RUNNING THENCE NORTH 88°51'02" WEST 116.322 FEET; THENCE NORTH 01°12'13" EAST 907.591 FEET; THENCE NORTH 27°45'59" EAST 1475.994 FEET TO THE EAST LINE OF SAID SECTION 26; THENCE SOUTH 01°11'49" WEST ALONG SAID EAST LINE OF SECTION 26, A DISTANCE OF 1041.610 FEET; THENCE SOUTH 61°57'27" WEST 336.764 FEET; THENCE SOUTH 20°28'50" WEST 757.258 FEET; THENCE SOUTH 01°12'13" WEST 306.736 FEET TO THE POINT OF BEGINNING.

CONTAINS 544,500 SQ. FT., (12.500 ACRES)



## Exhibit “B”





DRAFT

Agenda Item Number : 06

## Request For Council Action

---

**Date Submitted** 03/15/2021 08:59 AM

**Proposed City Council  
Date** 03/18/2021

**Applicant** Laura Hermes

**Subject** Consider approval of an ordinance changing the zone from A-1 (Agriculture-40,000 sq. ft. minimum lot size) to RE 12.5 (Residential Estate 12,500 sq. ft. minimum lot size) on approximately 7.09 acres located at the corner of River Road and 2800 South. Case No 2021-ZC-022.

**Background** The proposal is for a zone change for the Laurel Canyon development, a residential development from A-1 (Agriculture – 40,000 sq. ft. minimum lot size) to RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size).

**Proposed Resolution** Planning Commission recommended approval of the zone change.

**Cost** \$

**Action Taken**

**Requested by** Mike Hadley

**File Attachments** cc2021-zc-022finalreport031521085941.pdf

**Approved by Legal  
Department?** Yes

**Approved by City Admin  
Services?** NA

**Approved in Budget?** N/A **Amount:**



**PLANNING COMMISSION AGENDA REPORT: 02/23/2021**  
**CITY COUNCIL AGENDA: 03/18/2021**

Zone Change

**Laurel Canyon**

Case No. 2021-ZC-022

**Request:** The City has received a request for a zone change from A-1 (Agriculture – 40,000 sq. ft. minimum lot size) to RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size) on approximately 7.09 acres for residential development.

**Location:** The corner of River Road and 2800 S.

**Tax ID Number:** SG-5-3-9-425

**Area:** 7.09 acres

**Owner:** Dixie Property Holdings LLC

**Representative:** Laura Hermes

**Current Zoning:** A-1

**Ag Uses:** The allowed uses in the agricultural zones (A-0.5, A-1, A-5, A-10, & A-20) are found in Section **10-5-1** of the Zoning Ordinance.

Note: In the Ag zones barns and corrals for agriculture and livestock at least 100 feet away from any dwelling may be permitted.

**Proposed Zoning:** RE 12.5 (Residential Estates minimum of 12,500 sq ft lot).

**RE Uses:** The allowed uses in the RE zones (RE-5, RE-12.5, RE-20, & RE-37.5) are found in Section **10-7A-1** of the Zoning Ordinance.

Note: In the RE zones, barns and corrals for agriculture and livestock at least 100 feet away from any dwelling may be permitted with a PS (Permitted with Standards) application.

Note: In the RE zones livestock is permitted; one animal per 12,000 sq. ft. 2 per 20,000 sq. ft., and one additional for each additional 10,000 sq. ft. over 20,000 sq. ft.



**General Plan:** The general plan calls for Low Density Residential (LDR) on the property. These are the approved land uses in the LDR classification: R-1-8, R-1-10, R-1- 20, R-1-40, RE-12.5, RE-20, RE-37.5, Planned Development Residential. The proposed zone change is aligned with the general plan designation.

**Staff Comments:** Staff supports the request for RE-12.5. The proposal is consistent with the surrounding uses. To the south and east are Residential Estates 12.5 size lots and to the north are R-1-10 lots. To the west is open space.

**Alternatives:** The City Council has several alternate motions it can make;

1. Recommend approval of this zone change as proposed by the applicant.
2. Recommend approval with conditions and comments.
3. Recommend denial of this zone change.
4. Table the proposed zone change to a specific date.

**Possible Motion #1:** The Planning Commission recommended approval of the zone change from A-1 (Agriculture) to RE-12.5.





2/1/2021

Re: Zoning change request for Laurel Canyon

Dear St George Planning Commission,

We are requesting a zoning change from agricultural to RE-12.5 on parcel SG-5-3-9-425, a 7.09-acre parcel. This proposed zoning is consistent with homes in the adjacent area. Our intention is to connect 2000 E St to Coyote Springs and to 2800 S St. The parcel will be subdivided into approximately 15 lots and will address water detention concerns.

Thank you for your consideration.

Sincerely,

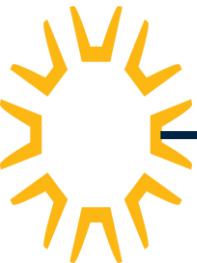
Laura Herms

GL Builder



# Zone Change – Laurel Canyon

2021-ZC-022



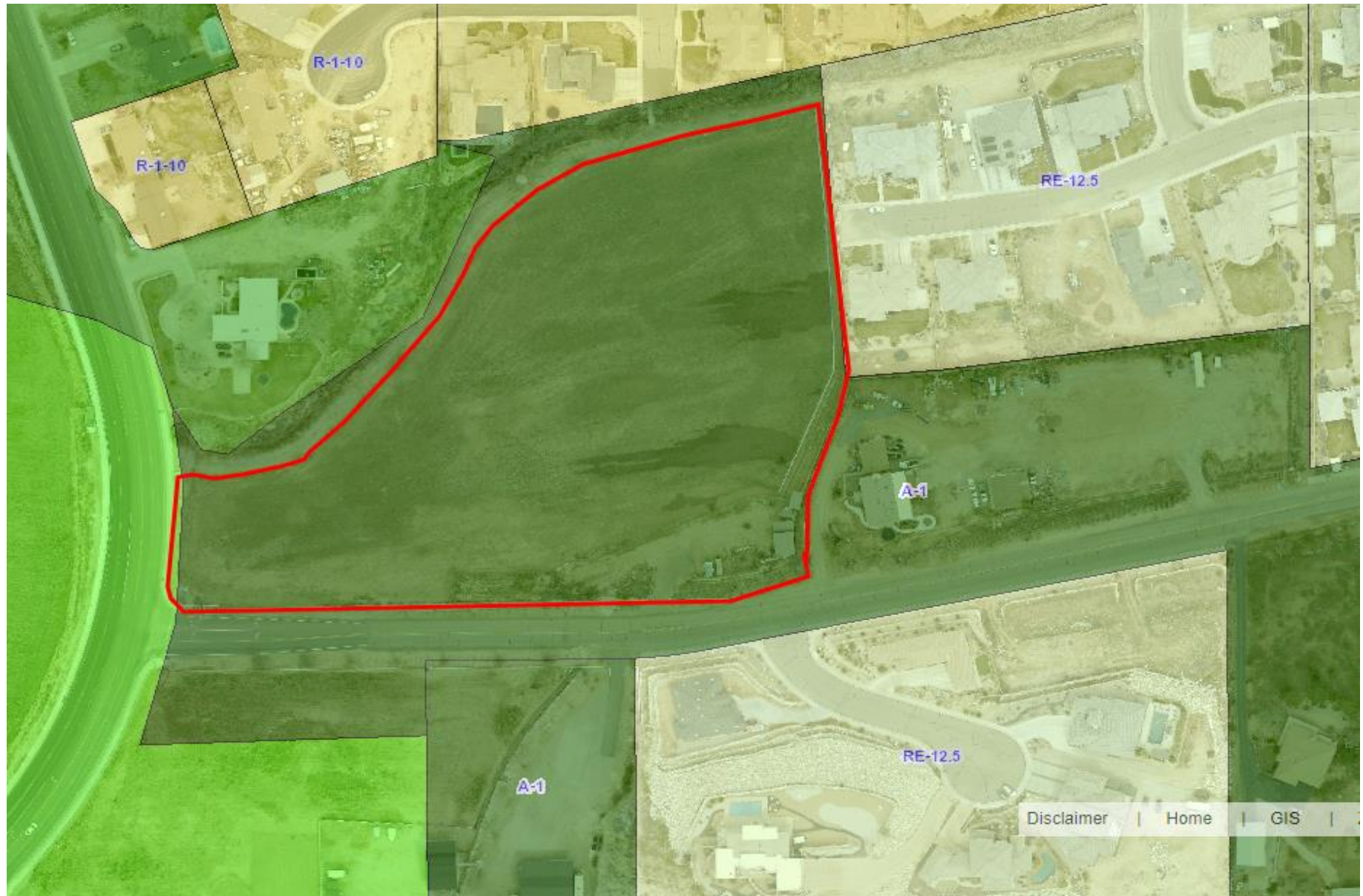


# Vicinity Map



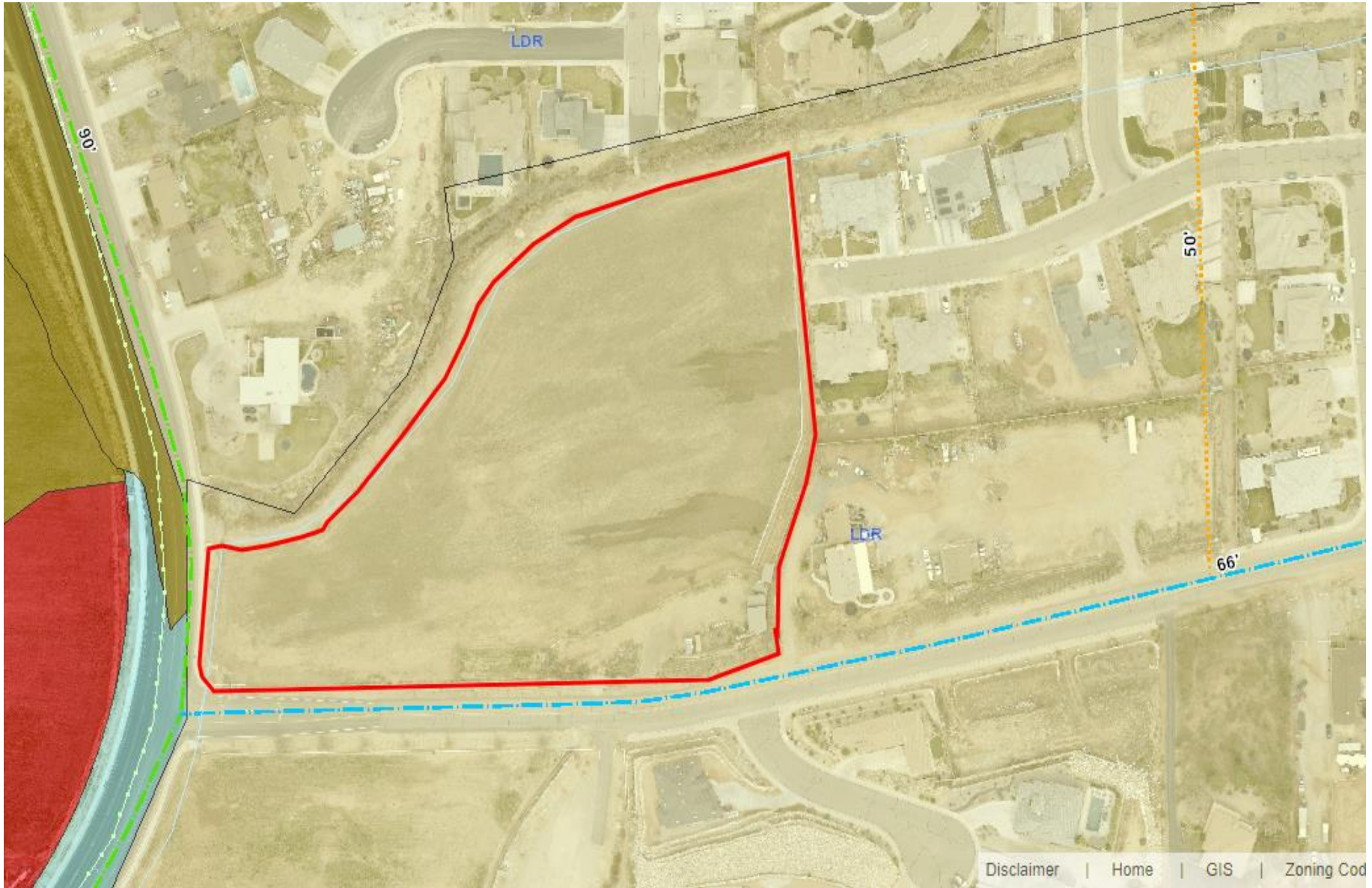


# Zoning Map





# General Plan Map





**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE CITY ZONING MAP FROM A-1 (AGRICULTURE – 40,000 SQ. FT. MINIMUM LOT SIZE) TO RE-12.5 (RESIDENTIAL ESTATE 12,500 SQ. FT. MINIMUM LOT SIZE) ON APPROXIMATELY 7.09 ACRES GENERALLY LOCATED AT APPROXIMATELY RIVER ROAD AND 2800 S.**

(Laurel Canyon)

**WHEREAS**, the property owner has requested a zone change from A-1 (Agriculture – 40,000 sq. ft. minimum lot size) to RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size) on approximately 7.09 acres on the corner of River Road and 2800 S. and

**WHEREAS**, the Planning Commission held a public hearing on the requested zone change; and

**WHEREAS**, the City Council held a public meeting on this request on March 18, 2021; and

**WHEREAS**, the City Council has determined that the requested amendment to the Zoning Map is justified at this time, and is in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

**NOW, THEREFORE, BE IT ORDAINED**, by the St. George City Council, as follows:

**Section 1. Repealer.** Any provision of the St. George City Code found to be in conflict with this Ordinance is hereby repealed.

**Section 2. Enactment.** The City Zoning Map is hereby ordered to be changed from A-1 (Agriculture – 40,000 sq. ft. minimum lot size) to RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size) on approximately 7.09 acres located on the corner of River Road and 2800 S. The location of the zone change is more specifically described on the attached property legal description, incorporated herein as Exhibit “A”, and parcel exhibit, incorporated herein as Exhibit “B”.

**Section 3. Severability.** If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

**Section 4. Effective Date.** This Ordinance shall take effect immediately on the date executed below, and upon posting in the manner required by law.

APPROVED AND ADOPTED by the St. George City Council, this 18<sup>th</sup> day of March 2021.

\_\_\_\_\_  
Michele Randall, Mayor

ATTEST:

\_\_\_\_\_  
Christina Fernandez, City Recorder



## **Exhibit "A" – Legal Description**

Beginning at the North Quarter Corner of Section 9, Township 43 South, Range 15 West, Salt Lake Base and Meridian; thence South  $01^{\circ}12'54''$  West along the Center Section Line 1638.75 feet; thence West 492.87 feet to the point of beginning; thence South  $03^{\circ}07'20''$  East, a distance of 357.91 feet to a point on the North Line of that parcel shown on Book 694, Page 388, Official Washington County Records; thence South  $86^{\circ}25'59''$  West, along said line a distance of 8.96 feet to the Northwest Corner of said parcel; thence South  $10^{\circ}33'59''$  West along the West Line of said parcel a distance of 225.48 feet to a point on the Northerly Line of 2800 South Street; thence South  $79^{\circ}45'44''$  West along said line a distance of 119.52 feet to the point of curvature to the right having a radius of 492.00 feet and a central angle of  $10^{\circ}56'36''$ ; thence Westerly along the arc of said curve and said line a distance of 93.97 feet; thence North  $89^{\circ}17'39''$  West along said line a distance of 446.46 feet to the point of curvature to the right having a radius of 30.00 feet and a central angle of  $98^{\circ}16'53''$ ; thence Northwesterly along the arc of said curve and said line a distance of 51.46 feet to a point on the Easterly Right-of-Way Line of River Road, said point also being a point on a non-tangent curve to the left of which the radius point lies North  $81^{\circ}00'26''$  West, a radial distance of 651.95 feet; thence Northerly along the arc of said curve, through a central angle of  $15^{\circ}43'27''$ , a distance of 178.92 feet; thence leaving said right-of-way line and running along an existing canal as follows: South  $64^{\circ}14'37''$  East, a distance of 56.43 feet; thence North  $81^{\circ}10'53''$  East, a distance of 81.86 feet; thence North  $42^{\circ}49'53''$  East, a distance of 175.00 feet; thence North  $24^{\circ}16'53''$  East, a distance of 75.50 feet; thence North  $35^{\circ}13'53''$  East, a distance of 22.97 feet; thence leaving said canal North  $01^{\circ}12'54''$  East, a distance of 108.56 feet; thence South  $89^{\circ}00'02''$  East, a distance of 33.25 feet; thence North  $78^{\circ}28'28''$  East, a distance of 391.44 feet to the point of beginning.

Less and excepting therefrom the following described property: A parcel of land located in the Northwest Quarter of Section 9 Township 43, South, Range 15 West, Salt Lake Base and Meridian. More particularly described as follows: Beginning at the Southeast Corner of Lot 63, Jedora Estates, Phase 2, Entry No. 0944907, Official records, Washington County, Utah and running thence South  $01^{\circ}00'52''$  West 19.02 feet; thence South  $57^{\circ}19'22''$  West 88.09 feet; thence South  $41^{\circ}38'00''$  West 43.78 feet; thence North  $01^{\circ}13'13''$  East 85.50 feet to the Southwest Corner of said Lot 63; thence along the South Lot line of said Lot 63 the following two (2) courses, 1) South  $88^{\circ}46'47''$  East 30.00 feet; 2) thence North  $78^{\circ}28'13''$  East 73.24 feet to the Point of Beginning



## Exhibit "B" – Parcel Exhibit





DRAFT

Agenda Item Number : 07

## Request For Council Action

---

**Date Submitted** 03/10/2021 11:00 AM

**Proposed City Council  
Date** 03/18/2021

**Applicant** Neil Walker

**Subject** Consider approval of an ordinance amending the Snow Canyon Commercial Planned Development zone to add "grocery store" to the approved use list and review concept plans for a proposed grocery store on approximately 4.75 acres generally located on the southwest corner of Snow Canyon Parkway and 2000 North. The project is to be known as Snow Canyon Commercial Center. Case No. 2021-ZCA-020

**Background** The property was rezoned to PD-C in December of 2018. The use list approved at that time listed retail uses but not specifically a grocery store. On February 23, 2021, the Planning Commission held a hearing to hear from the public.

**Proposed Resolution** The Planning Commission, after taking public comment, issued a recommendation for approval with conditions which are outlined in the staff report.

**Cost** \$

**Action Taken**

**Requested by** Dan Boles

**File Attachments** cc2021-zca-020snowcanyoncommercialcenter031021110030.pdf

**Approved by Legal  
Department?** Yes

**Approved by City Admin  
Services?** NA

**Approved in Budget?** N/A **Amount:**



PLANNING COMMISSION AGENDA REPORT: 02/23/2021  
CITY COUNCIL AGENDA REPORT: 03/18/2021

**ZONE CHANGE AMENDMENT**

**Snow Canyon Commercial Center**

Case No. 2021-ZCA-020

**Request:** This is a request for an amendment to the Snow Canyon Commercial Center PD (Planned Development) to add “grocery store” to the approved use list and to allow for the construction of a grocery store. The site is approximately 4.58 acres.

In December of 2018, the property was rezoned to PD-C (Planned Development Commercial) and a use list was approved for the development. At that time, no specific plans were reviewed and approved, but it was recognized that future plans would have to come back to the Planning Commission and City Council for review.

**Planning Commission:** On February 23, 2021, the Planning Commission held a public hearing to receive input on the proposal for the amendment to the PD. At that meeting, the Planning Commission heard from approximately seven individuals wishing to comment on the project. The main issues raised at that hearing were:

1. Snow Canyon Blvd landscaping is beautiful and (if approved) the proposed landscaping needs to be equal to what the City has provided in the right-of-way.
2. The architecture of the building is plain.
3. If approved, there should be roof treatment to screen equipment and make it blend in.
4. Delivery trucks may idle and create a nuisance.
5. The proposed grocery store will create traffic problems, in particular for the kids that walk to school in the area.
6. There was a sense that the store was not necessary for the area.
7. Lighting could be an issue.

This list is not exhaustive but is representative of the issues that were raised. Several emails and letters were also sent and are attached to this staff report. Staff has had multiple discussions with the applicant on these items. The applicant has been willing to look at these issues and make changes where he can. As of the writing of this report, the

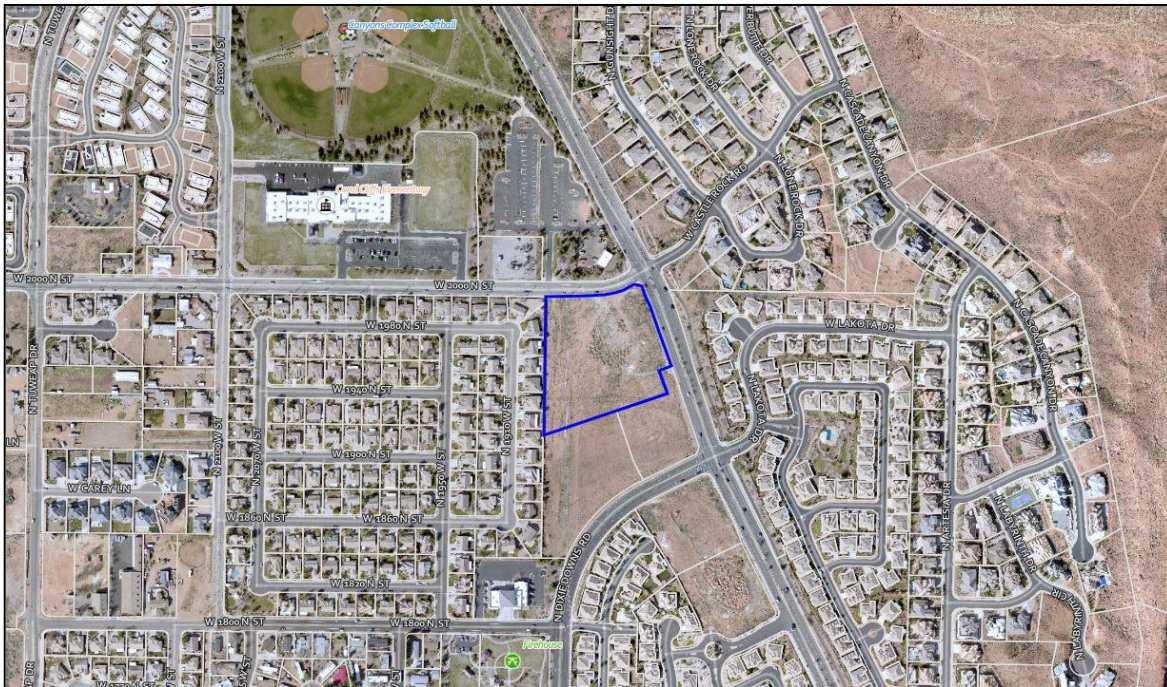


applicant was still working on making some revisions which we hope to be able to present to the City Council at the meeting.

**Current Project:** This PD amendment is requested to approve conceptual layout of the site. Additionally, the applicant out of caution is proposing to add “grocery store” to the use list. No changes to the zoning designation is being proposed.

**Project Name:** Snow Canyon Commercial Center

**Location:** The property is located on the south-west corner of Snow Canyon Pkwy and 2000 North.



**Acreage:** Approximately 4.58 acres

**Applicant/ Representative:** Brokers Investments, LLC/Neil Walter

**Current Zone:** PD-C (Planned Development Commercial)

**General Plan:** COM (Commercial).

**Adjacent Zones:** North - Open Space, West - R-1-7 (Residential, Single-Family), South – PD-C, C-2 (Commercial), East – PD-R (Planned Development, Residential).

**Ordinance:** This project is submitted for review in compliance with Section 10-8D-6 “Planned Development - Commercial Standards.”



- Site Plan:** The proposed conceptual site plan shows a single 40,000 sq ft building (a grocery store) approximately in the center of the site. The site depicts the parking area most of which will be on the north and west sides of the building. The site also depicts a retail pad on the east side of the site. The applicant is not currently proposing any elevations for the pad. Once the property owner is ready to construct that building, another zone change amendment will be required for approval of those elevations.
- Building:** The proposed building is a single story and 40,114 square feet total. The applicant has provided color elevations and materials. The primary materials are brick and split face CMU. A cement-fiber siding (Hardie Board) will be used for accents around the entryway.
- Height:** The applicant is proposing the building to be approximately 29 feet in height. For reference, under the zoning code, a single-family home may be up to 40 feet tall.
- Parking:**  $44,114/250 = 177$  spaces (this includes parking for the future building on the east side of the site). The site plan depicts 196 stalls to be constructed. The parking lot is required to dedicate 5% to landscaping. The applicant has stated there will be 5.3% landscaped area.
- Landscaping:** City Code requires 15' average along the public street, as well as, 5% of the parking lot. In addition, the zoning ordinance requires a 10' landscape buffer and block wall along residential property lines. There is an existing block wall adjacent to the residential neighborhood to the west. The applicant will need to ensure that it meets the six-foot requirement and provide the 10' landscape buffer, which they show on the site plan. They will also need to show compliance with the 15' of landscaping along 2000 North and Snow Canyon Parkway. That can be an average but may not be less than six feet in width. The landscape plan will be reviewed in greater detail during the site plan review.
- Uses:** The use list was approved with the original application in 2018. One of the uses on the list is "Retail Goods Establishment (predominantly indoor sales)". Though a grocery store may fit this description, the applicant is proposing to add "grocery store" to the use list to make sure there is no question on the use. No other changes are proposed.
- Signs:** A sign was submitted as part of the application. The proposed sign would be 18 feet tall by eight feet wide. The applicant upon realizing that the sign was too tall, has agreed to revise it to meet the



requirements of the PD code. Again, as of the writing of this report, staff is waiting for revised drawings. Other signs will meet the requirements of the sign code.

**Staff Comments:**

Staff recommends approval of the application with consideration of the following comments:

1. Use List – The applicant is proposing to add the use “grocery store” to the approved use list. No other changes are proposed.
2. Roadway(s) - The developer will be responsible for installing roadway improvements as necessary along 2000 North and Snow Canyon Parkway.
3. Design – Conceptual building elevations, colors, and materials have been provided for review and discussion.
4. SPR – Future SPR (Site Plan Review) applications and plans shall be submitted and approved by staff (*the SPR is the civil engineering plan set*).
5. Building Height – The applicant is requesting a building height of approximately 29 feet. This is compliant with city code which allows 50’ in the PD-C zone.
6. Phasing – The future pad on the east of the site will require further PC and CC review and approval.
7. Lighting – No information has been provided for site lighting. However, with the submittal of a SPR application, a photometric plan will be required.
8. Landscaping - With the submittal of a SPR application, a landscape and irrigation plan will be required. A conceptual landscape plan has been submitted for initial review and attached to this staff report.
9. Buildings – Renderings of the building for the grocery store have been submitted and attached to this staff report.
10. Residential Protection - Where a PD-commercial development adjoins any lot or parcel of ground in any residential zone, there shall be provided along the adjoining property line a solid masonry wall and a minimum ten foot (10') wide planting strip.



**Department Comments:**

Sewer/Water

1. No comments were received from sewer or water.

Power

1. There is an existing overhead transmission line as shown on the attached redlines. This should be included on the site plan. SGES will require at least 25' from the building to the transmission line.
2. A 50' powerline easement will be required. 25' each side of the power poles. Construction of any structures or planting of trees will not be permitted within the 50' easement.
3. The parking area is acceptable to be within the 50' easement, however, the parking lot will need to be designed to include landscape islands around the existing power poles. Grades around the poles will need to remain at the existing grade.
4. The northwest entrance will need to be designed around the existing power pole. Grades around the pole will need to remain at the existing grade.
5. There is existing underground power running along Snow Canyon Parkway. Power is available for the project but specific design, which will include, power source, transformer sizing, wire sizing and equipment location will be done during the JUC process.

Engineering

1. No comments were received by Engineering.

Parks

1. Protect in place the existing 4" irrigation mainline that runs along the west side of the site. This mainline is connected to Firehouse Park.

Fire

1. No comments on this application.

**PC Recommendation:**

Planning Commission recommends approval of this Zone Change Amendment with the following conditions:

1. All comments by the various departments will need to be addressed.
2. Signs, landscaping and lighting are to meet the ordinance.

**Alternatives:**

1. Approve as presented.
2. Approve with conditions.
3. Deny the application.
4. Table the proposed zone change amendment to a specific date.

**Possible Motion:**

I move we approve the Zone Change Amendment to the Snow Canyon Commercial Center development with the conditions and comments outlined in the staff report.



**Findings for Approval:**

1. The proposed amendment meets the requirements of the original zone change as approved by City Council.
2. There will be adequate parking on site to facilitate the development.

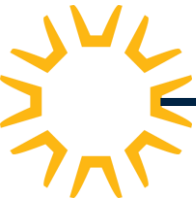


**Exhibit A**  
**PowerPoint Presentation**

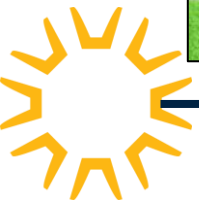
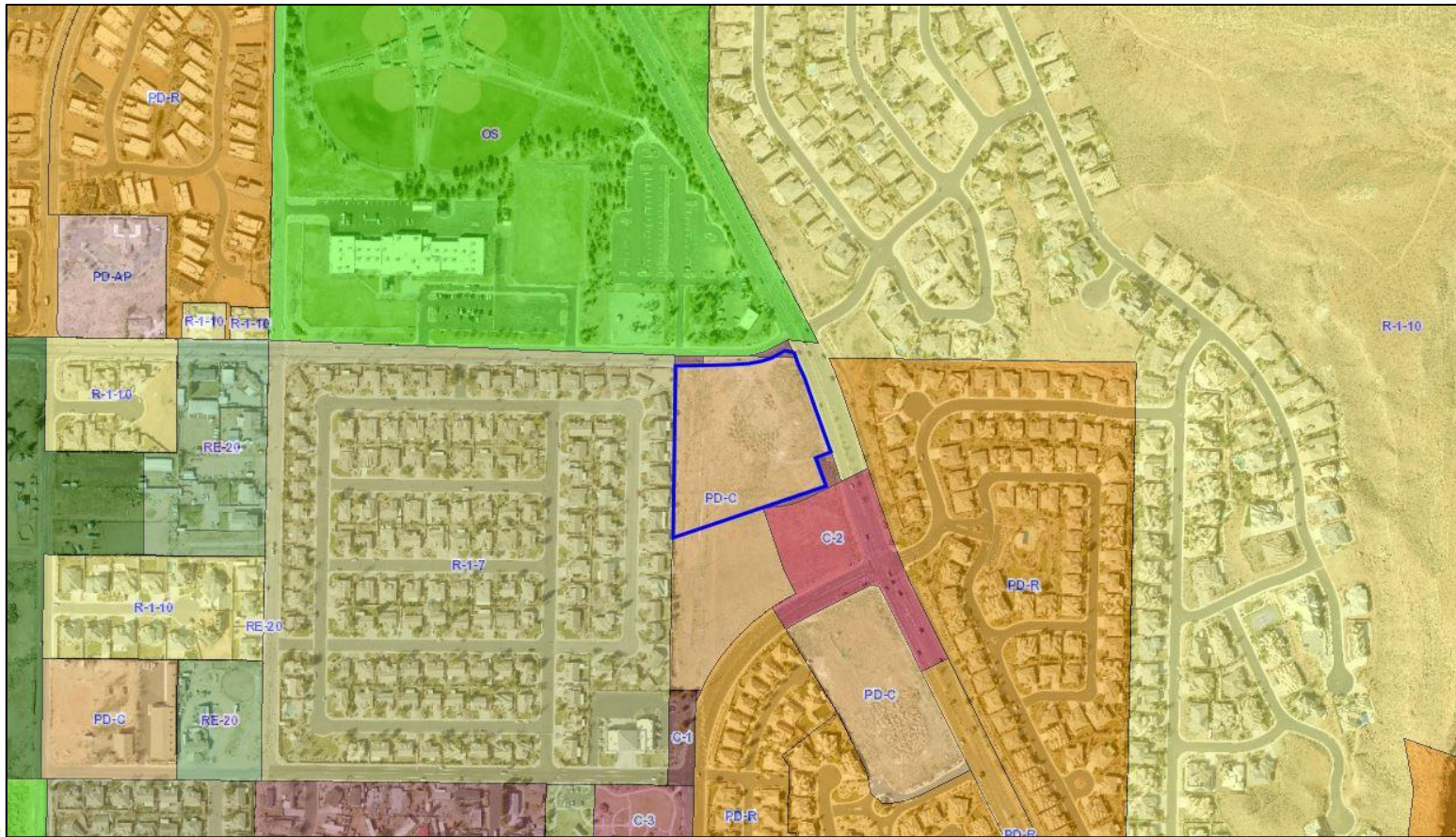


# PD (Planned Development) Amendment Snow Canyon Commercial Center

Snow Canyon Parkway & 2000 North

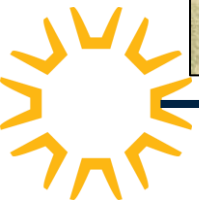
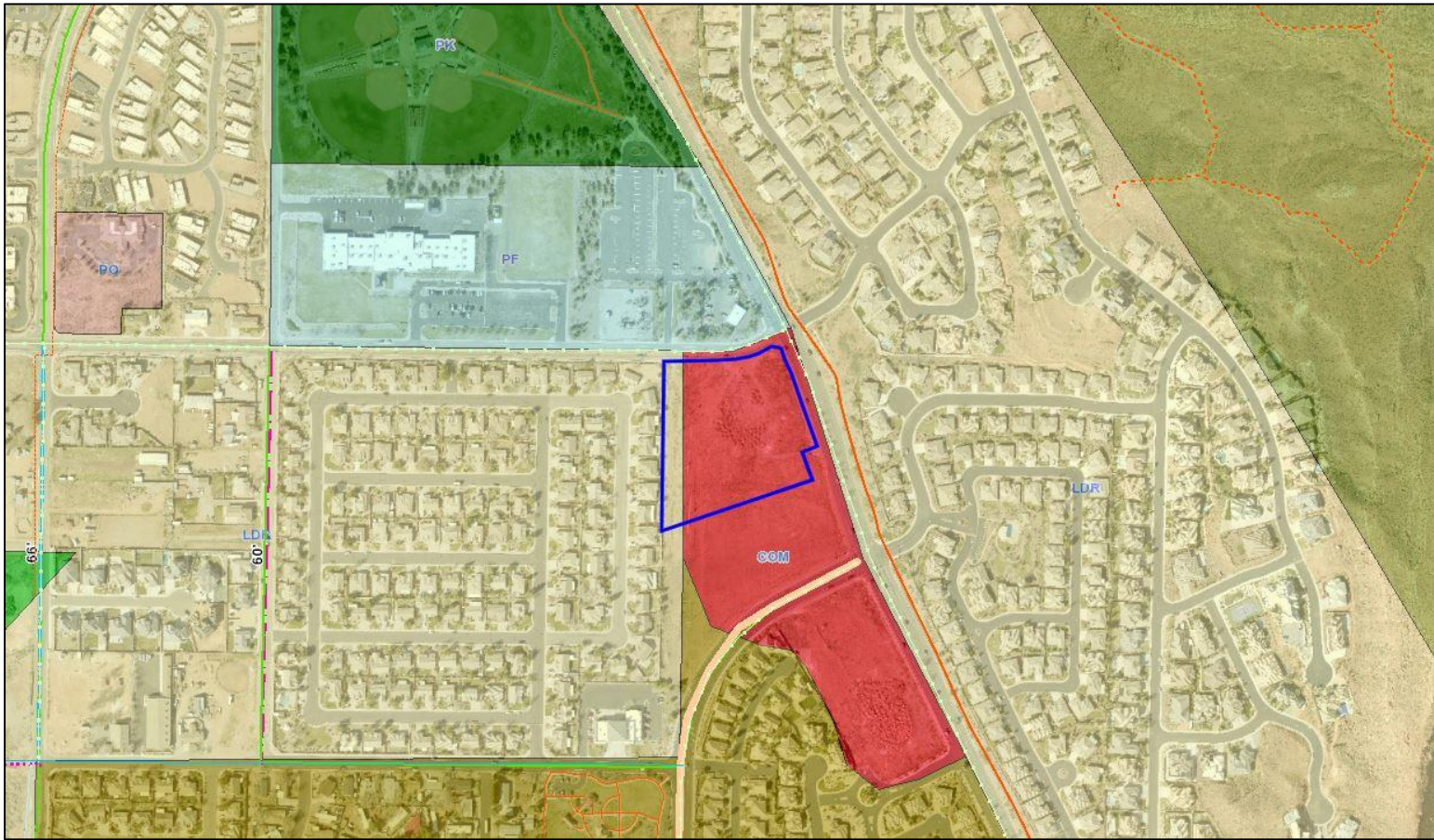






# Existing Zoning





## Existing General Plan



## Use List

### *Snow Canyon Commercial PD-C*

#### ***Lodging, temporary, allowing the following uses:***

- Hotel/Motel
- Bed and breakfast
- Timeshare units

The City Council approved hospitality, but not to exceed 35 ft. in height.

#### ***Business and financial services, allowing the following uses:***

- Bank or financial institution
- Professional or business office only, no merchandise on premises (employment, real estate, travel, accounting, attorney, etc.

#### ***Food service establishments, allowing the following uses:***

- Bakery
- Catering establishment
- Delicatessen
- Ice cream parlor
- Restaurant, drive-in
- Restaurant, sit down

#### ***Medical, dental, counseling services, allowing the following uses:***

- Counseling center, mental health, alcohol, drugs
- Independent living, assisted living, memory care
- Laboratory, dental or medical
- Medical/dental office or clinic
- Mental health treatment center
- Nursing home
- Optometrist, optician

No overnight stay for counseling, mental health, drug, or alcohol facilities

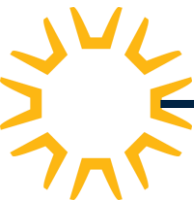
#### ***Retail sale of goods with all operations conducted in an enclosed building, allowing the following uses:***

- Drive-through sales (pharmacy, dairy products, etc.)
- Florist shop
- Pharmacy
- Retail goods establishments (predominately indoor sales)
- Vegetable stand

#### ***Service businesses, allowing the following uses:***

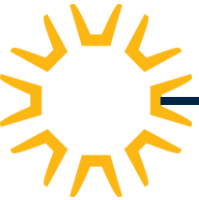
- Barbershop/beauty shop
- Child nursery, daycare, preschool
- Laundry or dry cleaners, laundromat
- Storage rental units
- Mail services
- Permanent cosmetics, a secondary use to an establishment employing cosmetologist(s)/barber(s), aesthetician(s), electrologist(s), or nail technician(s) licensed by the state under 58-11a-101 et seq., Utah Code Annotated, 1953, as amended, excluding tattoo establishments and home occupations
- [Grocery Store](#)

Not to exceed 12 ft. in height per code and to be located behind commercial businesses



## Use List







**Site Data**

Existing Parcel Area = 212,775 s.f. (4.885 ac.)  
Roadway Acquisition = 12,935 s.f. (0.297 ac.)  
Proposed Parcel Area = 199,840 s.f. (4.588 ac.)  
Total Landscape Area Provided = 33,004 s.f. (17%)  
Parking Area = 79,278 s.f.  
Interior Landscape Required = 3,964 s.f. (5%)  
Interior Landscape Provided = 4,187 s.f. (5.3%)  
Total Building Area = 44,114 s.f. (22.1%)  
Parking Required = 1/250 s.f. = 177 stalls  
Parking Provided = 196 stalls (4.44/1,000)

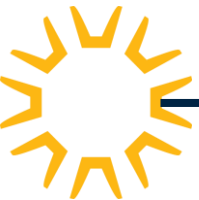
**Digby's  
Market**



2000 North Snow Canyon Parkway  
St. George, Utah



**ANA**  
ANDERSON, NATHAN & ASSOCIATES



# Landscape Plan





NORTH ELEVATION  
 SCALE: 3/32" = 1'-0"



WEST ELEVATION  
 SCALE: 1/8" = 1'-0"



SOUTH ELEVATION  
 SCALE: 1/8" = 1'-0"



EAST ELEVATION  
 SCALE: 1/8" = 1'-0"

DIGBY'S MARKET

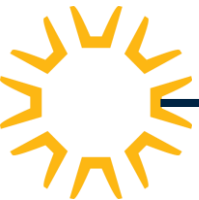
ST. GEORGE, UTAH

DATE	DESCRIPTION

DATE: FEBRUARY 0, 2022  
 AGENCY PROJECT NO.:  
 DESIGN SEQUENCE PROJECT NO.: 2020-19  
 CAD DWG FILE NO.:  
 DRAWN BY:  
 CHECKED BY:  
 DWG TYPE: ARCHITECTURAL PHASE: PERMIT SET

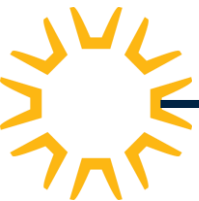
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 EXTERIOR  
 ELEVATIONS

A2.1



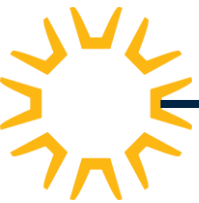
# Elevations



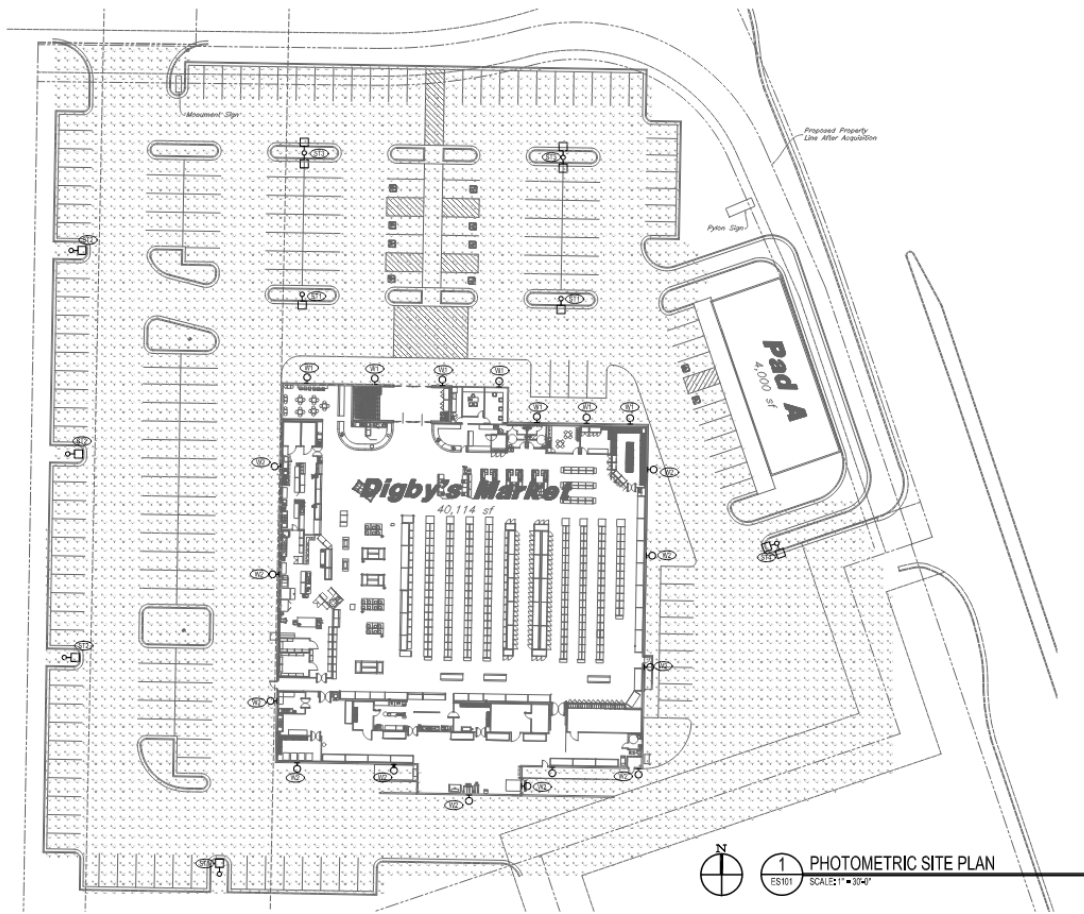


## Materials Board

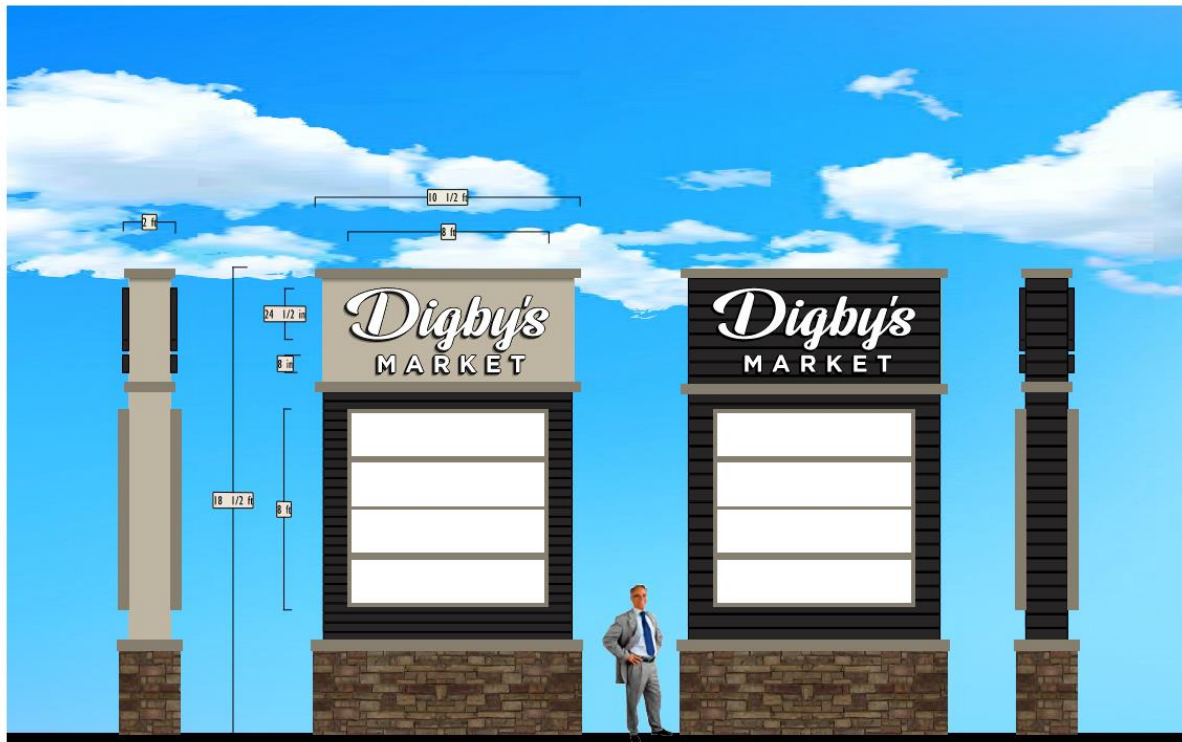




# Photometric Plan







DOUBLE FACE MONUMENT SIGN CONCEPT

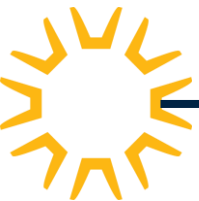
COLORS RENDERED HERE MAY NOT REPRESENT THE ACTUAL FINISH - REFER TO COLOR CALL-OUTS FOR APPROVED COLOR SPECIFICATIONS

RAINBOW SIGN & BANNER © 2020 ALL RIGHTS RESERVED

	<b>PROJECT NAME &amp; LOCATION:</b> Digby's Market - Multi-tenant Snow Canyon Pkwy St. George, UT	<input type="text"/>	<input type="text"/>	<p>THIS DRAWING IS COPYRIGHTED AND WAS CREATED TO ADJUST YOU IN VISUALIZING OUR PROPOSAL. IT MAY NOT BE COPIED OR REPRODUCED IN ANY FORM. THE ORIGINAL DESIGN HEREIN IS THE SOLE PROPERTY OF RAINBOW SIGN &amp; BANNER. DATE: TRANSFERRED BY: SALE.</p>	<p>PROUD MEMBER OF:</p>  	<p>Estimate # ??????</p>
	<b>SALESPERSON:</b> Steve Davis <b>DESIGNER:</b> Steve Davis	<b>CUSTOMER APPROVAL &amp; DATE</b>	<b>LANDLORD APPROVAL &amp; DATE</b>			

181 E. Riverside Dr. St. George, UT 84790 • Phone: 435.628.5107 Fax: 435.628.0499 • www.rainbowsign.net • Utah License #290762-5551 Nevada License #48759 C-68 • \$2,000,000 Liability Insurance

Sheet 1 of 1



Signage



**Exhibit B**  
**Letters from Public**





Daniel Boles &lt;daniel.boles@sgcity.org&gt;

---

## Zone change

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[REDACTED]  
To: "daniel.boles@sgcity.org" <daniel.boles@sgcity.org>

Sun, Feb 21, 2021 at 7:11 AM

To: Community Development Department  
City of St George

To Whom It Concerns,

I am writing this in regards to the request to change the zoning of Snow Canyon Commercial Center.

When we moved here nearly six years ago, we did our due diligence and researched the uses of this parcel. We butt up to Snow Canyon Pkwy so this is directly in our backyard. There have already been three changes to this parcel and now another request. We thought we went in with our eyes open, did our homework, but it appears any request to zone changes happen with a snap of the fingers. The original change was met with overwhelming negativity but it happened anyway, and now this.

There are two large commercial areas within a mile and include three large supermarkets. Lin's and Albertson's on Sunset, and Harmon's on Pioneer. Putting another grocery store at this location is not needed and will create a dangerous situation. The additional increase of traffic, congestion, noise and light infiltration is not a good mix with a school and softball complex across the street. Children and traffic are not a positive combination.

The existing traffic, drag racing along Snow Canyon Pkwy, constant air brakes on semis from early morning to late evening are currently not being controlled, adding to this scenario is not a wise choice and I do believe this is a choice. Leave the existing zoning in place or make another bad choice and change it to accommodate a developer.

Please, this time, do not change the zoning and allow this to happen. It is not needed and will only benefit the developer and not the residents. Please listen to the public.

Nanci Allison



Sent from [Mail](#) for Windows 10



Feb. 21, 2021

Planning Commission  
City of St George  
Re: Case No. 2021-ZCA-020

Dear Planning Commission.

We are property owners in the Castle Rock Subdivision. We have been in this neighborhood for about seven years. We were attracted to this area because of its being in a generally non-commercialized area, because it was developed in a tactful way with respect to its surroundings, because the city seemed to respect this fact by virtue of the way that Snow Canyon Parkway was developed with beautiful landscaping, parks, fishing area, walking paths, etc. Any commercial establishments have been limited to professional plazas and the like. We were and are happy with our neighborhood and area.

With respect to the proposed zoning change for this tract, we are opposed. This would greatly change the nature of this area. It's obvious that traffic congestion would increase substantially along with accidents, noise levels would be negatively impacted, and blowing trash is always a problem around these types of businesses, to mention a few expected problems.

There are at least four grocery stores within a ten-minute radius of this location now – Albertson's, Lin's, Smith's, and Harmon's. Do we really need another one at the present time?

We would ask that you take a thoughtful approach to what you will allow to be built on this property. Why do we need to de-centralize everything? Can't residents and visitors find these services already available in the area? Would it not serve the community in a more responsible way to find an appropriate use for the property? Suggestions might be a professional building, a smaller business center featuring upscale businesses, etc.

Please don't change a beautiful, well-planned urban corridor of the type we have along Snow Canyon into a business center that will deeply change the nature and attractiveness of the area.

Thank you for the opportunity to comment,

Dennis and Shauna Day





February 21, 2021

Dan Boles, AICP Senior Planner

435-627-4131

[Daniel.boles@sgcity.org](mailto:Daniel.boles@sgcity.org)

Mr. Boles,

We are writing this letter to address the request to amend the Snow Canyon Commercial Planned Development zone to add “grocery store” to the approved use list.

We are **opposed** to this request to amend the approved use list. When we purchased our property to build our home 15 years ago, we contacted the St. George City Planning Department and obtained information for the property located on the corner of Snow Canyon Parkway and Pioneer Parkway. The information that was provided stated this property was zoned Commercial and we were provided with an approved use list. We know our city leaders and staff put great thought and investment into the planning of Snow Canyon Parkway. Flowing traffic, specific lighting, landscape, bike lanes and walking/bike pathways are enjoyed by many and a true accomplishment for the City of St. George.

A grocery store will dangerously increase traffic, diminish safety and quality of life, not only for nearby residents but also to those who come to recreate. We have three grocery stores that you can reach within 4-5 minutes. We do not need another grocery store. Please do not allow Snow Canyon Parkway to become like other over developed areas-protect your investment and the visitors and residents of the Parkway.

Whoever purchases and builds on this property should obtain the list and build accordingly.

We are asking you to respect the residents and not continually change the rules in the middle of the game-put residents first this affects our quality of life.

Please contact us if further discussion is needed.

Respectfully,

Mr. & Mrs. David Kelly







Community Development Department

City of St. George

175 E. 200 N.

St. George, UT 84770

Dear Planning Commission,

I received a notification that the property owner of the land at the corner of 2000 W and Snow Canyon Parkway has requested that 4.75 acres of that land be changed to add permission to build a grocery store in that area. I understand that the owners want to sell this land, but I also understand that placing a grocery store on that very busy corner would create unintended consequences for the city.

If you recall, there are two of easements on that property that must be respected. First there is a 40-foot easement for repair and maintenance of the wall that surrounds the Ironwood Development. The electric company also holds a 50-foot easement on both sides of the power poles. Unless they plan to move the power poles, that makes 140 feet adjacent to the Ironwood wall that must remain accessible. If you look at the property for possible placement of a building, it means that the entrance would likely to be facing Snow Canyon Parkway and shoppers would be exiting from there to enter the parking lot. That road carries a lot of traffic and the legal speed limit is 40 MPH but is actually 45-50 MPH. That is not a very safe option. The other possible placement would be to put the back of the building on Snow Canyon Parkway and place the entrance to the parking lot on 2000 W. The easement requirements would extend up to the Ironwood wall. This also is a problem since the traffic on 2000 W has increased substantially in the past year and a half. It is not unusual for me to have to wait for 8-10 cars to pass before I can exit Ironwood on 2000W and then there is another backup for cars waiting to turn right or left onto Snow Canyon because of the heavy traffic there. That line of cars would block the entrance to the property several periods during the day.

Other things to consider is what kind of lighting they would have in that area and how it would affect the homeowners along the Ironwood wall. I certainly understood that the property was zoned for commercial use, but we were able to get it zoned PD which would require the businesses there to conform to the esthetics of the neighborhood. Tall, bright lights would basically make our homes bright as daylight all night long. It would certainly not be like anything else that is in the neighborhood now, with the exception of the Canyons Ball Park. The people in the development up the hill from the ballpark knew it was there when they built their



houses so presumably, the light was not upsetting to them. We, here in Ironwood and Lakota Ridge, did not build with that information available to us.

In addition, there are three moderate to large grocery stores within a mile to mile and a half range of that property. That seems like adequate accessibility to this type of establishment.

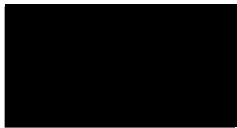
I am not comfortable attending the meeting on February 23 because I have been unable to get my vaccinations for COVID19 and while I can mask, I will not be able to social distance.

I want to thank you in advance for any consideration you may give to my concerns. I have received thoughtful consideration for my concerns from this commission before and I am confident that you will consider the property owners, the homeowners in Ironwood and Lakota Ridge, and the city when you make this decision.

Sincerely,

A handwritten signature in cursive script that reads "Marlene M. Deal".

Marlene M. Deal







Daniel Boles &lt;daniel.boles@sgcity.org&gt;

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**Snow Canyon Commercial Center**1 message

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[REDACTED]  
To: "daniel.boles@sgcity.org" <daniel.boles@sgcity.org>

Tue, Feb 23, 2021 at 10:25 AM

To: Dan Boyles, AICP Senior Planner

It has just come to my attention that the grocery store that is being proposed for this location, with a zoning change, doesn't appear to exist. There is no active web page, just states coming soon.

Please do not allow the surrounding residents to become guinea pigs with an entity that is not proven, do not approved this zone change.

This is not an appropriate use for this land as I have stated in my earlier correspondence. Please consider all aspects, not just the development.

Thank you,

Nanci Allison  
[REDACTED]

Sent from [Mail](#) for Windows 10





Daniel Boles &lt;daniel.boles@sgcity.org&gt;

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**Case Number 2021-ZCA-020**

2 messages

**John Brems** [REDACTED]

Mon, Feb 22, 2021 at 1:07 PM

To: "daniel.boles@sgcity.org" &lt;daniel.boles@sgcity.org&gt;

Cc: "shawn.guzman@sgcity.org" &lt;shawn.guzman@sgcity.org&gt;

I have several concern that I would like to express on this request to amend the Snow Canyon Commercial Planned zone to add grocery store as follows:

- Snow Canyon Parkway is a beautiful road/boulevard and any development on it should complement Snow Canyon not detract from it. The proposed elevation are a good start but needs more refinement and work and more 360 degree architecture is needed.
- I do not see anything about roof treatment. Many resident will look down on the roof.
- The lighting plan needs work. The comments says that a "photometric plan will be require." But what will the plan show (adherence to some dark sky standard, no light trespass, etc.)?
- The sign it too tall and not consistent with the other signs in the area.
- There is no definition of grocery store in your Code. I suggest it be clearly defined before it is used.
- There is no refenced to hours of operations and hours of delevery-I suggest some type of development agreement be utilized to control hours of operation(not a 24 hour operation)

These are my initial comments and I would be happy to meet with the City or Developer to sharpen the plan.

John Brems

Attorney at Law

[REDACTED]  
[REDACTED]  
[REDACTED]

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To ensure compliance with requirements imposed by the IRS in Circular 230, we inform you that, unless we expressly state otherwise in this communication (including any attachments), any tax advice contained in this communication is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or other matter addressed



**John Brems** [REDACTED]

Mon, Feb 22, 2021 at 1:19 PM

To: "daniel.boles@sgcity.org" <daniel.boles@sgcity.org>

Cc: "shawn.guzman@sgcity.org" <shawn.guzman@sgcity.org>

Three more items:

- I do not see any delivery docks-will there be any?
- I do not see semi-truck (used for delivery) routes/space/turn around on the site
- I do not see how trash will be treated

All in all a good start but needs more work.

[Quoted text hidden]



February 21, 2021

Dan Boles:

I am writing a letter concerning the proposed grocery store added to the approved list on the south-west corner of Snow Canyon Pkwy and 2000 North, Snow Canyon Commercial Center, case No. 2021-ZCA-020. As a property owner within 500' of the proposed zone change, I have many objections to a grocery store being added to the development.

One of my objections is the flow of traffic and the ability to turn onto Snow Canyon Parkway as I leave my neighborhood. Many times, I have to wait several minutes to turn east and west as I turn out of Castle Rock, as well as going straight. Adding a grocery store, will make it nearly impossible to turn out of my neighborhood any time of day. When there are softball games at the Sports Complex, it is almost impossible to turn or go straight due to the increased traffic from Pioneer Parkway. It can be so difficult to drive around St. George and the traffic on Snow Canyon will become another busy street that has no plans for handling the extra drivers on the road. It will become another safety issue with a grocery store added to the mix for drivers, bike riders, and pedestrians.

Another objection is the sound that will be created from having a grocery store. We are already subjected to loud music, yelling, and cars constantly turning onto Pioneer Parkway. Many times, with my windows closed, I can hear the noise from the fields and cars speeding down Snow Canyon Parkway and squealing their tires simultaneously. It has even woken me up. Adding a grocery store will add even further to the traffic sounds and the sounds of people constantly going in and out of the grocery store parking lot.

A third objection is my visibility at night. I enjoy sitting outside at night and looking at the night sky. What will happen if a grocery store is built? No more beautiful stars to watch because of the light pollution in the night sky. Visitors to my home comment about the beautiful night sky and all of the stars that are visible from my home. Light pollution equals no more beautiful stars.

I ask you to reconsider a grocery store being approved for the south-west corner of Snow Canyon Pkwy and 2000 North, Snow Canyon Commercial Center, case No. 2021-ZCA-020. I want to be safe and not worry about getting hit every time I leave my housing development and to have the sound eliminated from the area, and lastly, keep my night skies unpolluted.

Sincerely,

Sandy Curtis







Daniel Boles &lt;daniel.boles@sgcity.org&gt;

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**Fwd: Snow Canyon Commercial Planned Development**

1 message

**Michele Randall** <michele.randall@sgcity.org>

Mon, Feb 22, 2021 at 6:52 PM

To: Daniel Boles &lt;daniel.boles@sgcity.org&gt;, John Willis &lt;john.willis@sgcity.org&gt;

----- Forwarded message -----

From: [REDACTED]

Date: Mon, Feb 22, 2021 at 3:12 PM

Subject: Snow Canyon Commercial Planned Development

To: &lt;michele.randall@sgcity.org&gt;

The Following Message was Submitted to the Website Contact Form:

Contact Name: Michelle Gregory

Contact Email: [REDACTED]

Contact Phone: [REDACTED]

Subject of Message: Snow Canyon Commercial Planned Development

To: Dan Boyles, AICP Senior Planner As a resident within 500' of the proposed Snow Canyon Commercial Planned Development, I am writing to you to express my sincere objection to the addition of "grocery store" to the approved use list. Several years ago, I gathered significant responses from my neighbors when we were objecting to the zone change at this same intersection where a gas station was planned. While we were not successful in turning over the zone change, the then current Mayor Jon Pike called me and we discussed the changes to that plan. He indicated during all of his years on the council, he had not seen more responses. He was successful in negotiating with the developer a change in the color scheme, lighting and landscaping. Over the past few years, I have occasionally checked on the progress of the gas station and was told it was still on the approved plan. Although, the signage was retained on the properties, no development occurred, for which we were thankful. Now I see you have a graphic of a new plan for construction of THIS EXTREMELY BUSY INTERSECTION. A grocery store is being proposed and the request is pending to add it to the approved list of business types. A grocery store? Really? We have Albertsons and Linn's markets within 1.2 miles from this intersection, plus Santa Clara's Harmons just a couple of miles further. We seriously do not need to generate more traffic at this intersection, not to speak of the horrific noise, lighting and congestion. My Castle Rock subdivision neighbors cannot turn left onto Snow Canyon Parkway now, due to dangerous traffic. There are constant traffic jams for cars waiting to turn left onto 200 North (which leads to an elementary school, churches, and Harmons). Snow Canyon Parkway is one of the most beautiful streets anywhere in St. George. Why would our Planning Commission and possibly Council Members and Mayor vote to disregard the well being and property values of all of the thousands of homes in the surrounding area and add a blight to the scenery along this beautiful stretch of roadway. In reviewing the plan for Digby's Market, I see they are planning for 196 retail stalls with ONLY 5% landscaping. They have not submitted any information of site lighting?? They claim they will have multiple deliveries every week so their products are fresh. Do you realize what multiple deliveries per week means to the surrounding homeowners? More noise, more pollution, more traffic and the downgrading of our property value for those surrounding neighbors looking down on the Parkway and behind the proposed 10' wall. From my last experience of fighting the gas station, I realize that we have no control over the zoning and that only the owner of a property can make a zone change. However, where are the rights of the tax paying property owners who faithfully have supported our community and want to keep it in tact. Our neighbors built their homes here and there was NO grocery store on the approved list at the time of the construction of hundreds of homes. Certainly, you can see that alternative uses on the approved list would be more acceptable to this intersection and would NOT cause the same amount of traffic and deliveries in the middle of the night and early mornings. In summary, I resent and object to adding Grocery Store to the approved list. The developer has overreached the original intent of developing this property. The developer has provided no information on lighting, which will be extremely important to the aesthetics of our community. The developer is attempting to cram as much into a small space as is possible and the effects of traffic, accidents, and noise will be unbearable. If the planning commission and council and Mayor approve this plan, they are contributing to the ruination of the look and feel of this beautiful Parkway. We understand that this intersection will be developed at some point. Please keep in mind that office buildings or a nice restaurant could be made to look nice and decrease congestion. Take a drive down the Parkway from 1000 to Ivins. It is all residential except for one intersection with small, nicely built commercial buildings. If you lived here, you too would strive to keep it that way. Everything should not be about "progress" and over development. There are empty commercial spaces all over town.



2/23/2021

City of St. George Mail - Fwd: Snow Canyon Commercial Planned Development

We don't need more of the same and we certainly don't need another grocery store. I ask you to take these issues into consideration at your meeting on February 23, 2021. Thank you Michelle A. Gregory

Attachments:

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**Michele Randall**

Mayor

Office: (435) 627-4001







Daniel Boles &lt;daniel.boles@sgcity.org&gt;

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## Snow Canyon Commercial Planned Development

1 message

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**Michelle Gregory** [REDACTED]  
To: daniel.boles@sgcity.org  
Cc: Michelle Gregory [REDACTED]

Mon, Feb 22, 2021 at 3:17 PM

To: Dan Boyles, AICP Senior Planner

As a resident within 500' of the proposed Snow Canyon Commercial Planned Development, I am writing to you to express my sincere objection to the addition of "grocery store" to the approved use list.

Several years ago, I gathered significant responses from my neighbors when we were objecting to the zone change at this same intersection where a gas station was proposed. While we were not successful in turning over the zone change, the then current Mayor Jon Pike called me and we discussed the changes to that plan.

He indicated during all of his years on the council, he had not seen more responses. He was successful in negotiating with the developer a change in the color scheme, lighting and landscaping. Over the past few years, I have occasionally checked on the progress of the gas station and was told it was still on the approved plan. Although, the signage was retained on the properties, no development occurred, for which we were thankful.

Now I see you have a graphic of a new plan for construction of THIS EXTREMELY BUSY INTERSECTION. A grocery store is being proposed and the request is pending to add it to the approved list of business types.

A grocery store? Really? We have Albertsons and Linn's markets within 1.2 miles from this intersection, plus Santa Clara's Harmons just a couple of miles further.

We seriously do not need to generate more traffic at this intersection, not to speak of the horrific noise, lighting and congestion. My Castle Rock subdivision neighbors cannot turn left onto Snow Canyon Parkway now, due to dangerous traffic. There are constant traffic jams for cars waiting to turn left onto 200 North (which leads to an elementary school, churches, and Harmons).

Snow Canyon Parkway is one of the most beautiful streets anywhere in St. George. Why would our Planning Commission and possibly Council Members and Mayor vote to disregard the well being and property values of all of the thousands of homes in the surrounding area and add a blight to the scenery along this beautiful stretch of roadway?

In reviewing the plan for Digby's Market, I see they are planning for 196 retail stalls with ONLY 5% landscaping. They have not submitted any information of site lighting?? They claim they will have multiple deliveries every week so their products are fresh. Do you realize what multiple deliveries per week means to the surrounding homeowners? More noise, more pollution, more traffic and the downgrading of our property value for those surrounding neighbors looking down on the Parkway and behind the proposed 10' wall.

From my last experience of fighting the gas station, I realize that we have no control over the zoning and that only the owner of a property can make a zone change. However, where are the rights of the tax paying property owners who faithfully have supported our community and want to keep it in tact. Our neighbors built their homes here and there was NO grocery store on the approved list at the time of the construction of hundreds of homes.

Certainly, you can see that alternative uses on the approved list would be more acceptable to this intersection and would NOT cause the same amount of traffic and deliveries in the middle of the night and early mornings.

In summary, I resent and object to adding Grocery Store to the approved list. The developer has overreached the original intent of developing this property. The developer has provided no information on lighting, which will be extremely important to the aesthetics of our community. The developer is attempting to cram as much into a small space as is possible and the effects of traffic, accidents, and noise will be unbearable. If the planning commission and council and Mayor approve this plan, they are contributing to the ruination of the look and feel of this beautiful Parkway.

We understand that this intersection will be developed at some point. Please keep in mind that office buildings or a nice restaurant could be made to look nice and decrease congestion.



2/23/2021

City of St. George Mail - Snow Canyon Commercial Planned Development

Take a drive down the Parkway from 1000 to Ivins. It is all residential except for one intersection with small, nicely built commercial buildings. If you lived here, you too would strive to keep it that way. Everything should not be about "progress" and over development. There are empty commercial spaces all over town. We don't need more of the same and we certainly don't need another grocery store.

I ask you to take these issues into consideration at your meeting on February 23, 2021.

Thank you  
Michelle A. Gregory

cc: Mayor and City Council Members

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Michelle A. Gregory







Daniel Boles &lt;daniel.boles@sgcity.org&gt;

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## Proposed Zone Change

1 message

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**Dennis Hymas** <dennisjhymas@gmail.com>  
To: daniel.boles@sgcity.org

Tue, Feb 23, 2021 at 3:13 PM

Dan Boles, AICP Senior Planner

We appreciate the opportunity to provide comments regarding the request for a zone change at the intersection of Snow Canyon Parkway and 2000 North. We understand that St. George is growing and development is necessary and important. As neighbors in this area, within 500' of proposed change, our main interest is that development is in keeping with the nature of the area.

The Snow Canyon Parkway area of St. George is a beautiful and well designed route with wonderful landscaping of flowers and trees and trails. It is obvious that the intent was always to provide a parkway that was scenic and beautiful and to provide that feeling to all who used the route. We would not want anything to detract from the beauty of this area or be a blight to this part of the city. Keeping areas as this pristine should be an important goal for all of us to try to maintain. Much has been invested to make this parkway special, beautiful, quiet and peaceful. Anyone who drives along this parkway is touched by the peaceful feeling and access to surrounding vistas. This would be ruined by something that is "out of place".

C-2 Highway Commercial Zone is intended to be "located close to freeway interchanges and at the intersections of important transportation routes". That does not seem to apply to the area in question. We see Snow Canyon Parkway as that - a parkway, not a highway, and certainly not a major commercial transportation route. Obviously it provides important transportation for residents and those moving throughout the city, but not the commercial and business travel that occurs on major routes.

C-1 Neighborhood Convenience Commercial Zone indicates that it is important that the area "be free from objections because of odor, dust, smoke, noise, vibration or other similar offensive nuisances to adjacent neighborhood areas". This, of course, is very important.

Inasmuch as this route was designed as a parkway, it appears the intent was to give aesthetic values priority. There needs to be a place for that as well as a place for busy commercial activities, but they should not be mixed together. A grocery store, as well as a gas station, are important, but not as the expense of a well designed parkway. We would not be in favor of a grocery store, or gas station, anywhere along Snow Canyon Parkway for the same reasons. There are currently two grocery stores very close to this area, and a third not far away. We don't feel another grocery store is warranted at this location when it would make more sense to put one in areas not currently have such.

We hope your decisions will be in keeping with the beauty and intended vision of the area and will avoid any devastating effect to the majestic experience of the parkway.

Thank you for your consideration.

Sincerely,  
Dennis & Jan Hymas





Daniel Boles <daniel.boles@sgcity.org>

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## Development on Snow Canyon Parkway

1 message

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**PAUL** [REDACTED]

Tue, Feb 23, 2021 at 9:59 AM

To: "daniel.boles@sgcity.org" <daniel.boles@sgcity.org>

As a resident in Castle Rock subdivision, I do not wish to see the vacant lot on Snow Canyon Parkway used for a grocery store. The congestion in the Parkway is already heavy and this development would only make matters worst. Additionally, there are other grocery stores just a few minutes away.

Please don't allow this project to move forward.

Regards

Paul Peterson  
[REDACTED]

Sent from my iPhone





Daniel Boles &lt;daniel.boles@sgcity.org&gt;

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**Fwd: Website Contact Form: General Request**

1 message

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**Brenda Hatch** <brenda.hatch@sgcity.org>  
To: Daniel Boles <daniel.boles@sgcity.org>

Tue, Feb 23, 2021 at 11:21 AM

here's another

----- Forwarded message -----

From: **Christina Fernandez** <christina.fernandez@sgcity.org>  
Date: Tue, Feb 23, 2021 at 11:19 AM  
Subject: Fwd: Website Contact Form: General Request  
To: Brenda Hatch <brenda.hatch@sgcity.org>, John Willis <john.willis@sgcity.org>, City Council <citycouncil@sgcity.org>, Vardell Curtis <wcbr@infowest.com>

----- Forwarded message -----

From: <jaschwerdt@gmail.com>  
Date: Tue, Feb 23, 2021 at 11:13 AM  
Subject: Website Contact Form: General Request  
To: <webmaster@sgcity.org>, <christina.fernandez@sgcity.org>

The Following Message was Submitted to the Website Contact Form:

Contact Name: Julia Schwerdt  
Contact Email: [REDACTED]  
Contact Phone #: [REDACTED]  
Address or Location: [REDACTED]  
Subject of Message: General Request

I am opposed to zoning for a grocery store at the corner of Snow Canyon Parkway and Dixie Dr. This intersection is extremely busy and is surrounded by residential housing. I worry this will be a noise, safety, and esthetic problem. Thank you for your consideration of this issue.  
Attachments:

--

**Christina Fernandez**

City Recorder | Administrative Services

Office: (435) 627-4003



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**Brenda Hatch**

Development Services Office Supervisor | Development Services

Office: (435) 627-4006





Daniel Boles &lt;daniel.boles@sgcity.org&gt;

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**Fwd: Snow Canyon Commercial Planned Development,**1 message

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**Brenda Hatch** <brenda.hatch@sgcity.org>  
To: Daniel Boles <daniel.boles@sgcity.org>

Wed, Feb 24, 2021 at 11:34 AM

----- Forwarded message -----

From: **Robert Patterson** <[rmpatt7@msn.com](mailto:rmpatt7@msn.com)>  
Date: Wed, Feb 24, 2021 at 11:33 AM  
Subject: Snow Canyon Commercial Planned Development,  
To: [planningcommission@sgcity.org](mailto:planningcommission@sgcity.org) <[planningcommission@sgcity.org](mailto:planningcommission@sgcity.org)>

Dear Planning Commission for St. George,

As an home owner in Lakota Ridge within 500' of the proposed Snow Canyon Commercial Planned Development, we are writing to you to express my objection to the addition of "grocery store" to the approved use list. The intersection at Snow Canyon and Lakota Ridge is busy enough without adding to commercial development.

We have Albertsons and Linn's markets within 1.2 miles from this intersection, plus Santa Clara's Harmons just a couple of miles further. We seriously do not need to generate more traffic at this intersection, not to speak of the horrific noise, lighting and congestion. We certainly don't need another grocery store.

In summary, we object to adding Grocery Store to the approved list. The developer has overreached the original intent of developing this property. The developer has provided no information on lighting, which will be extremely important to the aesthetics of our community. The developer is attempting to cram as much into a small space as is possible and the effects of traffic, accidents, and noise will be unbearable. If the planning commission and council and Mayor approve this plan, they are contributing to the ruination of the look and feel of this beautiful Parkway. Perhaps a restaurant instead...if the zoning has to be the same.

Please know that a grocery store or gas station would be a huge mistake on the Snow Canyon and Lakota Ridge intersection.

Sincerely,

Rob Patterson

--

**Brenda Hatch**

Development Services Office Supervisor | Development Services

Office: (435) 627-4006





Daniel Boles &lt;daniel.boles@sgcity.org&gt;

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## Fwd: Objection to proposed grocery store on Snow Canyon Parkway

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**Brenda Hatch** <brenda.hatch@sgcity.org>  
To: Daniel Boles <daniel.boles@sgcity.org>

Wed, Feb 24, 2021 at 10:44 AM

----- Forwarded message -----

From: **Janette Sonnenberg** <janettesonnenberg@gmail.com>  
Date: Wed, Feb 24, 2021 at 10:10 AM  
Subject: Objection to proposed grocery store on Snow Canyon Parkway  
To: <planningcommission@sgcity.org>

Dear Planning Commission for St. George,

As an owner within 500' of the proposed Snow Canyon Commercial Planned Development, we are writing to you to express my objection to the addition of "grocery store" to the approved use list. The intersection at Snow Canyon and Lakota Ridge is busy enough without adding to commercial development.

We have Albertsons and Linn's markets within 1.2 miles from this intersection, plus Santa Clara's Harmons just a couple of miles further. We seriously do not need to generate more traffic at this intersection, not to speak of the horrific noise, lighting and congestion. We certainly don't need another grocery store.

I agree with my neighbors and many other people in St. George in saying that Snow Canyon Parkway is one of the most beautiful streets anywhere in St. George. Why would our Planning Commission and possibly Council Members and Mayor vote to disregard the well being and property values of all of the thousands of homes in the surrounding area and add a blight to the scenery along this beautiful stretch of roadway?

In summary, we resent and object to adding Grocery Store to the approved list. The developer has overreached the original intent of developing this property. The developer has provided no information on lighting, which will be extremely important to the aesthetics of our community. The developer is attempting to cram as much into a small space as is possible and the effects of traffic, accidents, and noise will be unbearable. If the planning commission and council and Mayor approve this plan, they are contributing to the ruination of the look and feel of this beautiful Parkway. Perhaps a restaurant instead...if the zoning has to be the same.

Please know that a grocery store or gas station would be a huge mistake on the Snow Canyon and Lakota Ridge intersection.

Sincerely,  
Brent and Janette Sonnenberg

--

**Brenda Hatch**

Development Services Office Supervisor | Development Services

Office: (435) 627-4006







Daniel Boles &lt;daniel.boles@sgcity.org&gt;

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**Fwd: zoning for Snow Canyon Pkwy and 2000 North**

1 message

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**Brenda Hatch** <brenda.hatch@sgcity.org>  
To: Daniel Boles <daniel.boles@sgcity.org>

Fri, Feb 26, 2021 at 7:32 AM

----- Forwarded message -----

From: <[imsophabulous@gmail.com](mailto:imsophabulous@gmail.com)>  
Date: Fri, Feb 26, 2021 at 7:31 AM  
Subject: zoning for Snow Canyon Pkwy and 2000 North  
To: <[planningcommission@sgcity.org](mailto:planningcommission@sgcity.org)>

The Following Message was Submitted to the Website Contact Form:

Contact Name: Ashlee Phillips  
Contact Email: [imsophabulous@gmail.com](mailto:imsophabulous@gmail.com)  
Contact Phone #: 702-510-4446  
Subject of Message: zoning for Snow Canyon Pkwy and 2000 North

Hello, this communication is in regards to Snow Canyon Commercial Center. Case No. 2021-ZCA-020. I attended at Zoom public hearing meeting yesterday concerning a proposal to amend the Snow Canyon Commercial Planned Development zone to add "grocery store" to the approved list of uses for a lot located on Snow Canyon Pkwy and 2000 North. As a homeowner in the Castle Rock development to the east of the proposed grocery store, and mother of small children who will potentially go to that school, I raised concerns about Coral Cliffs Elementary school which is located across the street from the proposed store. The concerns I have are that a store in that area will increase traffic and decrease child safety. Children are attracted to stores. Kids love candy, toys, lip gloss, etc. It's fine for kids to enjoy those things, but 2000 North is a very dangerous and potentially deadly obstacle for kids to get to the proposed store. Additionally, alcohol and cigarettes are sold at grocery stores. I don't know for a fact, but assume this is one of the many reasons the property was zoned the way it was in the first place. The added traffic will make Snow Canyon Pkwy and 2000 North more dangerous than it already is for the children. It has always been disturbing to me that there is not more done on Snow Canyon Pkwy and 2000 North as far as a cross walk that is near a school. There isn't even a stop light there. I raised concerns about the school location that were not addressed at all during the public hearing. Additionally, the street design of Snow Canyon Parkway isn't conducive to a grocery store. On the east side is a jogging path, built at considerable expense, to provide a safe enjoyable way for citizens to get some exercise and see the magnificent red rock views. Snow Canyon Parkway isn't a normal four lane road. There is a decorative median (also built at considerable expense) that makes entry into a commercial development like a grocery store illogical and impractical. Above all, the Planned Development zone was created in it's current format for a reason. To change it now just so a developer can make a buck, while detracting from the way of life and property values of surrounding homeowners is foolish and shortsighted. Thank you for your consideration. Ashlee Phillips

Attachments:

--

**Brenda Hatch**

Development Services Office Supervisor | Development Services

Office: (435) 627-4006





SIRS.

I AM AGAINST A ZONE AMENDMENT AT THE SNOW CANYON COMMERCIAL  
PLANNED DEVELOPMENT ZONE FOR THE FOLLOWING REASONS:

1. INCREASED TRAFFIC IN AREA
2. 3 GROCERY STORES IN AREA
3. 2 ELEMENTARY SCHOOLS IN AREA.

NYLES SNYDER

IRONWOOD SUBDIVISION.



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE CITY ZONING MAP BY AMENDING THE SNOW CANYON COMMERCIAL CENTER PD-C (PLANNED DEVELOPMENT COMMERCIAL) ZONE ON APPROXIMATELY 4.58 ACRES, LOCATED GENERALLY ON THE SOUTH-WEST CORNER OF SNOW CANYON PKWY AND 2000 NORTH, AND TO APPROVE CONCEPTUAL LAYOUT, ELEVATIONS, SITE PLAN, LANDSCAPING AND PARKING.**

*(Snow Canyon Commercial Center)*

**WHEREAS**, the property owner has requested to amend the PD-C (Planned Development Commercial) zone on approximately 4.58 acres, located on the south-west corner of Snow Canyon Parkway and 2000 North. The review includes the conceptual layout, elevations, site plan, landscaping and parking; and

**WHEREAS**, the Planning Commission held a public hearing on this request on February 23, 2021; and

**WHEREAS**, the Planning Commission recommends approval of the requested zone change amendment and project concept; and

**WHEREAS**, the City Council has determined that the requested change to the Zoning Map is justified at this time, and is in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

**NOW, THEREFORE, BE IT ORDAINED**, by the St. George City Council, as follows:

**Section 1. Repealer.** Any provision of the St. George City Code found to be in conflict with this Ordinance is hereby repealed.

**Section 2. Enactment.** The City Zoning Map is hereby ordered to be changed to reflect the zone change amendment to the PD-C (Planned Development Commercial) zone, on 4.58 acres, located approximately on the south-west corner of Snow Canyon Parkway and 2000 North. The property affected by this zone change amendment is more specifically described on the legal description, Exhibit "A," attached hereto and incorporated herein. The Planned Development Commercial project is approved, including the conceptual layout, elevations, site plan, landscaping and parking. The project must comply with all conditions, requirements, and restrictions as approved by City Council.

**Section 3. Severability.** If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

**Section 4. Effective Date.** This Ordinance shall take effect immediately upon execution below and upon posting in the manner required by law.

APPROVED AND ADOPTED by the St. George City Council, this 18<sup>th</sup> day of March 2021.

\_\_\_\_\_  
Michele Randall, Mayor

ATTEST:

\_\_\_\_\_  
Christina Fernandez, City Recorder

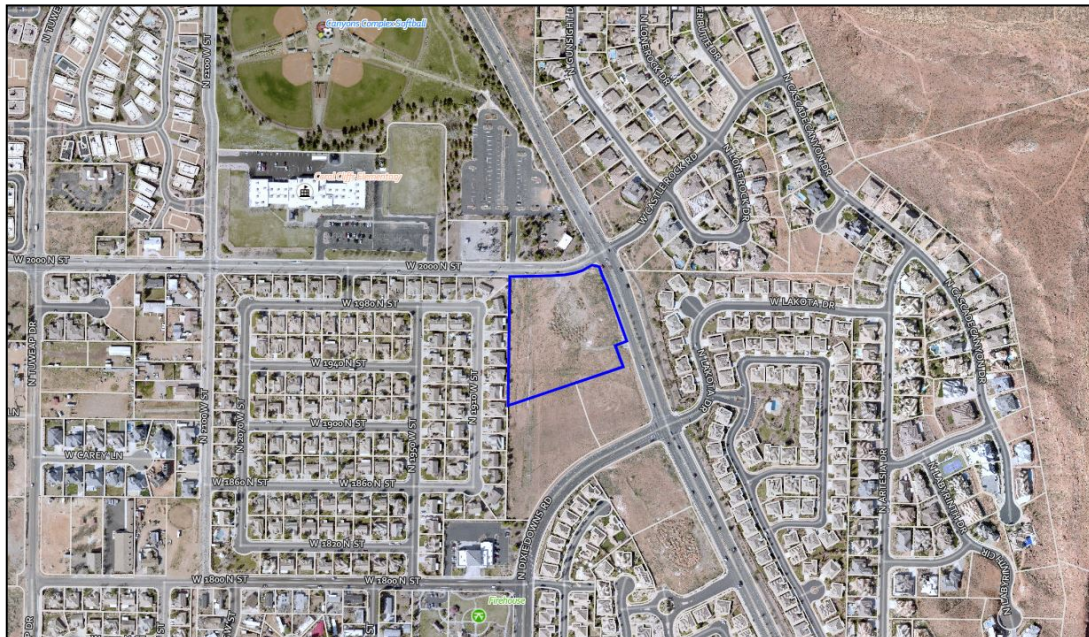


## Exhibit “A”

**Legal S:** 10 T: 42S R: 16W S: 11 T: 42S R: 16W BEGINNING AT A POINT ON THE SECTION LINE, SAID POINT, SAID POINT BEING THE SOUTHEAST CORNER OF 2000 NORTH STREET AS DEFINED BY THE IRONWOOD SUBDIVISION PHASE 1 FINAL PLAT, SAID POINT ALSO BEING NORTH 01°12'08" EAST 1,299.15 FEET ALONG THE SECTION LINE FROM SOUTHWEST CORNER OF SECTION 11, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE & MERIDIAN, AND RUNNING; THENCE NORTH 01°12'08" EAST 32.95 FEET ALONG THE SECTION LINE, SAID LINE ALSO BEING THE EASTERLY LINE OF SAID 2000 NORTH STREET AS DEFINED BY THE IRON WOOD SUBDIVISION PHASE 1 FINAL PLAT; THENCE SOUTH 89°07'53" EAST 288.01 FEET TO THE WESTERLY LINE OF SNOW CANYON PARKWAY (PLATTED AS TUACAHN PARKWAY); THENCE SOUTHEASTERLY THE FOLLOWING (4) COURSES ALONG THE WESTERLY LINE OF SAID SNOW CANYON PARKWAY THENCE SOUTHERLY 165.80 FEET ALONG AN ARC OF A 1,460.00 FEET RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 64°49'01" WEST, LONG CHORD BEARS SOUTH 21°55'47" EAST 165.71 FEET WITH A CENTRAL ANGLE OF 06°30'24"); THENCE SOUTH 18°40'35" EAST 429.44 FEET; THENCE SOUTHERLY 38.11 FEET ALONG AN ARC OF A 1,540.00 FEET RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 71°19'25" EAST, LONG CHORD BEARS SOUTH 19°23'07" EAST 38.11 FEET WITH A CENTRAL ANGLE OF 01°25'04 " ); THENCE SOUTHERLY 43.72 FEET ALONG AN ARC OF A 30.00 FEET RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 69°54'21" WEST, LONG CHORD BEARS SOUTH 21°39'13" WEST 39.95 FEET WITH A CENTRAL ANGLE OF 83°29'43") TO THE NORTHERLY LINE OF NORTH DIXIE DOWNS ROAD; THENCE SOUTHWESTERLY THE FOLLOWING (2) COURSES ALONG THE SOUTHEASTERLY LINE OF SAID NORTH DIXIE DOWNS ROAD; THENCE SOUTH 63°24'04" WEST 222.81 FEET; THENCE SOUTHWESTERLY 425.67 FEET ALONG AN ARC OF A 640.00 FEET RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 26°35'56" EAST, LONG CHORD BEARS SOUTH 44°20'49" WEST 417.87 FEET WITH A CENTRAL ANGLE OF 38°06'30"); THENCE NORTH 89°29'58" WEST 96.93 FEET TO THE SOUTHEASTERLY CORNER OF IRONWOOD SUBDIVISION PHASE 6; THENCE NORTH 00°58'01" EAST 1,003.94 FEET ALONG THE EASTERLY LINE OF SAID IRONWOOD SUBDIVISION PHASE 6 AND TO AND ALONG THE EASTERLY LINE OF IRONWOOD SUBDIVISION PHASE 8 TO THE SOUTHERLY LINE OF SAID 2000 NORTH STREET AS DEFINED BY THE IRONWOOD SUBDIVISION PHASE 1 FINAL PLAT; THENCE SOUTH 89°19'19" EAST 85.34 FEET ALONG SAID SOUTHERLY LINE OF 2000 NORTH STREET TO THE POINT OF BEGINNING.

LESS: BEGINNING N1\*12'08"E 595.01 FEET AND N90\*00'00"E 303.17 FEET FROM THE SOUTHWEST CORNER OF SECTION 11, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF DIXIE DOWNS ROAD AS RECORDED ON THE TUACAHN PARKWAY ROAD DEDICATION PLAT ON FILE AT THE OFFICE OF THE RECORDER, WASHINGTON COUNTY, STATE OF UTAH ENTRY NUMBER #00586530 AND RUNNING; THENCE N26\*35'56"W 83.86 FEET; THENCE N18\*36'07"W 201.39 FEET; THENCE N71\*19'31"E 205.06 FEET; THENCE N18\*40'29"W 95.01 FEET; THENCE N71\*19'25"E 50.48 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SNOW CANYON PARKWAY RECORDED AS TUACAHN PARKWAY ON SAID ROAD DEDICATION PLAT AND FOLLOWING SAID RIGHT-OF-WAY THE FOLLOWING FOUR (4) COURSES; (1) THENCE S18\*40'35"E 280.43 FEET TO A POINT ON A 1540.00 FOOT RADIUS CURVE TO THE LEFT; (2) THENCE ALONG THE ARC OF SAID CURVE 38.11 FEET THROUGH A CENTRAL ANGLE OF 1\*25'04"; TO A POINT ON A 30.00 FOOT REVERSE CURVE TO THE RIGHT; (3) THENCE ALONG THE ARC OF SAID CURVE 43.72 FEET THROUGH A CENTRAL ANGLE OF 83\*29'43"; (4) THENCE S63\*24'04"W 220.97 FEET TO THE POINT OF BEGINNING.

LESS: SNOW CANYON COMMERCIAL SUBDIVISION PH 1.





DRAFT

Agenda Item Number : 08

## Request For Council Action

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**Date Submitted** 03/10/2021 04:39 PM

**Proposed City Council  
Date** 03/18/2021

**Applicant** Nathan Evans

**Subject** Consider approval of an ordinance amending the Red Cliffs Mall Planned Development Commercial zone to modify their sign package and amend the site plan. The application is to be known as Red Cliffs Mall PD Amendment on approximately 39.37 acres located on the south west intersection of Red Cliffs Drive and Mall Drive. Case No. 2020-ZCA-006

**Background** The proposal is to allow construction of a plaza, update the mall sign package and make other modifications to the mall site. The underlying general plan is COM (Commercial). Planning Commission recommended approval of the application.

**Proposed Resolution** Planning Commission recommended approval of the application with conditions.

**Cost** \$

**Action Taken**

**Requested by** Dan Boles

**File Attachments** cc2020-zca-006redcliffsmall2021031021163929.pdf

**Approved by Legal  
Department?** Yes

**Approved by City Admin  
Services?** NA

**Approved in Budget?** N/A **Amount:**





## ZONE CHANGE AMENDMENT

PLANNING COMMISSION AGENDA REPORT: 03/10/2020  
CITY COUNCIL AGENDA REPORT: 04/02/2020 (Cancelled)  
CITY COUNCIL AGENDA REPORT: 03/18/2021

### Zone Change Amendment

#### **Red Cliffs Mall**

Case No. 2020-ZCA-006

**Request:** This is a zone change amendment request to realign the entry into the site, approve a sign package, create pads, and create a plaza area on the site.

**Background:** The proposed application came before to staff in early 2020 and went to Planning Commission for their recommendation in March of 2020. The Planning Commission recommended approval of the application and it was scheduled for City Council. Covid-19 closed down the world and the project was temporarily shelved. The applicant has requested that the application now move forward with a few slight modifications to the original request. It was determined that because of the unusual circumstances with covid, the application would move ahead to City Council.

Over the past year, the applicant has reviewed the proposal and made a few minor adjustments (signage color, orientation of lounging area on the plaza). The new drawings are attached below.

**Project Name:** Red Cliffs Mall

**Owner:** RCM St. George Properties, LLC

**Representative:** Nathan Evans

**Location:** Generally located on the south west intersection of Red Cliffs Drive and Mall Drive.

**Acreage:** 39.37 Acres

**Zone:** PD-C (Planned Development Commercial)

**General Plan:** COM (Commercial)





**Adjacent zones:**

North: I-15 Freeway  
South: PD-C (Red Cliffs Professional Park) & R-3 (Sterling Court Assisted Living Community)  
West: C-2 (Shopping Center, Arctic Circle)  
East: PD-C (Blvd Home & VASA sites)

**LU Percentages:**

The current land use percentages are approximately:  
16% = Landscaping  
25% = Building footprint  
59% = Other impervious areas (sidewalks, drive aisles, parking, etc.)

**Proposal:**

The applicant is seeking approval for a site plan amendment to the mall site. They are proposing to add seven “pad sites” throughout the development. Early drawings depicted a hotel on the VASA site which is also controlled by the mall owners. That plan has since been removed. Along with the pads, the applicant is requesting a sign package that would replace the current signage on site. Their final request is for approval of a change to the entryway from Red Cliffs Drive.

**Buildings:**

The applicant is not requesting approval for specific building elevations at this time but would like the pad areas approved for future development. Pads are shown on the attached site plan in blue. There are four new pads proposed along with two pads that would modify the old Sears building. Some are freestanding and some are attached to the existing mall.



**Plaza:** The applicant is proposing a 23,000 square foot plaza area as patrons enter next to Barnes and Noble and See's Candy. There would be a removal of nine parking stalls to accomplish this. The plaza will have trees, outdoor furniture and grassy areas for patrons to congregate. The applicant has also suggested that there may be occasion for music and other events at the plaza. The applicant will need to provide a full landscape plan once they are ready to construct the plaza. The attached plaza drawings are, at this point, conceptual in nature and could be modified.

**Entryway:** The zone change amendment proposes a change to the entryway from Red Cliffs Drive on the north end of the site. Currently, there are two entry points from Red Cliffs Drive. When the mall first developed, this configuration made more sense and functioned well as the underpass hadn't been constructed and the street was significantly calmer. Since the City constructed the underpass and added signal lights, the applicant sees a need to place one entryway into the site at the intersection. How the City may or may not participate in some of the improvements has yet to be determined. Any participation by the City (if any at all) will have to be approved by the City Council.

During the time that the project was temporarily on hold, staff has discussed the intersection and entry points with the applicant. Staff has determined through a study that providing an alternate street connection from the proposed intersection to mall drive through the parking lot is the best way in the long run to alleviate potential traffic issues in the area. Mall ownership has expressed concern with this proposal. Staff is recommending that an agreement be executed that would allow the applicant to move forward with the changes to the intersection but would require future participation of the suggested roadway through the site.

**Signage:** The applicant is proposing, most significantly to their sign package, a 50-foot-tall, 300 square foot digital sign to be placed at the intersection of Red Cliffs Drive and Mall Drive. If the mall was to apply for what was allowed under the code today, they would be allowed a 30-foot-tall 200 square foot sign. The PD-C zone allows the Planning Commission and City Council to consider the sign that is being proposed but caps what may be approved at the requested 50 feet and 300 square feet.

They are also requesting approval of a 30-foot sign (this is an existing sign that will be re-skinned and left in its current location), two entry signs to be placed at the main, Red Cliffs Drive entrance and two secondary entry signs. All other signage will be required to meet the signage requirements of the city code. See attached for sign elevations.

**Parking:** The applicant has submitted the following analysis of parking:



<b>WEST BLOCK</b>	<b>EXISTING FLOOR AREA (sf)</b>	<b>FLOOR AREA REMOVED (sf)</b>	<b>REMAINING FLOOR AREA (sf)</b>	<b>NEW FLOOR AREA (sf)</b>	<b>TOTAL FLOOR AREA (sf)</b>	<b>ZONING- REQUIRED PARKING</b>	<b>COMMENTS</b>
<b>DEMOLISHED</b>							
ARBY'S	2,821	2,821			0		
CINEMA BUILDING	10,390	10,390			0		
SEARS (PARTIAL)	27,338	27,338			0		
<b>RETAIL STORES</b>							
DILLARD'S	111,914		111,914		111,914		
J C PENNEY	49,398		49,398		49,398		
BARNES & NOBLE	30,806		30,806		30,806		
MALL RETAIL	96,477		96,477		96,477 *		
<b>SUBTOTAL - RETAIL STORES</b>					288,595	827	1 space per 250 sf up to 500 spaces; 1 space per 500 sf over 500 spaces
<b>RESTAURANT / ENTERTAINMENT</b>							
SEARS BUILDING	5,000		5,000		5,000 *		
BUILDING A	16,237		16,237		16,237 *		
BUILDING B	4,800		4,800		4,800		
BUILDING C				4,000	4,000		
BUILDING D				8,000	8,000		
BUILDING E				3,500	3,500		
BUILDING F				5,000	5,000		
BUILDING G				5,000	5,000		
OUTDOOR SEATING				2,400	2,400		
<b>SUBTOTAL - RESTAURANT / ENTERTAINMENT</b>					53,937	539	1 space per 100 sf
<b>FAMILY ENTERTAINMENT</b>							
SEARS BUILDING	36,012		36,012		36,012 *	144 **	1 space per 250 sf
<b>FUTURE DEVELOPMENT</b>							
ALLOWANCE				56,900	56,900	379	1 space per 150 sf
<b>WEST BLOCK TOTALS</b>	<b>391,193</b>	<b>40,549</b>	<b>350,644</b>	<b>84,800</b>	<b>435,444</b>	<b>1,890</b>	
<b>WEST BLOCK PARKING PROVIDED</b>					1,982		
Parking spaces per 1000 sf					4.55		

Staff has reviewed the analysis and believes that it has been accurately represented.

### Planning Commission Recommendation:

Planning Commission recommended approval of this Zone Change Amendment with the following comments and conditions:

1. Any future buildings will be required to go through the zone change amendment process for approval prior to issuance of a building permit.
2. The City's participation in right-of-way and signal improvements is not guaranteed but will need to be worked out prior to any changes to the entryway being made.
3. Any further changes to the site or any element thereof will need to be reviewed and approved by the City prior to any changes occurring.

The Planning Commission primarily discussed the realigned intersection. With assurance that the Engineering Department was not concerned with the intersection's functionality but primarily with the City's participation in any improvements, the Planning Commission was satisfied with the change. There was also positive discussion regarding the sign package and the need for additional and updated signage on the site.

**Public Comment:** There was no public comment received at the public hearing.

### Findings for Approval:



1. The proposed amendment meets the requirements of the Red Cliffs Mall PD as approved by City Council.
2. There will be adequate parking to facilitate the development.
3. Additional and updated signage is needed on the site due to visual constraints.



**EXHIBIT A**  
**POWERPOINT PRESENTATION**



# Red Cliffs Mall PD Amendment

1770 East Red Cliffs Drive



# Aerial Map



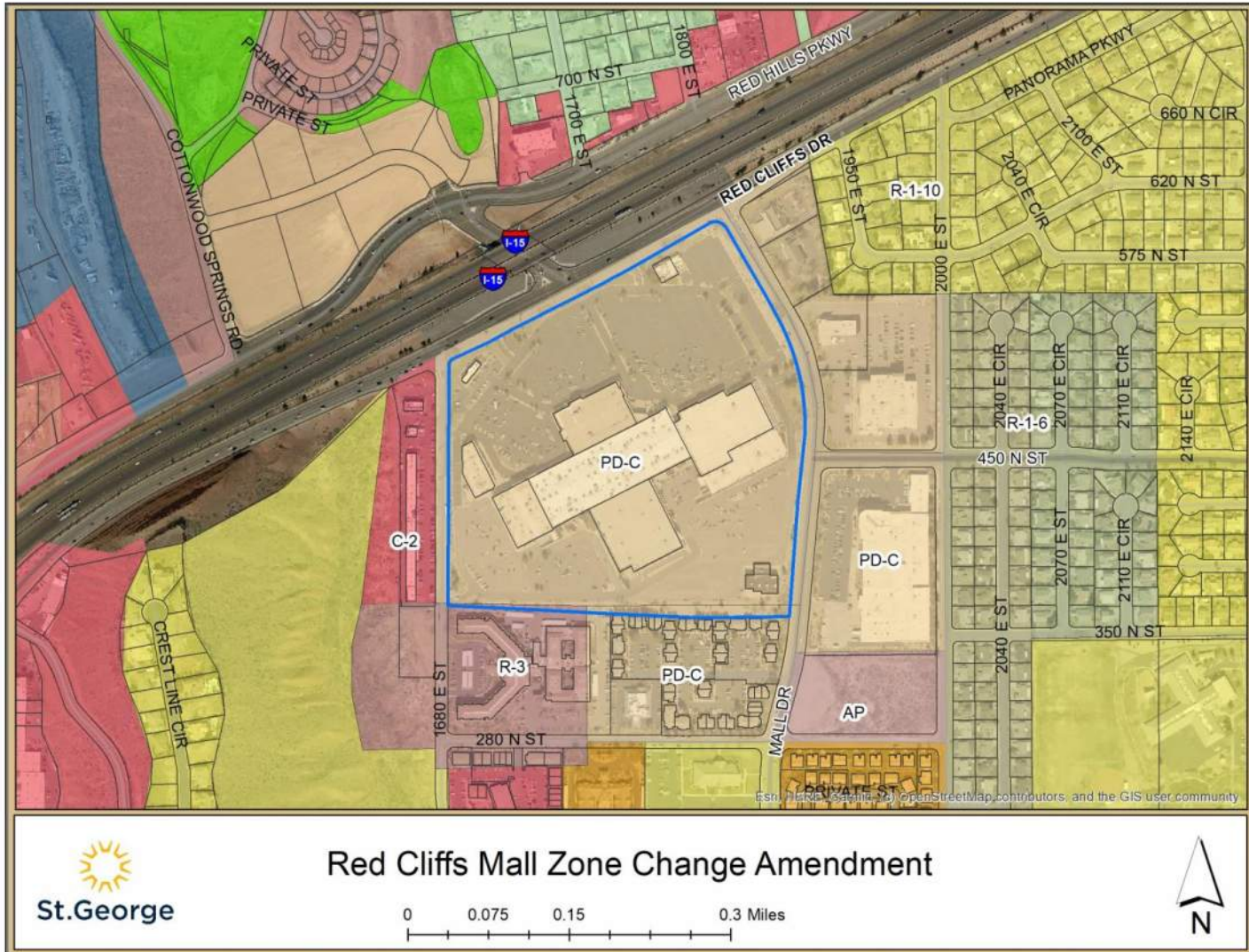


# Land Use Map



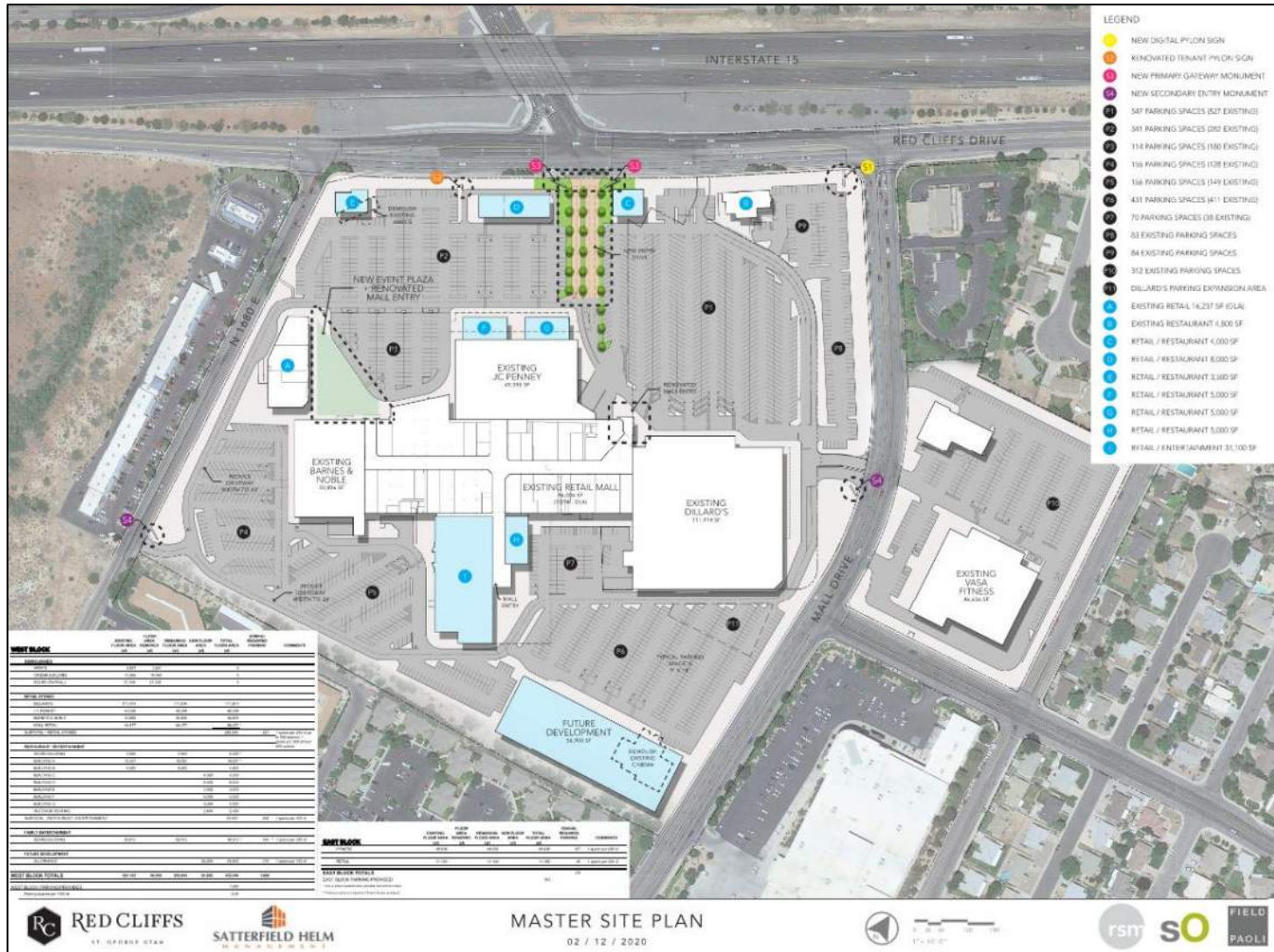


# Zoning Map





# Site Plan





# Site Plan





# Old Plaza Renderings





# Revised Plaza Renderings





# Plaza Renderings





# Plaza Renderings





# Plaza Renderings

LANDSCAPE PLAZA (VIEW A.2 STAGE SET-UP)



so

Red Cliffs  
Concept Design Presentation  
November 13, 2019

18

VIEW E)



so

Red Cliffs  
Concept Design Presentation  
November 13, 2019

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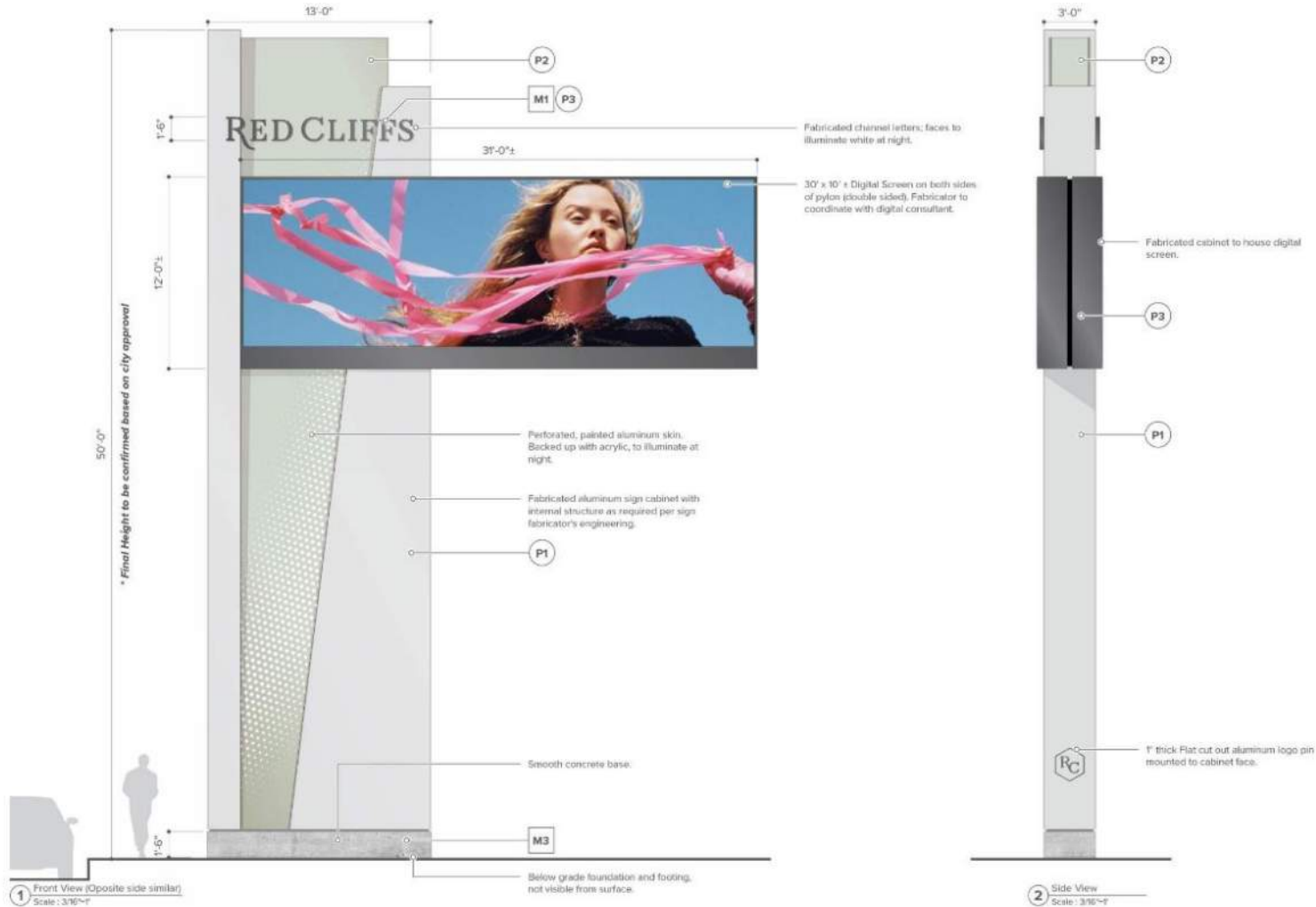


# Plaza Renderings





# Signage



rsm design

140 Cabella  
San Clemente  
CA 92672  
949.453.8479 T  
rsmdesign.com

RED CLIFFS

PACKAGE NOTES:  
-All drawings and written materials appearing herein constitute original and confidential work of Redwood Signage Shop Design Inc. and may not be used or replicated without written consent of Redwood Signage Shop Design Inc.  
-All drawings must comply with specifications noted at the beginning of this package.

REVISIONS: ISSUE DATE:

NO. / NO. DATE:

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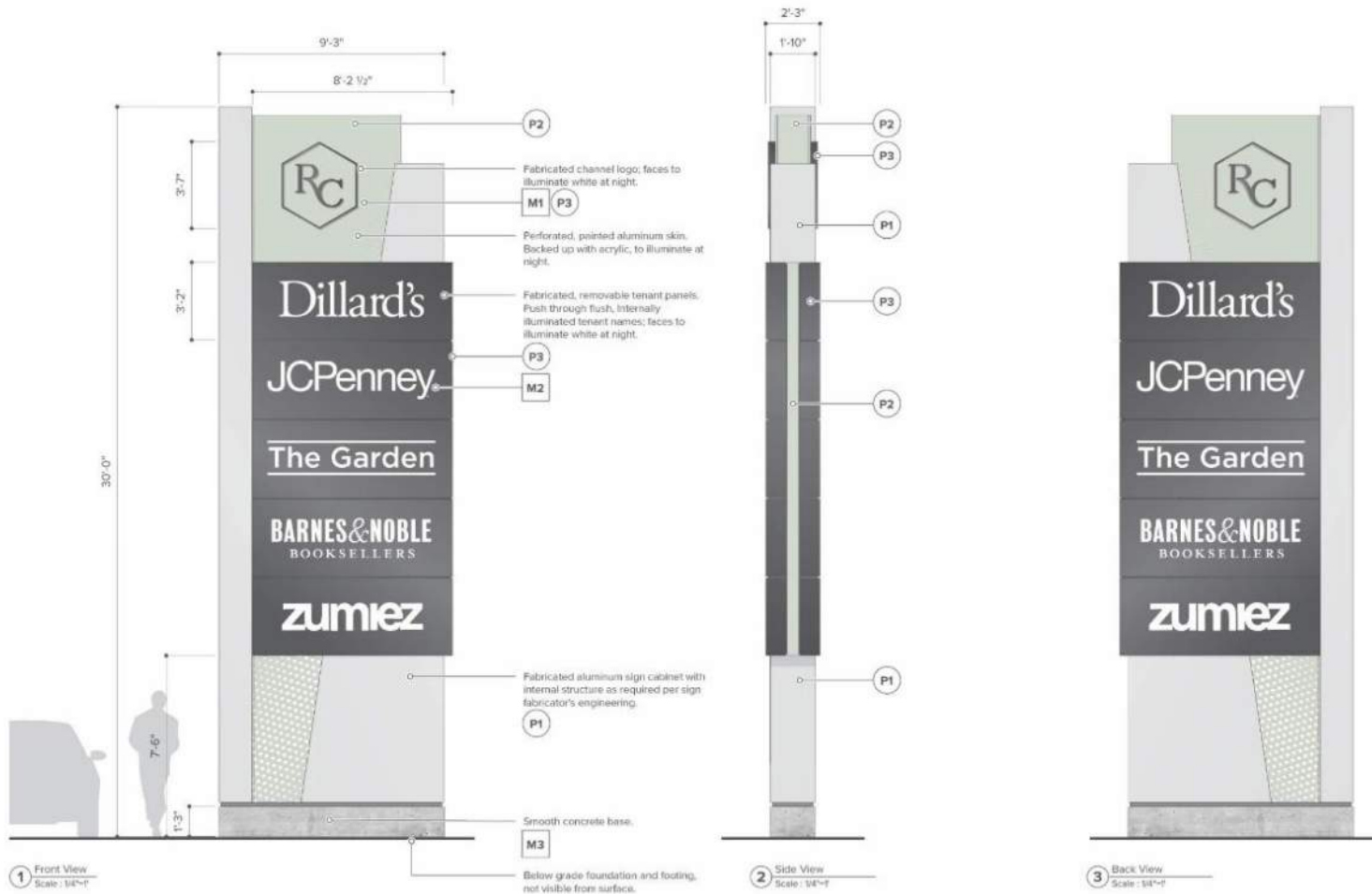
210 / 1 10/1/2020

211 / 1 10/1/2020

212 / 1 10/1/2020</



# Signage





# Signage

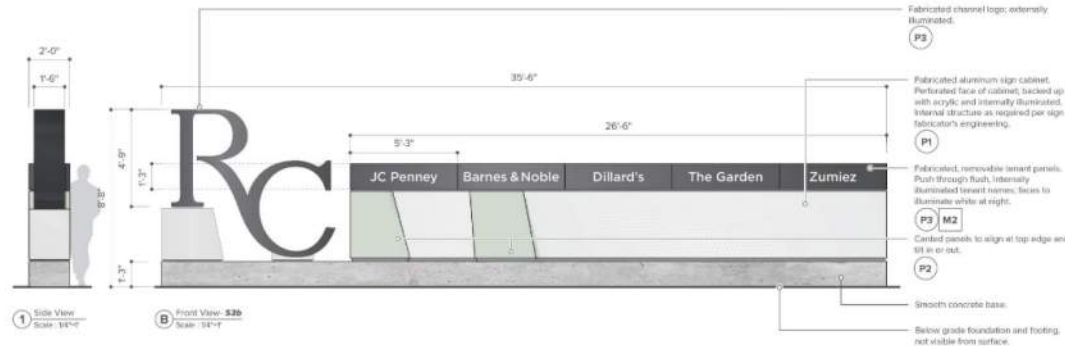


4 Back View  
Scale: 1/4"=1'



3 Plan View  
Scale: 3/4"=1'

- In-ground linear fixture to up-light the "RC" logo. Fabricator to coordinate with Landscape / Lighting consultant.



1 Side View  
Scale: 1/8"=1'

**(B)** Front View- 320  
Scale: 1/4"=1'



② Side View  
Scale: 1/8" = 1"



160 Cabotto  
San Clemente  
CA 92672  
949.483.9479 F  
rondesigns.com

# RED CLIFFS

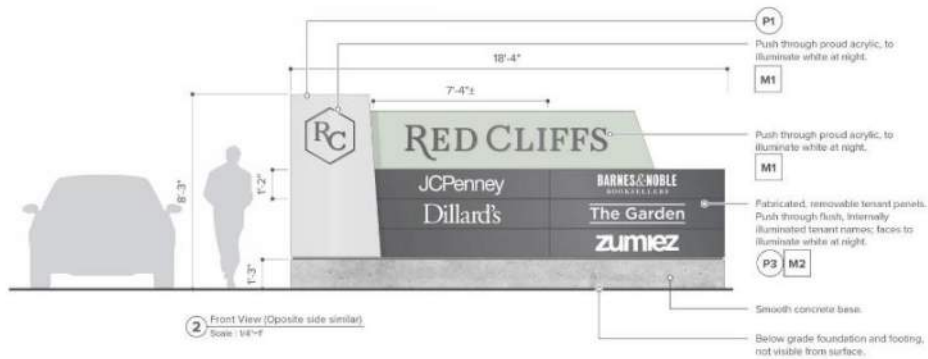
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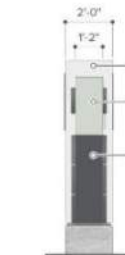
13

**1. GATEWAY MONUMENT (RIGHT SIDE)**  
Color and Material

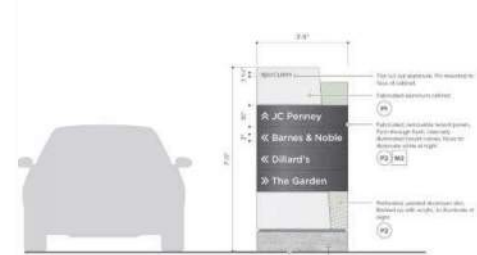


1 Side View  
Scale: 1/4"=1'

2 Front View (Opposite side similar)  
Scale: 1/4"=1'



3 Side View  
Scale: 1/4"=1'

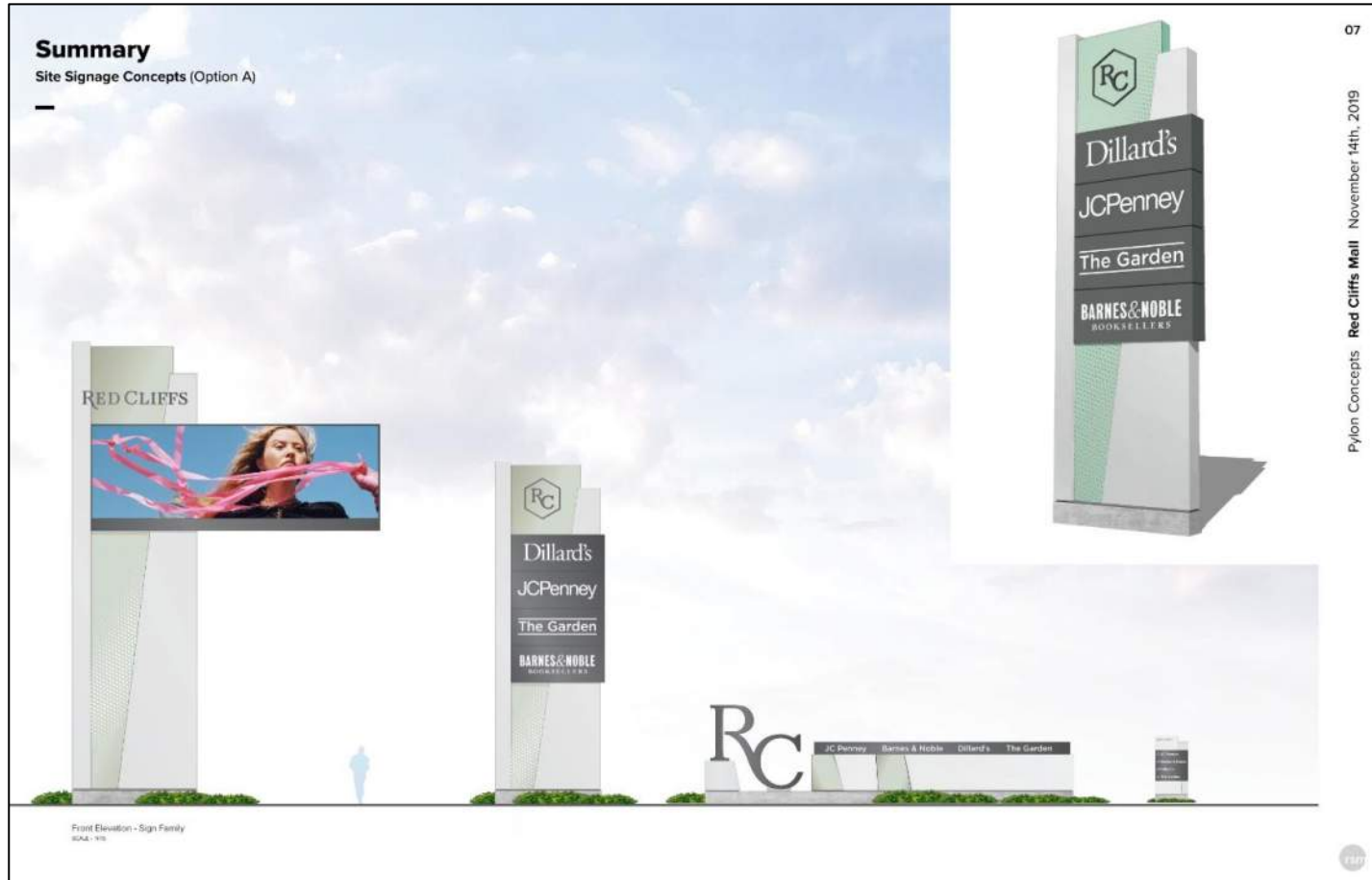








# Signage



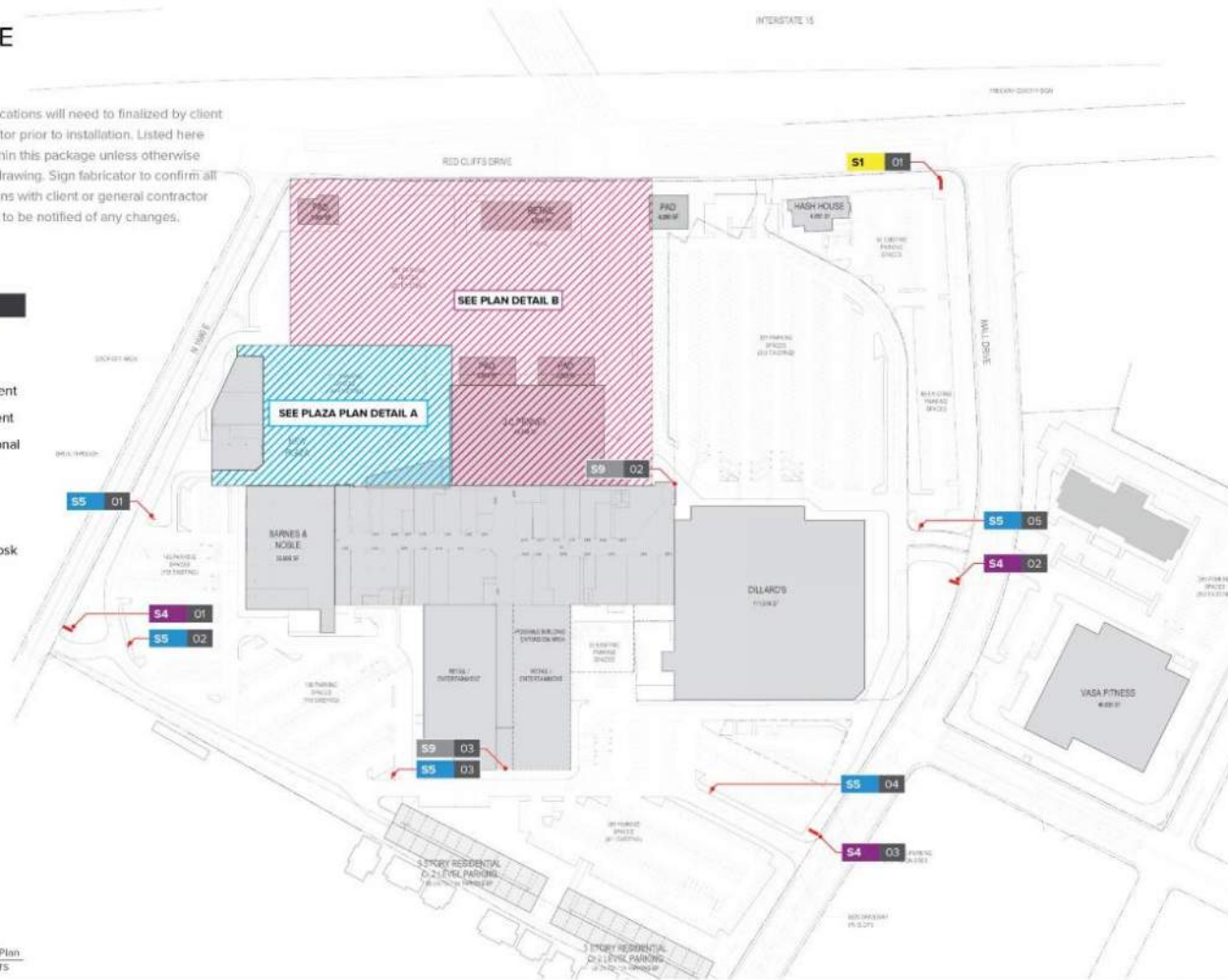


# Signage Locations

## SITE SIGNAGE

SCHEDULE 01 OF 03

Please note all quantities and locations will need to be finalized by client and field verified by sign fabricator prior to installation. Listed here are to apply to all sign types within this package unless otherwise noted on the individual design drawing. Sign fabricator to confirm all final sign messaging and locations with client or general contractor prior to fabrication. RSM Design to be notified of any changes.



1 Overall Plan  
Scale : NTS

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**SITE SIGNAGE**  
SIGN LOCATION PLAN 1 OF 3



# Parking Numbers

WEST BLOCK	EXISTING FLOOR AREA (sf)	FLOOR AREA REMOVED (sf)	REMAINING FLOOR AREA (sf)	NEW FLOOR AREA (sf)	TOTAL FLOOR AREA (sf)	ZONING- REQUIRED PARKING	COMMENTS
<b>DEMOLISHED</b>							
ARBY'S	2,821	2,821			0		
CINEMA BUILDING	10,390	10,390			0		
SEARS (PARTIAL)	27,338	27,338			0		
<b>RETAIL STORES</b>							
DILLARD'S	111,914		111,914		111,914		
J C PENNEY	49,398		49,398		49,398		
BARNES & NOBLE	30,806		30,806		30,806		
MALL RETAIL	96,477		96,477		96,477 *		
SUBTOTAL - RETAIL STORES					288,595	827	1 space per 250 sf up to 500 spaces; 1 space per 500 sf over 500 spaces
<b>RESTAURANT / ENTERTAINMENT</b>							
SEARS BUILDING	5,000		5,000		5,000 *		
BUILDING A	16,237		16,237		16,237 *		
BUILDING B	4,800		4,800		4,800		
BUILDING C				4,000	4,000		
BUILDING D				8,000	8,000		
BUILDING E				3,500	3,500		
BUILDING F				5,000	5,000		
BUILDING G				5,000	5,000		
OUTDOOR SEATING				2,400	2,400		
SUBTOTAL - RESTAURANT / ENTERTAINMENT					53,937	539	1 space per 100 sf
<b>FAMILY ENTERTAINMENT</b>							
SEARS BUILDING	36,012		36,012		36,012 *	144 **	1 space per 250 sf
<b>FUTURE DEVELOPMENT</b>							
ALLOWANCE				56,900	56,900	379	1 space per 150 sf
<b>WEST BLOCK TOTALS</b>	<b>391,193</b>	<b>40,549</b>	<b>350,644</b>	<b>84,800</b>	<b>435,444</b>	<b>1,890</b>	
<b>WEST BLOCK PARKING PROVIDED</b>					1,982		
Parking spaces per 1000 sf					4.55		

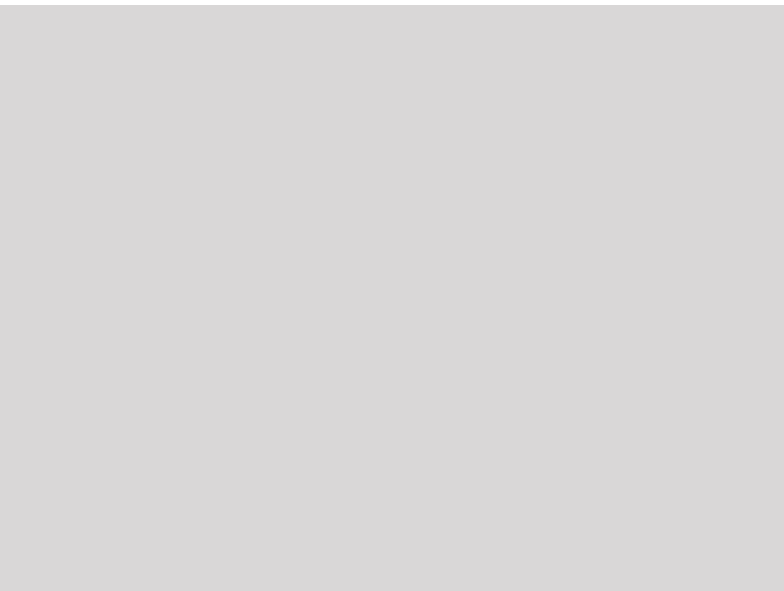
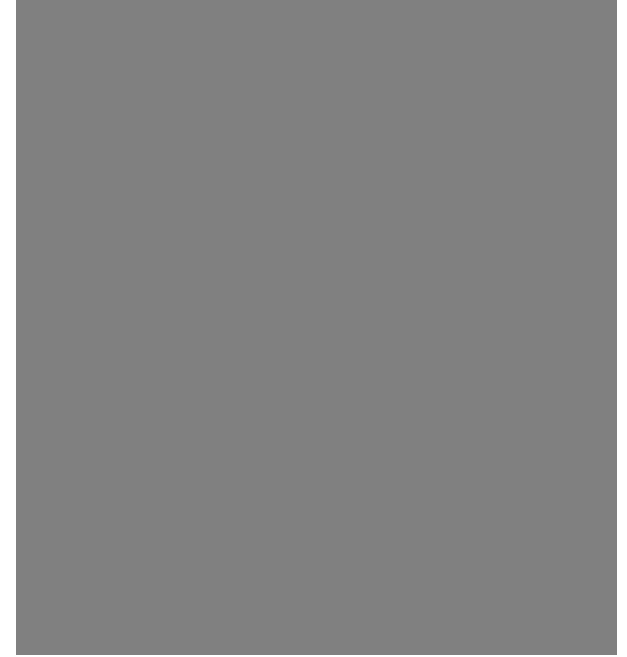
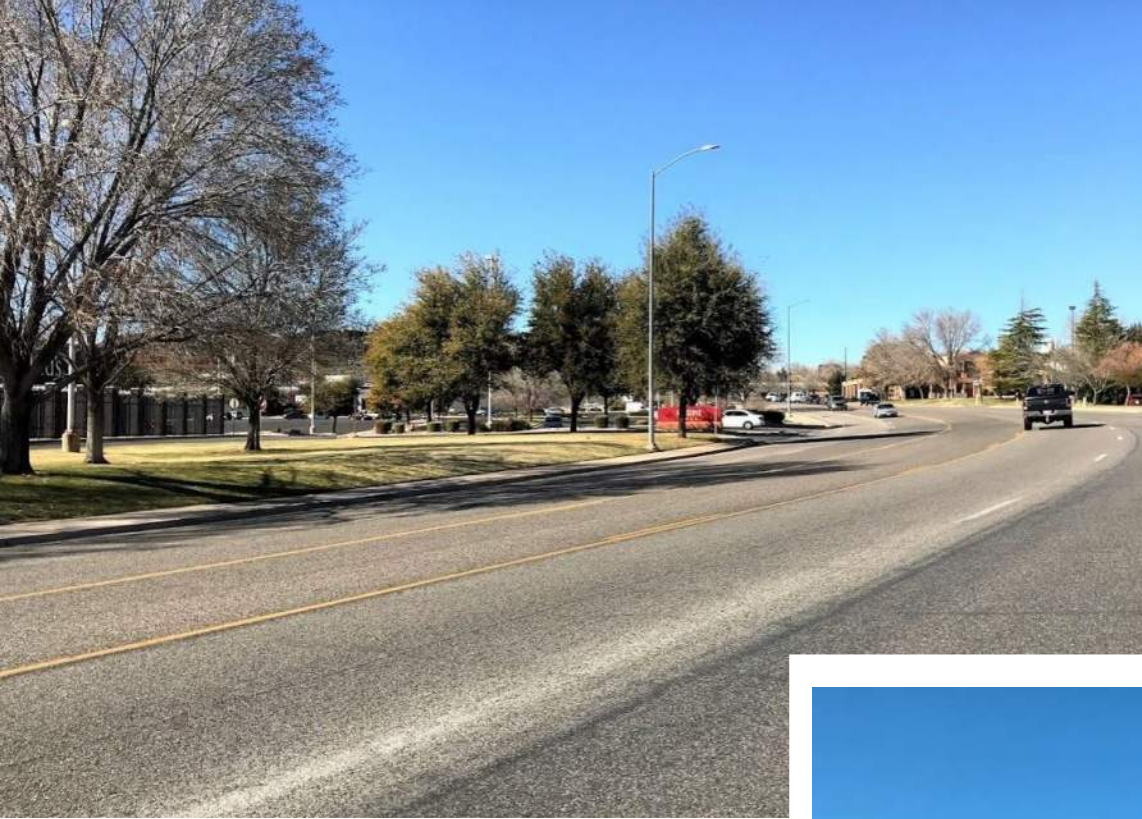














**EXHIBIT B**  
**SIGN PACKAGE**



The background of the entire slide is a photograph of a red rock cliff face. The rock has a layered, sedimentary appearance with various shades of orange, red, and brown. The lighting creates strong shadows and highlights, emphasizing the texture and vertical fissures of the rock.

# RED CLIFFS

ENVIRONMENTAL GRAPHICS & WAYFINDING

**Progress Schematic Design / Design Development**

January 11, 2021

rsmdesign



# RED CLIFFS

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Sign Schedule

Programming Plans





## GENERAL INFORMATION



160 Cabrillo  
San Clemente  
CA 92672  
949.492.9479 T

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# RED CLIFFS

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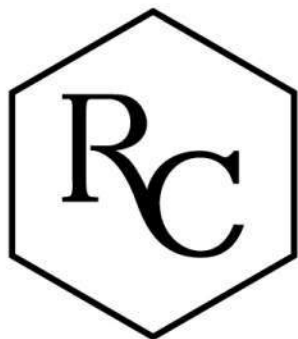
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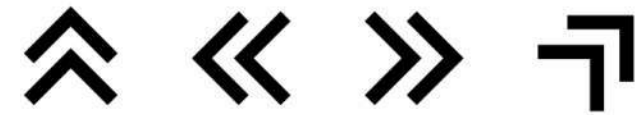
The following illustrates the proposed Icons to be used throughout the project on signage and wayfinding. Please Note RSM Design to be notified of any changes.

# RED CLIFFS

## PRIMARY PROJECT IDENTITY



## SECONDARY PROJECT IDENTITY



## PROJECT ARROWS

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## PROJECT FONTS

**Aa**

ABCDEFGHIJKLMNOPQRSTUVWXYZ  
abcdefghijklmnopqrstuvwxyz

1234567890

# RED CLIFFS

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## PAINTS



P1

P2

P3

Matthews  
Final Color  
TBD

M1

M2

M3

Final Material  
TBD

If a color or material is not approved, the Fabricator must re-submit a new sample until it is approved by the team.





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# RED CLIFFS

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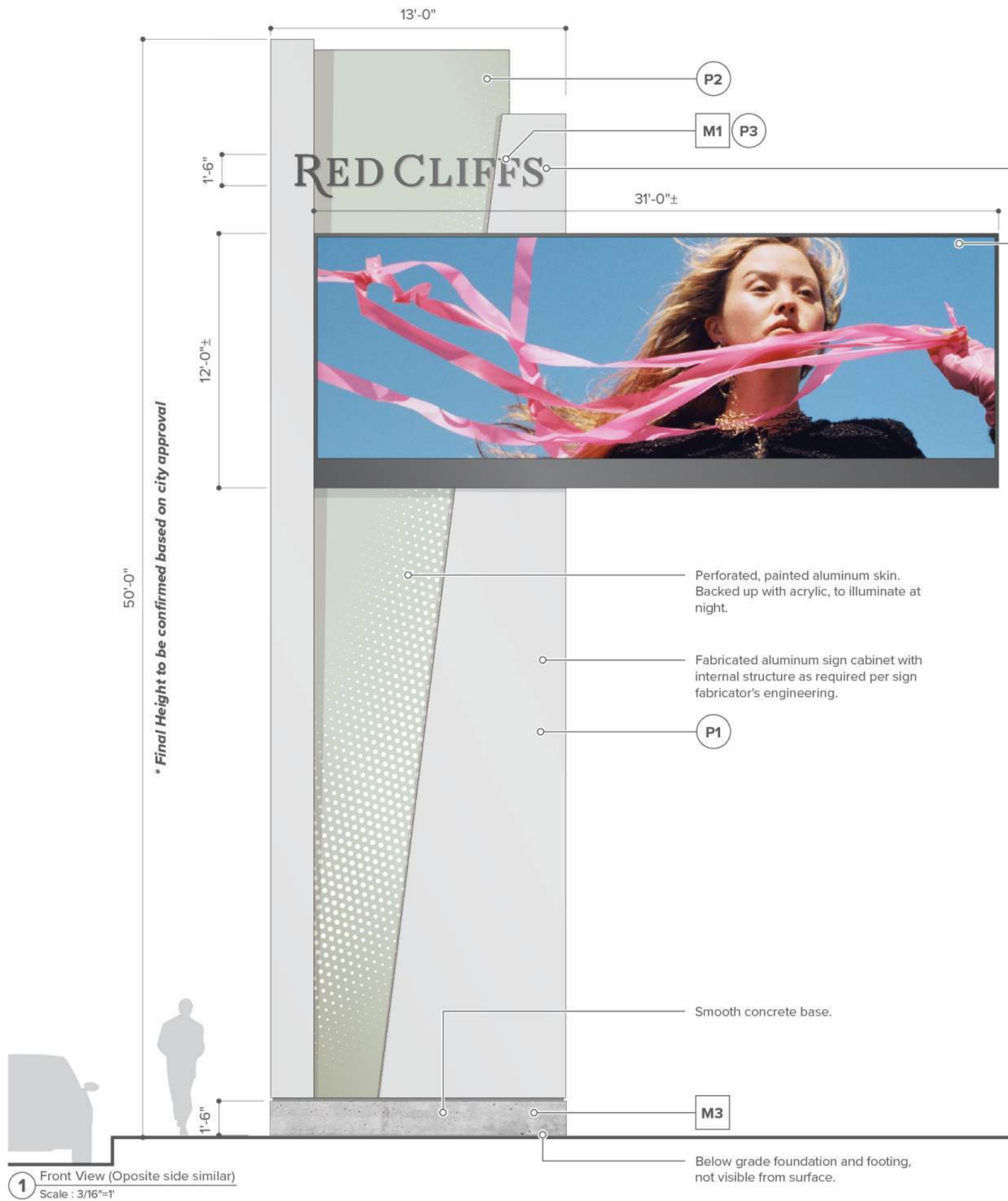
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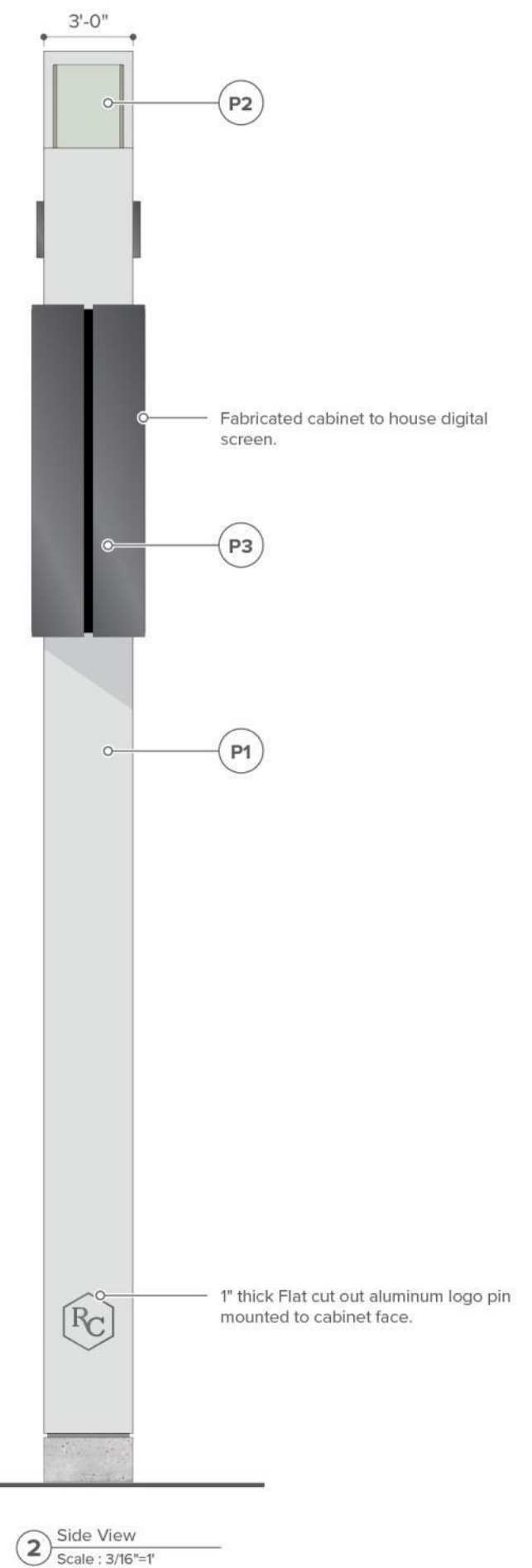


Fabricated channel letters; faces to illuminate white at night.

30' x 10' ± Digital Screen on both sides of pylon (double sided). Fabricator to coordinate with digital consultant.

Perforated, painted aluminum skin. Backed up with acrylic, to illuminate at night.

Fabricated aluminum sign cabinet with internal structure as required per sign fabricator's engineering.



Fabricated cabinet to house digital screen.

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REVISION: ISSUE DATE:

SD / DD 01/11/21

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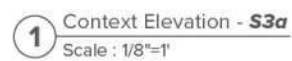
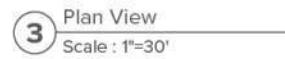


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2 Context Elevation - **S3b**  
Scale : 1/8"=1'



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## SIGN SCHEDULE

SCHEDULE 01 OF 01

Please note all quantities and locations will need to be finalized by client and field verified by sign fabricator prior to installation. Listed here are to apply to all sign types within this package unless otherwise noted on the individual design drawing. Sign fabricator to confirm all final sign messaging and locations with client or general contractor prior to fabrication. RSM Design to be notified of any changes.

Sign ID	Sign Type	Quantity*	ILLUMINATION	DIGITAL	BACKING/FOUNDATION	MOCK-UP	NOTES/COMMENTS
SITE SIGNAGE							
S1	Digital Pylon ID	1	Internal	Yes	Below Grade		
S2	Tenant Pylon ID	1	Internal	No	Below Grade		
S3	Primary Gateway Monument	1	Internal	No	Below Grade		
S4	Secondary Entry Monument	3	Internal	No	Below Grade		
S5	Primary Vehicular Directional	5	Internal	No	Below Grade		
S7	Plaza Identity	1	Internal	No	Mounted to Landscape Wall		
S8	Screen Wall	4	Internal	No	Mounted to Landscape Wall		
S9	Mall Entry Identity	2	Internal	No	Mounted to Canopy		
S10	Directory / Ad Kiosk	1	Internal	Yes	Below Grade		

Sign ID	Sign Type	Quantity*	ILLUMINATION	DIGITAL	BACKING/FOUNDATION	MOCK-UP	NOTES/COMMENTS
MALL INTERIOR SIGNAGE							
M1	Interior Directory	-	Ambient	Yes	Below Grade		
M2	Restroom Identity	-	Internal	No	Backing		
M3	Interior Directional	-	Ambient	No	Backing		

**GENERAL PACKAGE NOTES:**

1. All signs, structures and letters need to be engineered by sign fabricator prior to shop drawing submittal and fabrication for structural and backing requirements to withstand local regulations, codes and weather conditions.
2. All sizes shown are approximate and should be verified prior to final fabrication based on construction documents and/or as built conditions on site, fabricator to notify team if difference occurs per as built conditions.
3. Fabricator must use Matthews UV clear coat on painted surfaces to minimize / prevent as much as possible any noticeable fading.
4. All metal edges to be eased; corners to have a maximum radius of .0125. All welds to be ground smooth prior to final painting and clear coated / vandalism coating are applied.
5. No exposed fasteners unless noted within the design intent drawing or approved in shop drawing. Fasteners throughout package to be tamper proof, fabricator to submit sample for approval prior to ordering.
6. All integrated signage to be coordinated with Architect and General Contractor prior to final fabrication and installation.
7. Fabricator to calculate all sign weight loads to be provided to general contractor for additional backing that may be required.
8. Fabricator to provide power requirement for each sign type prior to shop drawings submittal to General Contractor & Architect.
9. All existing conditions to be field verified by fabricator prior to shop drawings are generated to ensure that all as built conditions are accommodated. Including all unknowns such as interior parking garage elevations / conditions and mounting details to support all sign types.
10. All messaging within this package is placeholder at this time until written approval is received by the client team prior to fabrication.

### MOCK-UP LEGEND

All mock-ups must be provided by fabricator per this mock-up legend prior to fabrication.

1. Full Size, 2D, Movable mock-Up; 3M Full color digital print on plywood backing; on site review in each location.
2. Partial 3D Working Mock-Up; Shop OR on-site review. See design drawing for mock-up details.
3. Full 3D Working Mock-Up; Installed On site review.
4. 1/2 Size (50%) 2D black & white prints of all type and/or icons required on lightweight bond paper.
5. Full Size (100%) 2D black & white prints of all type and/or icons required on lightweight bond paper.
6. No Mock-Up Required.
7. Other, See sign drawing for detail.

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SCHEDULE 01 OF 03

# | SITE SIGNAGE

- S1** Digital Pylon Identity
- S2** Tenant Pylon Identity
- S3** Primary Gateway Monument
- S4** Secondary Entry Monument
- S5** Primary Vehicular Directional
- S7** Plaza Identity
- S8** Screen Wall
- S9** Mall Entry Identity
- S10** Directory / Advertising Kiosk



## SITE SIGNAGE

### SIGN LOCATION PLAN 1 OF 3

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SCHEDULE 02 OF 03

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SCHEDULE 01 OF 01

# RED CLIFFS

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**MALL INTERIOR SIGNAGE**  
SIGN LOCATION PLAN 1 OF 1

25



# THANK YOU

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**EXHIBIT C**  
**APPLICANT'S NARATIVE**



The Red Cliffs mall was originally developed as a PD Commercial project in 1989. It has served the community of St George since then with a few changes. These changes have included the addition of the Sears box at the rear of the property and the addition of a multi-tenant building on the SW side of the property in 2007. In 2017 the latest phase of the project was kicked off with the expansion of the mall, to facilitate the opening of H&M, and the renovation of the interior common area. For the finalization of this latest phase an amendment to the PD will need to happen. For the purposes of the amendment the following narrative will go through the changes that are proposed.

**Construction of a new Community Plaza** – The new plaza will consist of just under one acre of open space. It is intended to be a gathering place for all who visit the site whether local or tourist. The space will be used for gatherings, events, concerts, shows, movies, yoga classes, kid's classes, eating, relaxation and fun. The plaza has been designed as an oasis for our patrons and visitors alike.

**New Signalized Entry to the Mall** – Currently the frontage of the mall is served by two entries off of Red Cliffs Drive. Neither of them is at a traffic signal and both are cumbersome if not dangerous. The proposition is to align a new entry to the property with the signalized intersection that passes below I-15 and close the two current entries. This will allow for all traffic to enter and exit with the added safety and convenience that a traffic signal affords. It will also increase the distance between intersections and entry points significantly, benefitting both those coming to the mall and those just traveling on Red Cliffs Drive.

**New Restaurant Pads** – The property currently has a total of three restaurants on site. Two are on exterior pads and one is connected to the mall. For the current climate of retail this is seen as severely under-served in the food and beverage space. Our shoppers and St George citizens in general want more and better food offerings. Bringing additional food to the center has been shown to be one of the only ways to keep large retail centers alive and thriving in a time when online sales continue to threaten.

**New Pylon Sign and Comprehensive Sign Package** - A new 50 foot pylon sign on the NE corner of the property is proposed with a 10X30 foot digital board. Along with the new pylon sign a complete sign package will be installed at all entries and throughout the property for wayfinding. The current signage at the mall is tired and ineffective. The pylon sign is not visible from the freeway due to the raised status of both the road and the medians. Relocating the pylon to the new location and raising the height will give the public the opportunity to know where Red Cliffs is. This is especially helpful for the tourist and visitors that St George plays host to every day.

**New Entries** – Along with the changes that are proposed the entries to the mall have been redesigned to match the new signage, plaza, interior and feeling that will be achieved through these changes.



To ensure the feasibility and long-term health of the property and these changes, mall ownership has contracted with the best minds from engineering, architecture, marketing and design. Much of their work is included here for your review. We have studied the parking needs and the traffic patterns along with conducting focus groups in the community to make sure that what we are doing will have the desired outcome.



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE CITY ZONING MAP BY CHANGING THE PD-C (PLANNED DEVELOPMENT COMMERCIAL) ZONE TO ALLOW AMENDMENTS TO THE EXISTING RED CLIFFS MALL PLANNED DEVELOPMENT, INCLUDING ADDITIONS TO THE ACCESS, PAD SITES, PLAZA AREA, AND SIGN MASTER PLAN ON APPROXIMATELY 39.37 ACRES, GENERALLY LOCATED ON THE SOUTHWEST INTERSECTION OF RED CLIFFS DRIVE AND MALL DRIVE.**

(Red Cliffs Mall – Red Cliffs Drive and Mall Drive)

**WHEREAS**, the property owner has requested a zone change amendment in the Red Cliffs Mall PD-C (Planned Development Commercial) zone on approximately 39.37 acres. The site is generally located at the southwest corner of the intersection of Red Cliffs Drive and Mall Drive; and

**WHEREAS**, the City Council held a public meeting on this request on March 18, 2021; and

**WHEREAS**, the Planning Commission conducted a public hearing and recommends approval of the zone change request; and

**WHEREAS**, the City Council has determined that the requested change to the Zoning Map is justified at this time, and is in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

**NOW, THEREFORE, BE IT ORDAINED**, by the St. George City Council, as follows:

**Section 1. Repealer.** Any provision of the St. George City Code found to be in conflict with this Ordinance is hereby repealed.

**Section 2. Enactment.** The City Zoning Map is hereby ordered to be changed to reflect the zone change amendment in the PD-C (Planned Development Commercial) zone to allow changes to the Red Cliffs Mall site, namely to change the access layout, add pad sites, create a plaza area, and approve a sign master plan at the existing 39.37 acre mall site. The zone change location is more specifically described on the attached property legal description, incorporated herein as Exhibit "A." The project must comply with all conditions, requirements, and restrictions as approved by City Council.

**Section 3. Severability.** If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

**Section 4. Effective Date.** This Ordinance shall take effect immediately on the date executed below, and upon posting in the manner required by law.

APPROVED AND ADOPTED by the St. George City Council, this 18<sup>th</sup> day of March 2021.

\_\_\_\_\_  
Michele Randall, Mayor

ATTEST:

\_\_\_\_\_  
Christina Fernandez, City Recorder



## Exhibit "A"

BEGINNING AT A POINT SOUTH 26°07'03" WEST 1350.76 FEET FROM THE CENTER QUARTER CORNER OF SECTION 21, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN; SAID CENTER QUARTER CORNER BEING NORTH 0°30'20" WEST 2663.68 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 21 (WASHINGTON COUNTY AREA REFERENCE PLAT DATED JANUARY 1974); THENCE NORTH 05°02'28" EAST ALONG THE WEST RIGHT OF WAY LINE OF A STREET 642.57 FEET TO THE POINT OF A 760.00 FOOT RADIUS CURVE TO THE LEFT THENCE NORTHWESTERLY 465.86 FEET ALONG THE ARC OF SAID CURVE; THENCE NORTH 30°04'48" WEST 441.17 FEET TO THE POINT OF A 35.00 FOOT RADIUS CURVE TO THE LEFT, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 54.98 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF RED CLIFF DRIVE; THENCE ALONG RED CLIFF DRIVE AS FOLLOWS: SOUTH 59°55'12" WEST 279.92 FEET TO THE POINT OF A 3040.31 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 157.15 FEET; THENCE SOUTH 62°52'53" WEST 506.11 FEET TO THE POINT OF A 2271.80 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 136.19 FEET; THENCE SOUTH 66°18'58" WEST 20.43 FEET; THENCE SOUTH 50°47'00" WEST 71.94 FEET; THENCE LEAVING SAID RED CLIFF DRIVE RIGHT OF WAY LINE, SOUTH 923.96 FEET; THENCE EAST 1340.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING ALL THAT PORTION CONVEYED TO DILLARD STORE SERVICES, INC., A CORPORATION BY THAT CERTAIN SPECIAL WARRANTY DEED RECORDED MARCH 13, 2007 AS ENTRY NO. 20070012864 OF OFFICIAL RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT SOUTH 62°52'11" WEST, 636.47 FEET FROM THE CENTER CORNER OF SECTION 21, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, THE POINT OF BEGINNING IS A POINT ON A 760.00 FOOT RADIUS CURVE ALONG THE WEST LINE OF MALL DRIVE, A PUBLIC STREET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID WEST LINE 27.55 FEET THROUGH A CENTRAL ANGLE OF 02°04'36", THE RADIUS POINT OF WHICH BEARS SOUTH 73°30'36" WEST; THENCE DEPARTING SAID WEST LINE OF MALL DRIVE RUNNING SOUTH 75°30'47" WEST, 40.09 FEET ALONG THE CENTER LINE OF A MALL ENTRANCE ROAD TO THE POINT OF CURVATURE OF A 100.00 FOOT RADIUS CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 22.05 FEET THROUGH A CENTRAL ANGLE OF 12°37'53"; THENCE SOUTH 62°52'54" WEST, 45.97 FEET; THENCE SOUTH 27°07'06" EAST, 229.66 FEET TO THE POINT OF CURVATURE OF A 45.00 FOOT RADIUS CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 70.69 FEET THROUGH A CENTRAL ANGLE OF 90°00'00"; THENCE SOUTH 62°52'54" WEST, 438.14 FEET; THENCE NORTH 29°08'49" WEST, 141.26 FEET; THENCE NORTH 62°52'54" EAST, 71.64 FEET; THENCE NORTH 27°07'06" WEST, 321.62 FEET; THENCE NORTH 87°07'06" WEST, 11.55 FEET; THENCE NORTH 27°07'06" WEST, 364.03 FEET; THENCE SOUTH 87°07'07" EAST, 34.29 FEET; THENCE NORTH 0°00'00" EAST, 48.76 FEET; THENCE NORTH 90°00'00" EAST, 81.98 FEET; THENCE NORTH 0°00'00" EAST, 52.72 FEET TO THE POINT OF CURVATURE OF A 75.00 FOOT RADIUS CURVE TO THE LEFT, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 37.90 FEET THROUGH A CENTRAL ANGLE OF 28°57'14"; THENCE NORTH 28°57'14" WEST, 21.80 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF RED CLIFFS DRIVE AND THE POINT OF CURVATURE OF A 3040.31 FOOT RADIUS CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS NORTH 29°01'58" WEST; THENCE NORTHEASTERLY ALONG SAID SOUTH LINE AND THE ARC OF SAID CURVE 29.04 FEET THROUGH A CENTRAL ANGLE OF 0°32'50"; THENCE DEPARTING SAID SOUTH RIGHT OF WAY LINE OF RED CLIFFS DRIVE RUNNING SOUTH 25°25'45" EAST, 28.29 FEET TO THE POINT OF CURVATURE OF A 102.50 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 45.49 FEET THROUGH A CENTRAL ANGLE OF 25°25'45"; THENCE SOUTH 0°00'00" EAST, 1.72 FEET TO THE POINT OF CURVATURE OF A 14.50 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 22.78 FEET THROUGH A CENTRAL ANGLE OF 90°00'00"; THENCE NORTH 90°00'00" EAST 155.59 FEET TO THE POINT OF CURVATURE OF A 200.50 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 220.05 FEET THROUGH A CENTRAL ANGLE OF 62°52'54"; THENCE SOUTH 27°07'06" EAST 268.78 FEET TO THE POINT OF CURVATURE OF A 14.50 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 22.78 FEET THROUGH A CENTRAL ANGLE OF 90°00'00"; THENCE NORTH 62°52'54" EAST 31.47 FEET TO THE POINT OF CURVATURE OF A 127.5 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 28.11 FEET THROUGH A CENTRAL ANGLE OF 12°37'53"; THENCE NORTH 75°30'47" EAST 39.64 FEET TO THE POINT OF BEGINNING.

BEGINNING AT A POINT SOUTH 26°07'03" WEST 1350.76 FEET FROM THE CENTER QUARTER CORNER OF SECTION 21, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF MALL DRIVE; THENCE SOUTH 05°02'28" WEST ALONG SAID LINE 47.00 FEET; THENCE SOUTH 89°05'22" WEST 348.38 FEET; THENCE NORTH 87°32'39" WEST 988.44 FEET; THENCE NORTH 10.00 FEET; THENCE EAST 1340.00 FEET TO THE POINT OF BEGINNING.



DRAFT

Agenda Item Number : 09

## Request For Council Action

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**Date Submitted** 03/10/2021 09:31 AM

**Proposed City Council  
Date** 03/18/2021

**Applicant** Bob Hermandson

**Subject** Consider approval of an ordinance amending the Desert Color Planned Development Residential (PD-R) zone to allow a new neighborhood development to be known as Sage Haven (Pod 6) Plat 'B' on approximately 58.58 acres generally located east of I-15, south of Southern Parkway, an south of Auburn Hills. Case No. 2021-ZCA-023

**Background** This request is the second of two plats that will make up Pod 6 of the Desert Color development. This neighborhood is separate from the Desert Color Resort and Auburn Hills neighborhoods. Plat 'B' will have a total of 262 units. The general plan calls for primarily residential and the zoning is PD-R (Planned Development Residential). The Planning Commission recommended approval.

**Proposed Resolution** Planning Commission recommended approval of the application.

**Cost** \$

**Action Taken**

**Requested by** Dan Boles

**File Attachments** cc2021-zca-023sagehavenplatb031021093145.pdf

**Approved by Legal  
Department?** Yes

**Approved by City Admin  
Services?** NA

**Approved in Budget?** N/A **Amount:**



**PLANNING COMMISSION AGENDA REPORT: 02/23/2021****CITY COUNCIL AGENDA REPORT: 03/18/2021**Zone Change Amendment**Desert Color Sage Haven Plat B**

Case No. 2021-ZCA-023

**Request:** Consider a Zone Change Amendment to the Desert Color PD-R to develop plat 'B' of Sage Haven in the Desert Color development. This is a pod/neighborhood and not another phase of Auburn Hills or the Resort. Plat 'A' was considered and recommended for approval at the February 9, 2021 Planning Commission meeting.

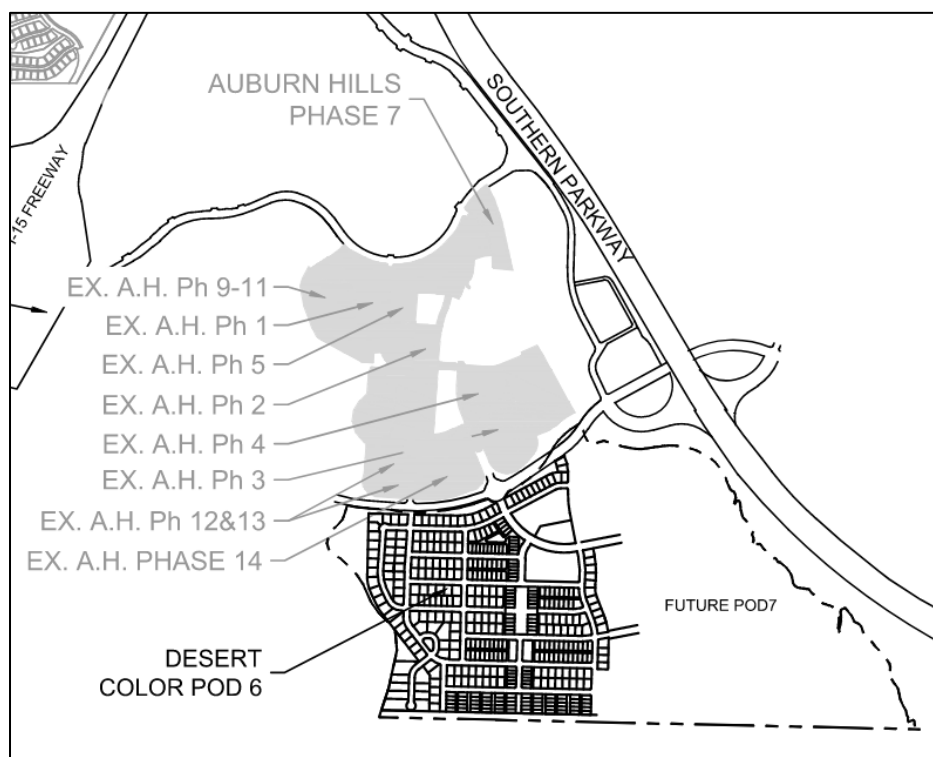
**Applicant:** Desert Color St. George, LLC

**Representative:** Bob Hermanson

**Area:** 58.58 Acres

**Location:** Generally located east of I-15 and south of Southern Parkway and south of Auburn Hills. This phase is east of Plat A that was considered at the last Planning Commission meeting.

**Current Zone:** PD-R – TNZ (NG & NE) (Planned Development Residential, Traditional Neighborhood Zone – Neighborhood General & Neighborhood Edge)





**General Plan:** RES (Residential)

**Background:**

Auburn Hills and Desert Color Resort have been the focus of development in Desert Color over the past couple of years. With approvals in Auburn Hills winding up and fully under construction and Desert Color Resort also under construction, the applicant is ready to focus on the next neighborhood or pod. This pod which has just been dubbed Sage Haven is located directly south of Auburn Hills. Plat 'A' is the first phase of Sage Haven and will consist of 190 units in the NG (Neighborhood General) zone and 72 units in the NE (Neighborhood Edge) zone. Neighborhood General tend to be smaller lots or multifamily while Neighborhood Edge are typically larger lots and single family. Of the total of 262 units in this pod, 197 will be single family and 65 will be multi-family, keeping the requirement that the predominant (50% minimum) form of building be single family in any overall neighborhood combination of TNZ-NE and TNZ-NG zones.

As has been stated in previous applications, Planning Commission is not reviewing the single-family portion of this application, but staff wanted to provide the context of what was happening with this pod. The applicant is introducing a new product to the development but primarily is proposing more of the Bay townhomes Mews units that were approved and are currently under construction in other phases of the Desert Color project. The new product has not been fully developed. The applicant will be required to come back to the Planning Commission and City Council to get those elevations approved. The layout with footprints and setbacks however has been designed to give the Planning Commission enough detail to review the layout and the elevations that are provided.

Finally, the applicant has provided a layout with the type of buildings and the builders of the multi-family product (see attached color layout of multi-family area). The area that has been hatched was reviewed as Sage Haven Plat 'A' at the last Planning Commission meeting.

The development standards for TNZ-NG zones are as follows:

- 1. Pattern of development.** The pattern of development is required to follow the Traditional Neighborhood Zone (TNZ) guidelines found in Chapter 7H of the Zoning Regulations. In Section 7H-1-A-2 of the Zoning Regulations, it suggests the traditional block design to be used for the pattern of development. The traditional block design uses a grid street pattern. This plat has, to the greatest extent possible, used a grid pattern. The traditional block design also includes street cross-sections that promote pedestrian activity. Off-street parking is to be placed at the rear of the buildings and is designed for pedestrian activity as opposed to creating a car-oriented environment. The plan makes use of streets, alleys, and pedestrian walkways for access. The street cross-sections found in the preliminary plat depict pedestrian friendly corridors. Sidewalks will connect each building and unit to the rights-of-way.
- 2. Civic Space.** A portion of Sage Haven is the TNZ-NG zone which require that 5% be dedicated to civic space. The zone plan also allows the required civic space to be spread out through the overall neighborhood, in this case, Pod 6 or Sage Haven. This particular



phase is showing opens space around the townhomes and scattered throughout the neighborhood. The combined total for Sage Haven civic space is 9.71 acres throughout the development for a total of 7.29%.

3. **Parking.** The parking for the single-family homes is two spaces per unit which each unit will be required to meet. The parking requirements for Desert Color multi-family vary depending on the number of bedrooms with a maximum requirement of two spaces per unit. Each of the units in the development will have a two-car garage. Many units will also have a 20' driveway providing enough parking to satisfy this requirement. In addition, guest parking is to be provided at a rate of one stall for every five units. That would yield a requirement of 13 stalls for guest parking. The Desert Color zone plan also allows on street parking to be counted toward guest parking. The development is showing a total of 33 stalls scattered throughout the multi-family development which will accommodate both phases.
4. **Building and Streetscapes.** Within the multi-family pod, the applicant is proposing 19 multi-family buildings and three buildings which will be a single-family unit. The buildings proposed will be either Bay (Boulevard) townhomes, Mews units or the third option mentioned previously that will be reviewed later. The buildings have been approved in the original phases of Desert Color and are under construction now. All buildings will face the public right-of-way or civic space as is required in Desert Color. The Desert Color DRC has approved of the elevations of the proposed buildings with the exception of the one missing elevation previously mentioned.

There are several architectural guidelines that these units must follow. These items, found in section 3.5 of the zone plan are:

- a. **Guideline A.** Each building that is greater than one story must have a clear delineation between the levels. The proposed buildings all delineate the floor boundaries. Each building is also required to use high quality materials such as brick, stone, stucco, cement clapboard siding or similar materials. The proposed buildings satisfy this guideline.
- b. **Guideline B.** No building can be twice the height of the building adjacent to it or across the street. The proposed buildings will be situated to meet this requirement.
- c. **Guideline C.** All of the proposed units are required to have a prominent entryway through the use of a porch, stoop or similar feature. All units will have a raised entryway such as a stoop or similar feature. Each entryway is clearly defined.
- d. **Guideline D.** The streetscape will be required to adhere to Section 3.2, Local and Collector Street Cross Section standards found in the Desert Color Zoning Plan. Additionally, signage and street lighting are outlined in this section.
- e. **Guideline E.** Walls and Fencing. Walls and fencing are not proposed at this time.
- f. **Guideline F.** The applicant is not proposing any accessory structures in this phase of the development though the single-family units may be allowed accessory structures.
- g. **Guideline G.** The landscape standards require a 15' wide landscape strip along the right-of-way of any property facing a public street unless it is occupied by a building, driveway, etc. City code requires that five years after planting, all landscape areas are



at least 50% covered with foliage of shrubs, grass and live-vegetative ground cover. A detailed landscape plan will be submitted with the construction drawings.

- 5. Lighting.** The lighting for these phases will be required to be night-sky friendly fixtures. Pedestrian level lighting is strongly encouraged. A lighting plan has not been submitted with these plans, but staff will ensure that the lighting meets the standards during the site plan process.

**Department Comments:**

Sewer/Water

1. Engineer shall demonstrate that all alleys that have utilities in them are wide enough to provide proper separation.
2. All alleys that have utilities in them shall be pull through, no dead ends.

Power

1. The power department had no comment as this area is in Dixie Power's area.

Engineering

1. No comments were received by Engineering.

Parks

1. The Parks department had no comment on this pod.

Fire

1. No comments on this phase.

**PC Recommendation:**

Planning Commission held a public hearing on the proposal and has issued a recommendation for approval of this Zone Change Amendment with the following comments and conditions:

1. All units will meet the required parking standards whether on street or on site.
2. All comments by the various departments will need to be addressed.

**Alternatives:**

1. Approve as presented.
2. Approve with conditions.
3. Deny the application as presented.
4. Table the proposed zone change amendment to a specific date.

**Possible Motion:**

I move we approve the Zone Change Amendment to Desert Color for the Sage Haven Plat B development with the conditions and comments outlined in the staff report.

**Findings for Approval:**

1. The proposed amendment meets the requirements of the Desert Color zoning plan as approved by City Council.
2. There will be adequate parking either on site or on street to facilitate the development.



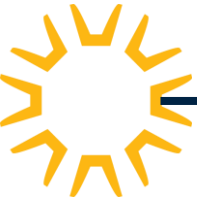
**EXHIBIT A**  
**POWER POINT PRESENTATION**



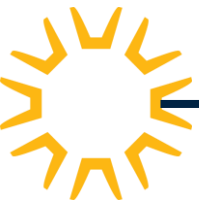
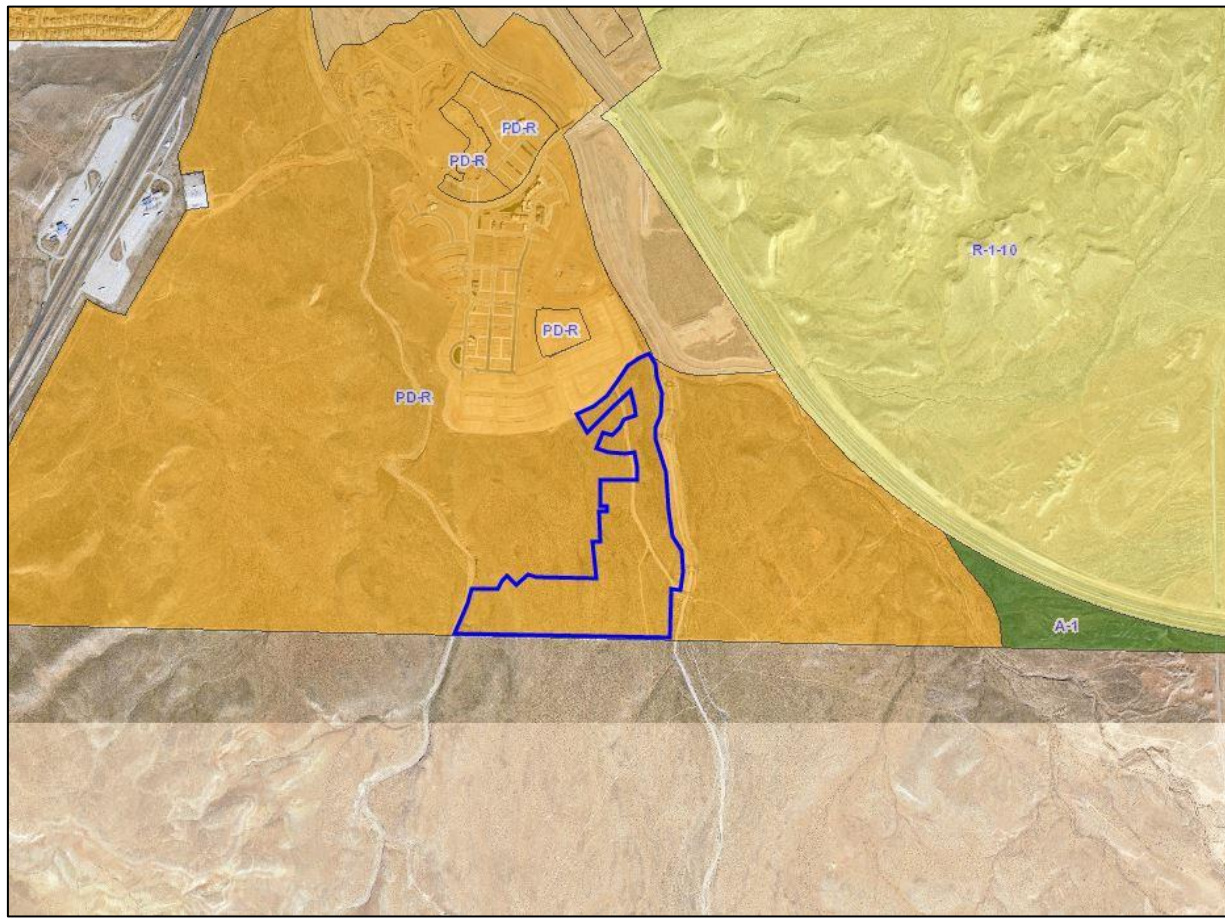
# Sage Haven Plat B

## Desert Color PD Amendment

2021-ZCA-023

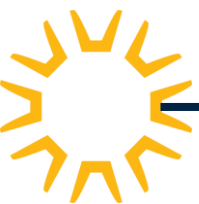
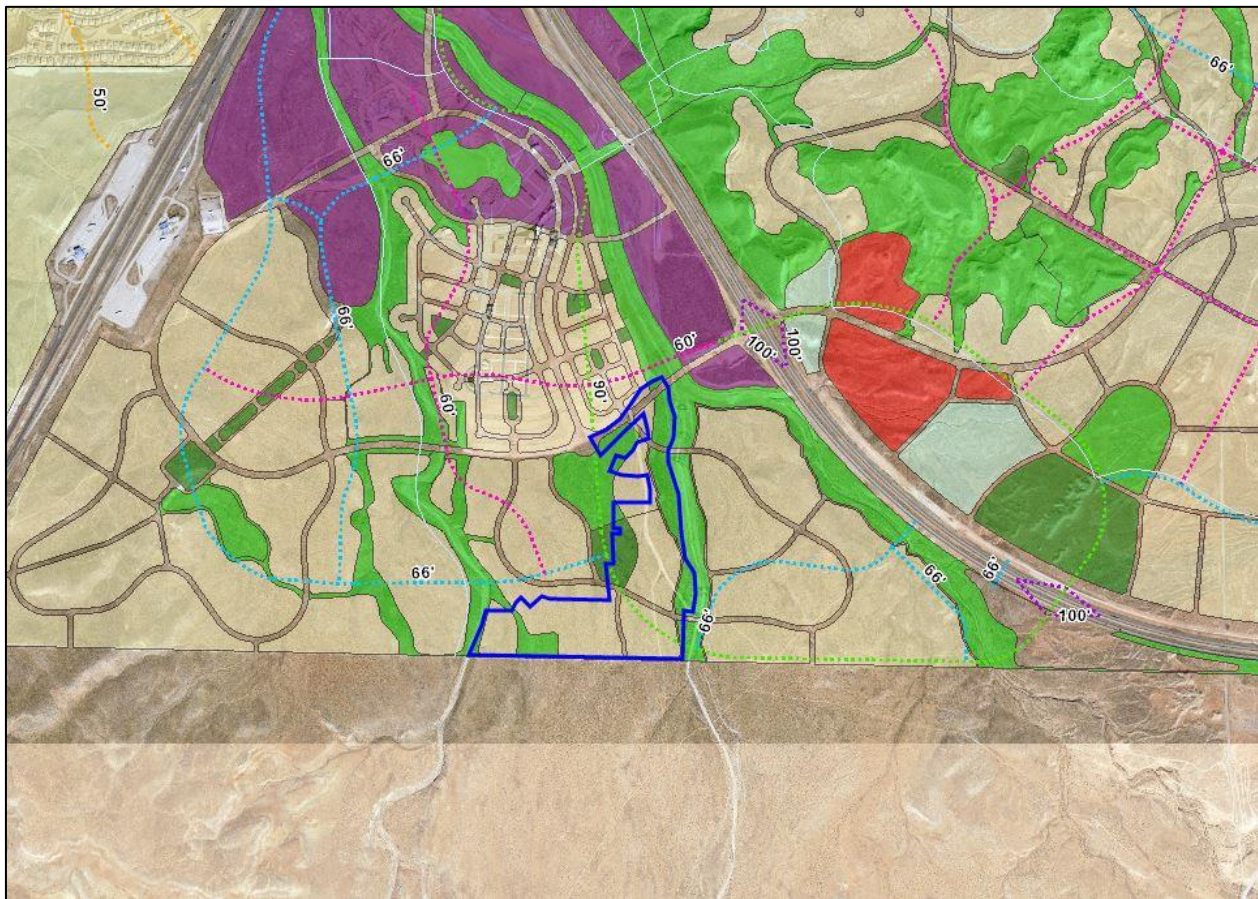






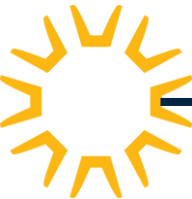
Existing Zoning



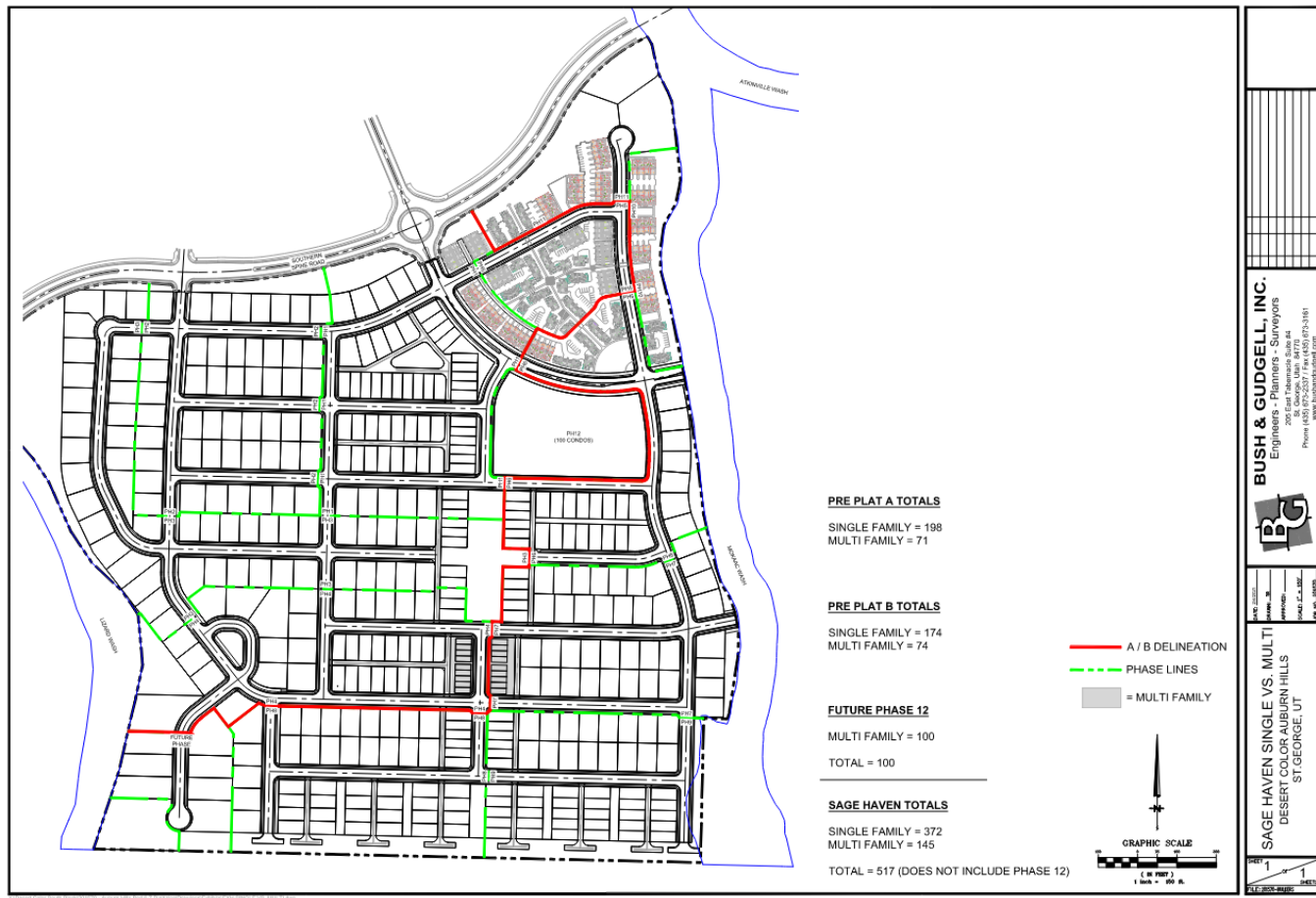


Existing General Plan





# Sage Haven Plats A& B











**ZONING AMENDMENT**  
DESERT COLOR POD 6  
AT DESERT COLOR  
LOCATED IN ST. GEORGE





left



rear



right



front



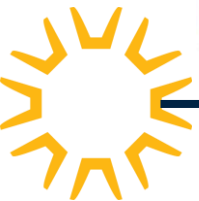
The drawings presented are a collection of general and design intent only. They are subject to change based upon final design, measurements, site plan, floor plan, changes, and J.D. 2017-2018 Design, Inc.

## BOULEVARD TOWNHOMES DESERT SPANISH

Material Location	Color
Main Stucco Body	SW6154 Organi White
Secondary Stucco Body	SW9111 Antler Velvet
Board & Batten Body	NA
Stucco/Composite Trim	SW6160 Best Bronze
Accent	SW6160 Best Bronze
Front Doors	SW9100 Umber Rust
Roof Surface	Golden Rod
Stone	NA
Aluminum Fascia/Gutter	Dark Bronze
Garage Door	Brown

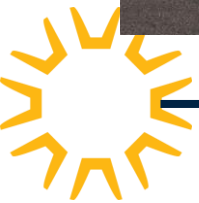
DESERT COLOR  
St George, UT

September 10, 2018 | SF180115.00



# Elevations





Elevations





left



rear



right



front



## BOULEVARD TOWNHOMES DESERT TERRITORIAL RANCH

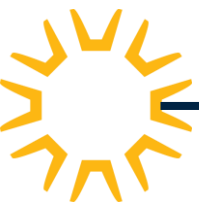
Material Location	Color
Main Stucco Body	SW9111 Ardler Velvet
Secondary Stucco Body	N/A
Board & Batten Body	SW2819 Downing Slate
Shutter/Compound Trim	SW6160 Best Bronze
Accent	SW6160 Best Bronze
Front Doors	SW6160 Best Bronze
Roof Surface	Black Canyon
Stone	Platinum Ledge
Aluminum Fascia/Gutter	Dark Bronze
Garage Door	Almond

DESERT COLOR  
St George, UT



September 10, 2018 | SP180115.00

The drawings presented are illustrations of the color and design intent only, and are subject to change based upon final design considerations (i.e., applicable codes, structure, and MEP design requirements, etc.). For plan changes, call to BSB Design, Inc.



# Elevations





left



rear



right



front

Material Location  
Main Stucco Body  
Secondary Stucco Body  
Accent/ Doors  
Stucco Trim  
Roof Surface  
Stone  
Aluminum Fascia/Gutter  
Garage Door

Color  
SW7608 Oniami White  
SW9505 Fokstone  
SW9175 Deep Forest Brown  
SW7638 Oniami White  
White TPO  
Canyon Creek  
Linen  
Brown

DESERT COLOR  
St George, UT

September 10, 2018 | SP180115-00



The drawings presented are for informational purposes only and are subject to change without notice. All design considerations (i.e., applicable codes, setbacks, and MEP design requirements, etc.) shall be verified by the client prior to construction.

## MEWS TOWNHOMES DESERT MODERN

# Elevations





Rear Right



Front Left



Front Right

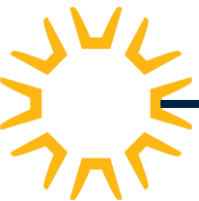
### Perspectives

## MEWS TOWNHOMES DESERT MODERN



The drawings presented are a depiction of proposed work and design intent only, and are subject to change based upon final design considerations (i.e., applicable codes, standards, and/or design requirements, and/or other plan changes, and/or BSB Design, Inc.

DESERT COLOR  
3000 S. 1000 E.  
ST. GEORGE, UT 84770  
September 07, 2019 | 01190115.00



# Elevations



## NATURAL STONE

### FAUX STONE

Tuscan  
Stoneworx



Oyster Bisque



canyon creek



platinum squares



weber squares



timber mist



weber falls  
ledgestone



platinum  
ledgestone

### ALUMINUM Galvalume Plygem



gray



linen



pebblestone clay



terra bronze



dark bronze

## PAINT Sherwin - Williams

Body / Trim



Accent



## ROOFING Boral



saxony slate  
windsor



saxony slate  
black canyon



barcelona  
goldenrod



barcelona  
la terra blend



saxony shake  
meadowlark



saxony shake  
teton



barcelona  
cliffside



barcelona  
casa grande blend

## STAINS Sherwin Williams Wood



SW 3532  
Hill Country



SW 3522  
Banyan Brown

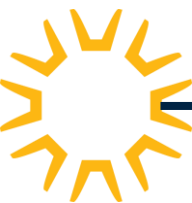
## COLOR AND MATERIAL BOARD



All drawings provided are "As-shown" or "As-ordered" and are subject to change without notice. All drawings are for informational purposes only. All drawings are subject to change without notice. All drawings are for informational purposes only.

DESERT COLOR  
St. George, UT

June 25, 2016 / 10:10 AM



# Materials



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE CITY ZONING MAP BY AMENDING THE EXISTING DESERT COLOR PD-R (PLANNED DEVELOPMENT RESIDENTIAL) ZONE ON APPROXIMATELY 58.58 ACRES TO APPROVE THE ADDITION OF 262 NEW UNITS, (197 SINGLE-FAMILY AND 65 MULTI-FAMILY UNITS) IN THE DESERT COLOR DEVELOPMENT WITH ELEVATIONS AND SITE PLAN.**

(Sage Haven Plat 'B')

**WHEREAS**, the property owner has requested a zone change amendment to the existing PD-R zone on approximately 58.58 acres, to approve the addition of 262 total units (197 Single-family and 65 multi-family units) to the PD and approve elevations and site layout. The site is generally located east of I-15 and south of Southern Parkway and south of Auburn Hills development; and

**WHEREAS**, the City Council held a public meeting on this request on March 18, 2021; and

**WHEREAS**, the Planning Commission recommends approval of the requested zone change amendment; and

**WHEREAS**, the City Council has determined that the requested zone change amendment to the Zoning Map is justified at this time and is in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

**NOW, THEREFORE, BE IT ORDAINED**, by the St. George City Council, as follows:

**Section 1. Repealer.** Any provision of the St. George City Code found to be in conflict with this Ordinance is hereby repealed.

**Section 2. Enactment.** The City Zoning Map is hereby ordered to be changed to reflect the amendment to the Desert Color PD-R (Planned Development Residential) zone on 58.58 acres. The zone change amendment and location is more specifically described on the attached property legal description, incorporated herein as Exhibit "A." The Planned Development Residential project is approved, including the conceptual layout, building design, colors and materials, landscaping, and parking. The project must comply with all conditions, requirements, and restrictions as approved by City Council.

**Section 3. Severability.** If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

**Section 4. Effective Date.** This Ordinance shall take effect immediately on the date executed below, and upon posting in the manner required by law.

APPROVED AND ADOPTED by the St. George City Council, this 18<sup>th</sup> Day of March 2021.

\_\_\_\_\_  
Michele Randall, Mayor

ATTEST:

\_\_\_\_\_  
Christina Fernandez, City Recorder



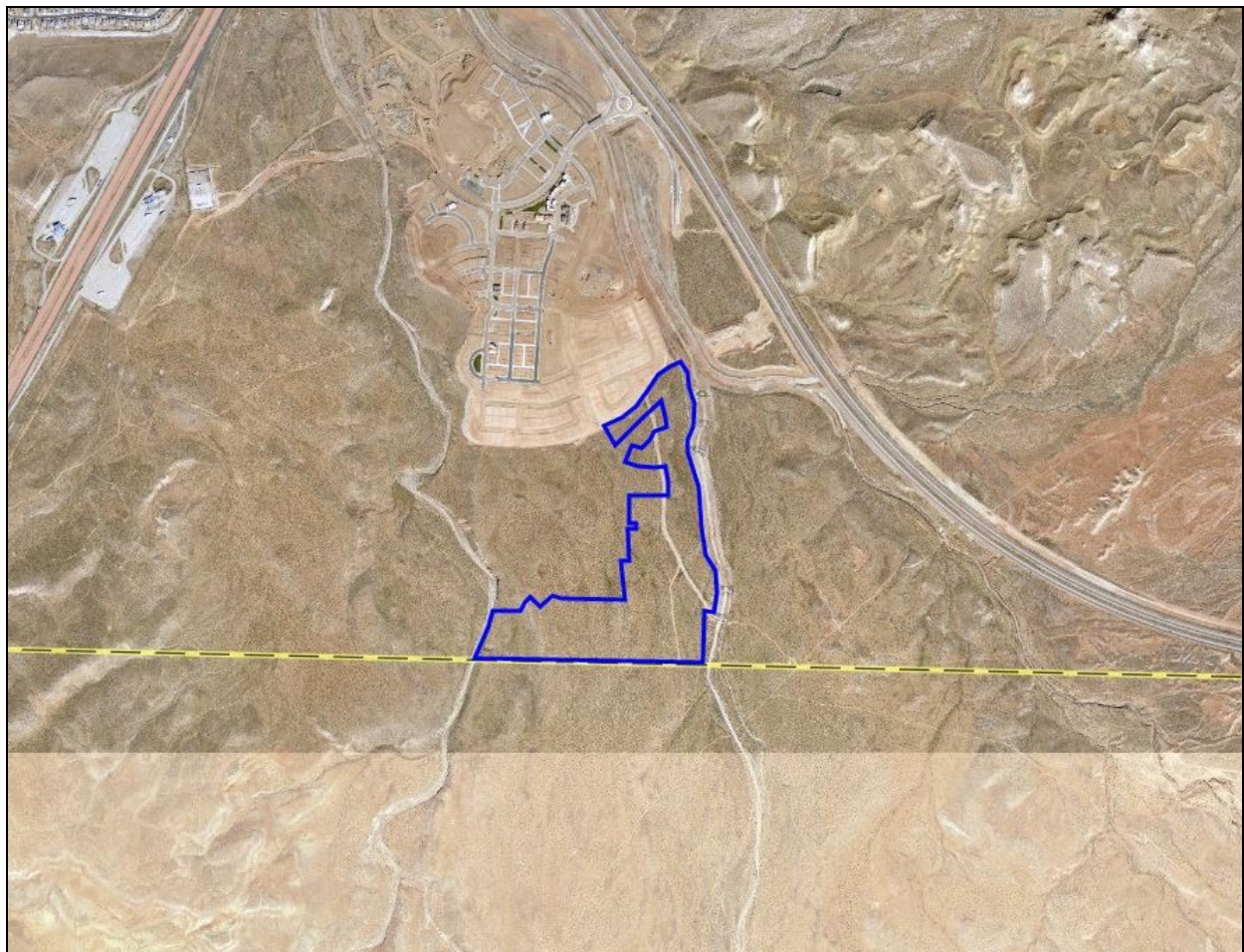
## Exhibit "A"

BEGINNING AT A POINT THAT LIES NORTH 88°50'55" WEST ALONG THE SECTION LINE 235.20 FEET AND DUE SOUTH 692.47 FEET, FROM THE NORTH QUARTER CORNER OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTHEASTERLY ALONG A 2049.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 58°42'20" EAST A DISTANCE OF 57.45 FEET), CENTER POINT LIES NORTH 30°29'28" WEST THROUGH A CENTRAL ANGLE OF 01°36'24", A DISTANCE OF 57.45 FEET; THENCE NORTHEASTERLY ALONG A 814.00 FOOT RADIUS COMPOUND CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 42°38'06" EAST A DISTANCE OF 428.69 FEET), CENTER POINT LIES NORTH 32°05'52" WEST THROUGH A CENTRAL ANGLE OF 30°32'05", A DISTANCE OF 433.81 FEET; THENCE NORTHEASTERLY ALONG A 716.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 46°03'59" EAST A DISTANCE OF 459.09 FEET), CENTER POINT LIES SOUTH 62°37'57" EAST THROUGH A CENTRAL ANGLE OF 37°23'51", A DISTANCE OF 467.34 FEET; THENCE SOUTH 31°57'57" EAST 31.05 FEET; THENCE SOUTH 12°46'49" EAST 59.33 FEET; THENCE SOUTH 13°33'30" EAST 60.48 FEET; THENCE SOUTH 27°25'14" EAST 67.63 FEET; THENCE SOUTH 23°30'38" EAST 45.46 FEET; THENCE SOUTH 06°28'01" EAST 218.32 FEET; THENCE SOUTH 05°52'55" EAST 86.05 FEET; THENCE SOUTH 11°06'54" WEST 89.35 FEET; THENCE SOUTH 28°51'49" WEST 95.27 FEET; THENCE SOUTH 08°07'08" WEST 93.91 FEET; THENCE SOUTH 00°18'58" EAST 76.86 FEET; THENCE SOUTH 14°36'04" EAST 142.07 FEET; THENCE SOUTH 11°38'35" EAST 235.07 FEET; THENCE SOUTH 10°57'00" EAST 51.88 FEET; THENCE SOUTH 08°46'53" EAST 324.64 FEET; THENCE SOUTH 06°16'42" EAST 191.35 FEET; THENCE SOUTH 13°05'12" EAST 212.22 FEET; THENCE SOUTH 18°56'56" EAST 68.86 FEET; THENCE SOUTH 32°07'17" EAST 54.52 FEET; THENCE SOUTH 20°15'44" EAST 61.42 FEET; THENCE SOUTH 10°57'00" EAST 59.29 FEET; THENCE SOUTH 03°58'47" EAST 20.91 FEET; THENCE SOUTH 00°11'47" EAST 75.82 FEET; THENCE SOUTH 08°38'10" WEST 230.81 FEET; THENCE SOUTH 17°08'20" WEST 24.97 FEET; THENCE NORTH 88°43'13" WEST 90.42 FEET; THENCE SOUTH 01°16'48" WEST 549.68 FEET; THENCE NORTH 88°43'10" WEST 1091.15 FEET; THENCE NORTH 88°43'26" WEST 1224.83 FEET; THENCE NORTH 18°00'30" EAST 201.34 FEET; THENCE NORTH 17°59'22" EAST 118.92 FEET; THENCE NORTH 12°29'10" EAST 147.37 FEET; THENCE SOUTH 88°43'13" EAST 239.12 FEET; THENCE NORTHEASTERLY ALONG A 120.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 35°45'51" EAST A DISTANCE OF 67.81 FEET), CENTER POINT LIES SOUTH 70°38'56" EAST THROUGH A CENTRAL ANGLE OF 32°49'34", A DISTANCE OF 68.75 FEET; THENCE NORTH 52°10'38" EAST 62.28 FEET; THENCE SOUTH 37°49'22" EAST 90.00 FEET; THENCE NORTH 52°10'38" EAST 147.17 FEET; THENCE SOUTH 68°06'43" EAST 25.77 FEET; THENCE SOUTH 88°43'13" EAST 779.26 FEET; THENCE SOUTHEASTERLY ALONG A 10.00 FOOT RADIUS CURVE TO THE RIGHT, (LONG CHORD BEARS SOUTH 43°43'13" EAST A DISTANCE OF 14.14 FEET), CENTER POINT LIES SOUTH 01°16'47" WEST THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 15.71 FEET; THENCE SOUTH 88°43'13" EAST 60.00 FEET; THENCE NORTHEASTERLY ALONG A 10.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 46°16'47" EAST A DISTANCE OF 14.14 FEET), CENTER POINT LIES SOUTH 88°43'13" EAST THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 15.71 FEET; THENCE NORTH 01°16'47" EAST 60.00 FEET; THENCE NORTHWESTERLY ALONG A 10.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 43°43'13" WEST A DISTANCE OF 14.14 FEET), CENTER POINT LIES NORTH 01°16'47" EAST THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 15.71 FEET; THENCE NORTH 01°16'47" EAST 200.00 FEET; THENCE NORTHEASTERLY ALONG A 10.00 FOOT RADIUS CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 46°16'47" EAST A DISTANCE OF 14.14 FEET), CENTER POINT LIES SOUTH 88°43'13" EAST THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 15.71 FEET; THENCE NORTH 01°16'47" EAST 60.00 FEET; THENCE SOUTH 88°43'13" EAST 36.00 FEET; THENCE NORTH 01°16'47" EAST 210.00 FEET; THENCE SOUTH 88°43'13" EAST 100.00 FEET; THENCE NORTH 01°16'47" EAST 70.00 FEET; THENCE NORTH 88°43'13" WEST 100.00 FEET; THENCE NORTH 01°16'47" EAST 269.00 FEET; THENCE SOUTH 88°43'13" EAST 525.15 FEET; THENCE NORTHEASTERLY ALONG A 21.00 FOOT RADIUS CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 48°42'35" EAST A DISTANCE OF 28.41 FEET), CENTER POINT LIES NORTH 01°16'47" EAST THROUGH A CENTRAL ANGLE OF 85°08'23", A DISTANCE OF 31.21 FEET; THENCE NORTHERLY ALONG A 851.00 FOOT RADIUS COMPOUND CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 02°24'18" WEST A DISTANCE OF 252.89 FEET), CENTER POINT LIES NORTH 83°51'37" WEST THROUGH A CENTRAL ANGLE OF 17°05'24", A DISTANCE OF 253.83 FEET; THENCE NORTH 10°57'00" WEST 57.11 FEET; THENCE NORTHWESTERLY ALONG A 27.50 FOOT RADIUS CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 54°59'25" WEST A DISTANCE OF 38.23 FEET), CENTER POINT LIES SOUTH 79°03'00" WEST THROUGH A CENTRAL ANGLE OF 88°04'48", A DISTANCE OF 42.28 FEET; THENCE WESTERLY ALONG A 726.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 80°35'46" WEST A DISTANCE OF 459.15 FEET), CENTER POINT LIES NORTH 09°01'49" WEST THROUGH A CENTRAL ANGLE OF 36°52'07", A DISTANCE OF 467.16 FEET; THENCE NORTH 26°51'35" EAST 70.01 FEET; THENCE NORTH 28°24'43" EAST 108.24 FEET; THENCE EASTERLY ALONG A 547.76 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, (LONG CHORD BEARS SOUTH 66°46'43" EAST A DISTANCE OF 88.41 FEET), CENTER POINT LIES NORTH 27°51'00" EAST THROUGH A CENTRAL ANGLE OF 09°15'26", A DISTANCE OF 88.50 FEET; THENCE EASTERLY ALONG A 30.00 FOOT RADIUS COMPOUND CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 75°27'58" EAST A DISTANCE OF 32.79 FEET), CENTER



POINT LIES NORTH 18°35'34" EAST THROUGH A CENTRAL ANGLE OF 66°15'13", A DISTANCE OF 34.69 FEET; THENCE NORTH 45°12'45" EAST 146.02 FEET; THENCE NORTHEASTERLY ALONG A 25.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 31°55'25" EAST A DISTANCE OF 11.48 FEET), CENTER POINT LIES NORTH 44°48'03" WEST THROUGH A CENTRAL ANGLE OF 26°33'04", A DISTANCE OF 11.59 FEET; THENCE NORTHEASTERLY ALONG A 50.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 48°42'02" EAST A DISTANCE OF 50.53 FEET), CENTER POINT LIES SOUTH 71°38'55" EAST THROUGH A CENTRAL ANGLE OF 60°41'54", A DISTANCE OF 52.97 FEET; THENCE NORTH 79°03'00" EAST 115.91 FEET; THENCE NORTH 10°57'00" WEST 24.70 FEET; THENCE NORTHERLY ALONG A 970.00 FOOT RADIUS CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 05°28'30" WEST A DISTANCE OF 185.10 FEET), CENTER POINT LIES NORTH 79°03'00" EAST THROUGH A CENTRAL ANGLE OF 10°57'00", A DISTANCE OF 185.38 FEET; THENCE NORTH 134.24 FEET; THENCE WEST 60.00 FEET; THENCE SOUTHWESTERLY ALONG A 10.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, (LONG CHORD BEARS SOUTH 45°00'00" WEST A DISTANCE OF 14.14 FEET), CENTER POINT LIES WEST THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 15.71 FEET; THENCE WEST 64.46 FEET; THENCE WESTERLY ALONG A 180.00 FOOT RADIUS CURVE TO THE LEFT, (LONG CHORD BEARS SOUTH 76°00'05" WEST A DISTANCE OF 87.08 FEET), CENTER POINT LIES SOUTH THROUGH A CENTRAL ANGLE OF 27°59'50", A DISTANCE OF 87.96 FEET; THENCE SOUTH 62°00'10" WEST 334.79 FEET; THENCE NORTH 30°05'18" WEST 175.22 FEET, TO THE POINT OF BEGINNING.

CONTAINING 2,551,808 SQUARE FEET OR 58.58 ACRES.





DRAFT

Agenda Item Number : 10

## Request For Council Action

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**Date Submitted** 03/15/2021 08:45 AM

**Proposed City Council  
Date** 03/18/2021

**Applicant** Bob Hermandson, Bush & Gudgell

**Subject** Consider approval of the preliminary plat for Desert Color Sage Haven Plat B, a 262-lot residential subdivision located in the Desert Color development south of Auburn Hills along the southerly extension of Carnelian Parkway.

**Background** This proposed preliminary plat is located in the Desert Color development south of Auburn Hills along the southerly extension of Carnelian Parkway.

**Proposed Resolution** Planning Commission recommends approval

**Cost** \$N/A

**Action Taken**

**Requested by** Wes Jenkins

**File Attachments** cc2021-pp-010desertcolorsagehavenplatb031521084507.pdf  
preliminaryplatpresentationfordesertcolorsagehavenplatb031521084507.pdf

**Approved by Legal  
Department?** NA

**Approved by City  
Admin Services?** NA

**Approved in Budget?** N/A **Amount:**





PLANNING COMMISSION AGENDA REPORT: **03/09/2021**  
CITY COUNCIL **03/18/2021**

PRELIMINARY PLAT

Desert Color Sage Haven Plat B

**Case No. 2021-PP-010**

**Request:** To approve a preliminary plat for a two hundred sixty-two (262) lot residential subdivision

**Location:** The site is located within the Desert Color development south of Auburn Hills along the extension of Carnelian Parkway to the south.

**Property:** 58.58 acres

**Number of Lots:** 262

**Density:** 4.47 DU/AC

**Zoning:** PDR

**Adjacent zones:** This plat is surrounded by the following zones:  
North – PD-R  
South – Arizona  
East – PD-R  
West – PD-R

**General Plan:** LDR

**Applicant:** Bush & Gudgell

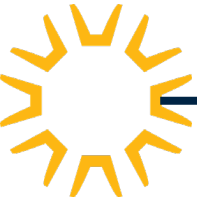
**Representative:** Bob Hermandson

**Comments:**

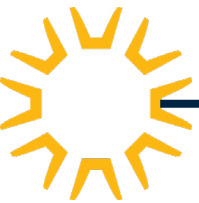
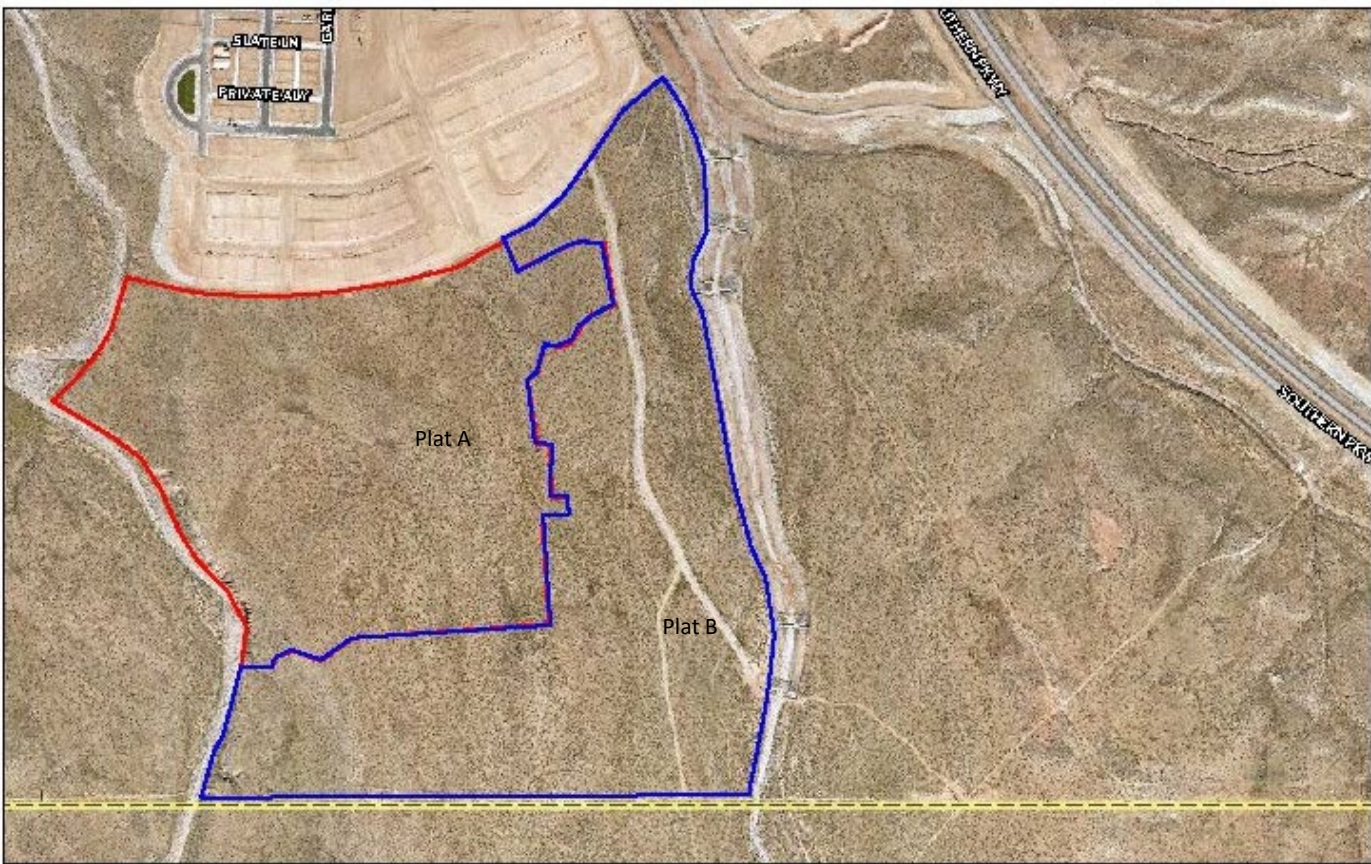


# Preliminary Plats

March 9, 2021

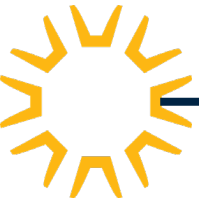
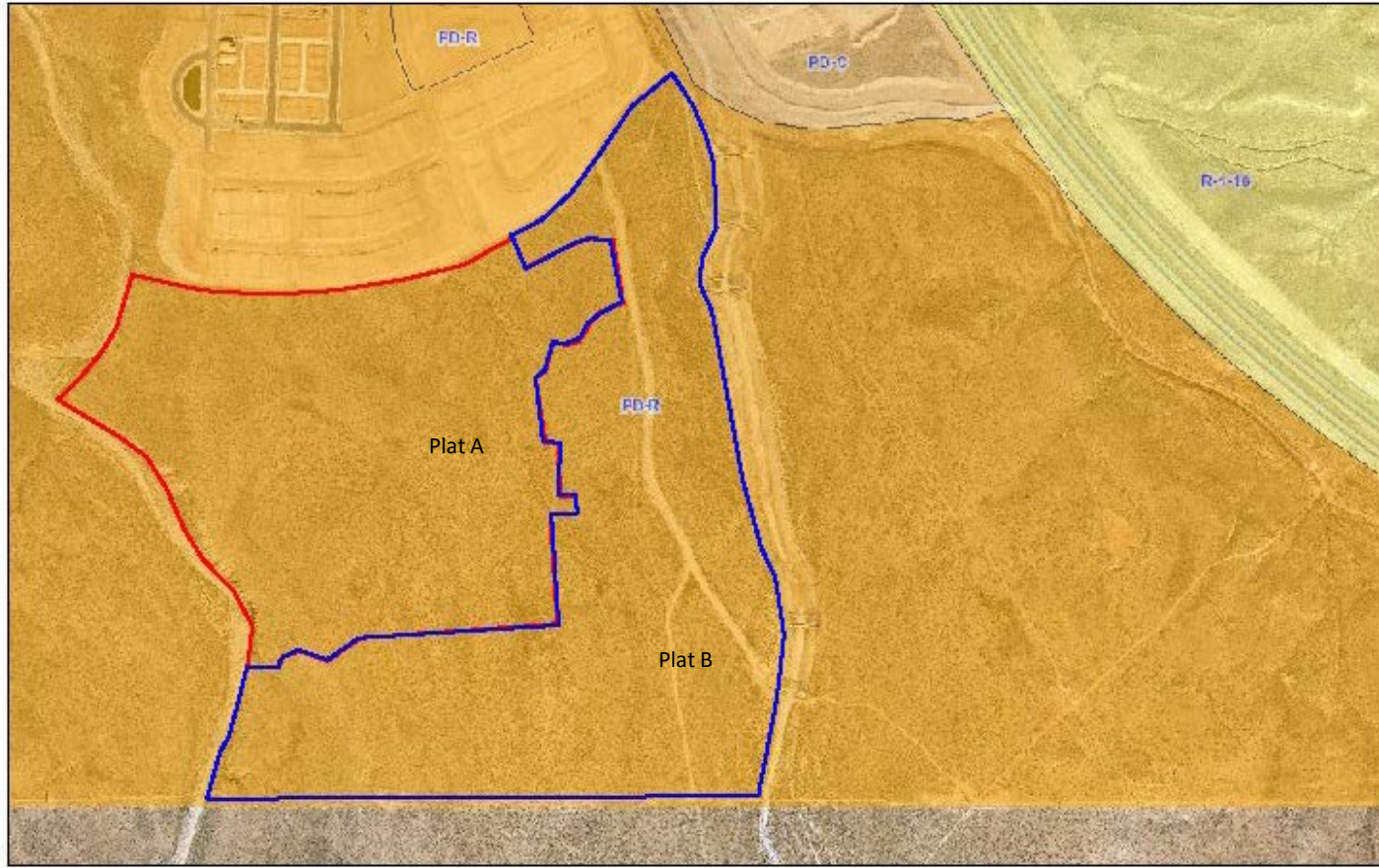






Preliminary Plat – Desert Color Sage Haven Plat B





## Preliminary Plat – Desert Color Sage Haven Plat B





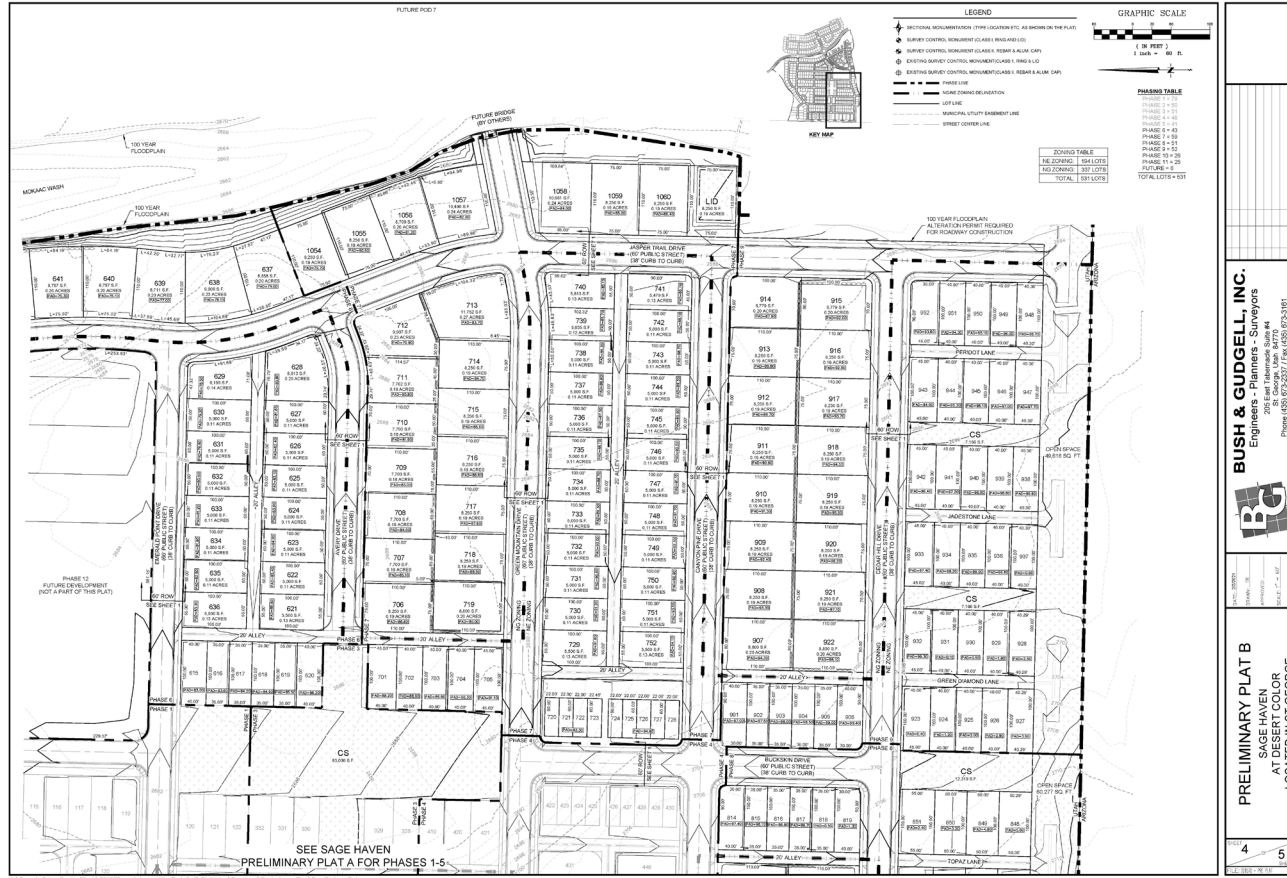
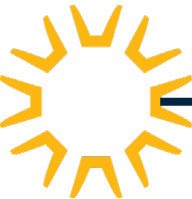


















DRAFT

Agenda Item Number : 11

## Request For Council Action

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**Date Submitted** 02/23/2021 03:28 PM

**Proposed City Council  
Date** 03/18/2021

**Applicant** Austin Atkin

**Subject** Consider approval of a hillside permit to allow development on the site on a restaurant/multi-tenant commercial building within the hillside to be known as Commerce Point North on approximately 2.13 acres located at approximately 1276 S Black Ridge Drive/1190 S Bluff Street. Case No. 2020-HS-012

**Background** The Hillside Review Board (HSRB) held to meetings on the site to review the potential of hazards on the property and general to the area. The HSRB recommended approval of the application. After holding a third party review on the reports supplied by the applicant, the application was forwarded to the Planning Commission for their review.

**Proposed Resolution** Hillside Review Board recommended approval. As of the date of this report, Planning Commission has not made a recommendation. Their recommendation will be discussed at the City Council meeting.

**Cost** \$

**Action Taken**

**Requested by** Dan Boles

**File Attachments** cc2020-hs-012commercepointnorth022321152808.pdf

**Approved by Legal  
Department?** Yes

**Approved by City Admin  
Services?** NA

**Approved in Budget?** N/A **Amount:**



HILLSIDE REVIEW BOARD AGENDA REPORT:	<b>09/23/2020 (Tabled)</b>
HILLSIDE REVIEW BOARD AGENDA REPORT:	<b>12/16/2020</b>
PLANNING COMMISSION AGNEDA REPORT:	<b>02/23/2021</b>
CITY COUNCIL AGENDA REPORT:	<b>02/25/2021</b>

### HILLSIDE DEVELOPMENT PERMIT

#### **Commerce Point North**

Case No. 2020-HS-012

**Background:** On September 23<sup>rd</sup>, the Board convened on site to review the proposal and discuss the details of the application. The discussion focused mainly on the landslide and the potential impacts and mitigation measures for a landslide mitigation. The Board, at that meeting, discussed the need for a more comprehensive report. On December 16, 2020, the Hillside Review Board reconvened on the property and discussed the revised report and ultimately recommended approval of the hillside permit as presented in the revised and attached reports.

Staff has asked a third party to review the hillside materials submitted by the applicant. The review by the third party the city hired has determined that based on the updated report and subsequent additional letter from GTS, the third party reviewer is in agreement with GTS that it appears that the landslide is located west of the subject site.

**Request:** This is a request for a Hillside Development Permit to allow development a Restaurant/Multi-Tenant Commercial Building

**Stability Report:** Project No. 18535

**Owner:** Commerce Point, LLC

**Applicant:** Austin Atkin

**APN:** SG-COMP-1-1, SG-COMP-1-3

**Location:** Approx. 1276 S Black Ridge Drive/1190 S Bluff Street

**Acreage:** Approx. 2.13 acres (Lot 1 = 0.54 acres) (Lot 2 = 1.59 acres)

**Zoning:** C-2



**Adjacent zones:** C-2 & PD-C

**Powers & Duties:** Section 10-13A(9) of the St. George City Code, “Hillside Review Board Powers and Duties” states that the Hillside Board can make recommendations for approval, conditional approval, and denial to the Planning Commission (PC) and City Council (CC).

**Permit required:** Section 10-13A(7) requires that all major development (i.e., cut greater than 4’, etc.) on slopes above 20% requires a ‘hillside development permit’ granted by the City Council upon recommendation from the Hillside Review Board and the Planning Commission.

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## **COMMENTS**

**Hazards:** The item of concern for the proposed site is potential for landslide movement. Soils will be reviewed with at the time building permit is reviewed.

**Site:** The site sits at the bottom of the hillside and, if approved, is proposed to have two buildings, one close to Black Ridge Drive and one adjacent to Bluff Street. The key question is how the applicant plans to deal with the tow of the slope being in the landslide area. For the board’s consideration is attached a slope stability analysis and a grading plan.

**Landslide:** The ancient landslide is reported to not be moving currently, but factors of safety against future movement have to meet industry standards. If the site is to be developed, the developer should be aware of this condition and accept risk of future movement if the landslide reactivates.

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## **MOTION (HSRB)**

**Hillside/PC Motion:** The Hillside Review Board heard the item on September 23, 2020 and tabled the item for more information. On December 16, 2020, the HSRB recommended approval of the request. The Planning Commission, at their meeting of February 23 also heard the item. As of the time of this staff report, a recommendation has not been received. Staff will be prepared to discuss the meeting at the City Council meeting.

**City Council Motion:**

1. Denial of the application
2. Approval of the application as presented

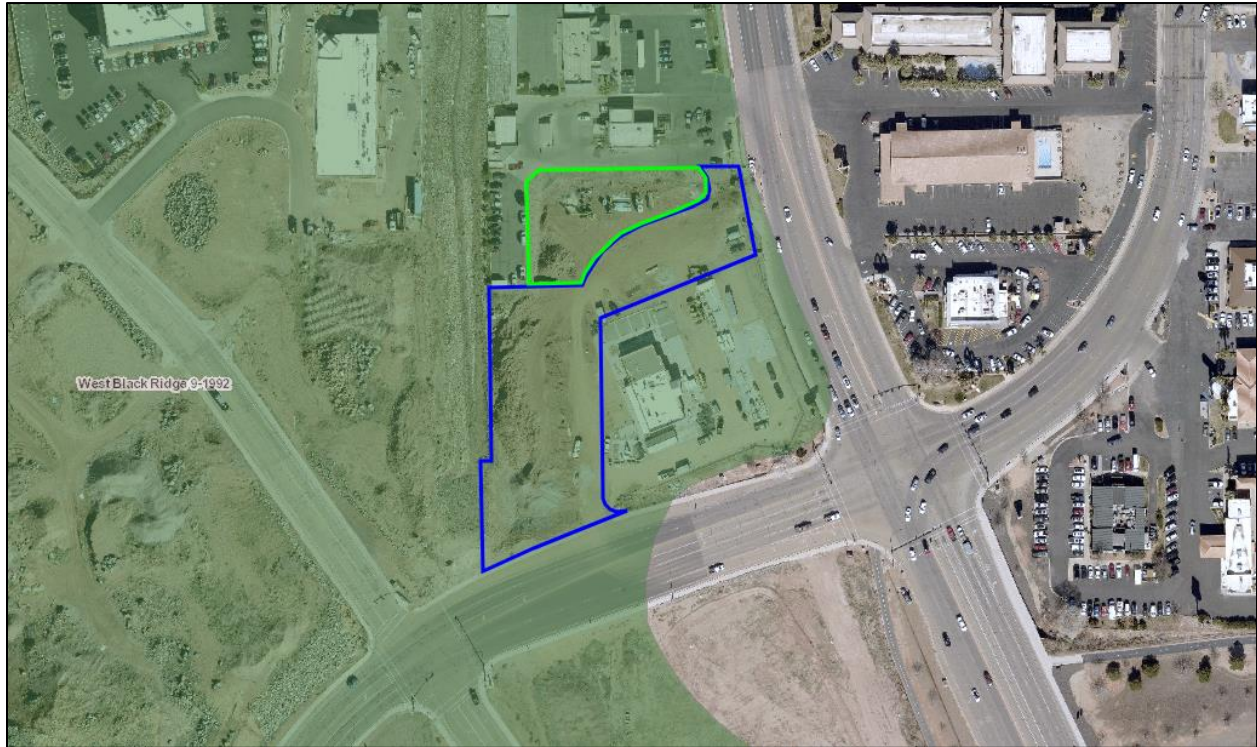


3. Approval with specific conditions and comments added as required.

**Example Motion:** I move we approve the application for a hillside permit for Commerce Point North as recommended by the Hillside Review Board and as presented in the meeting of February 25, 2021 and in the reports attached to the staff report.

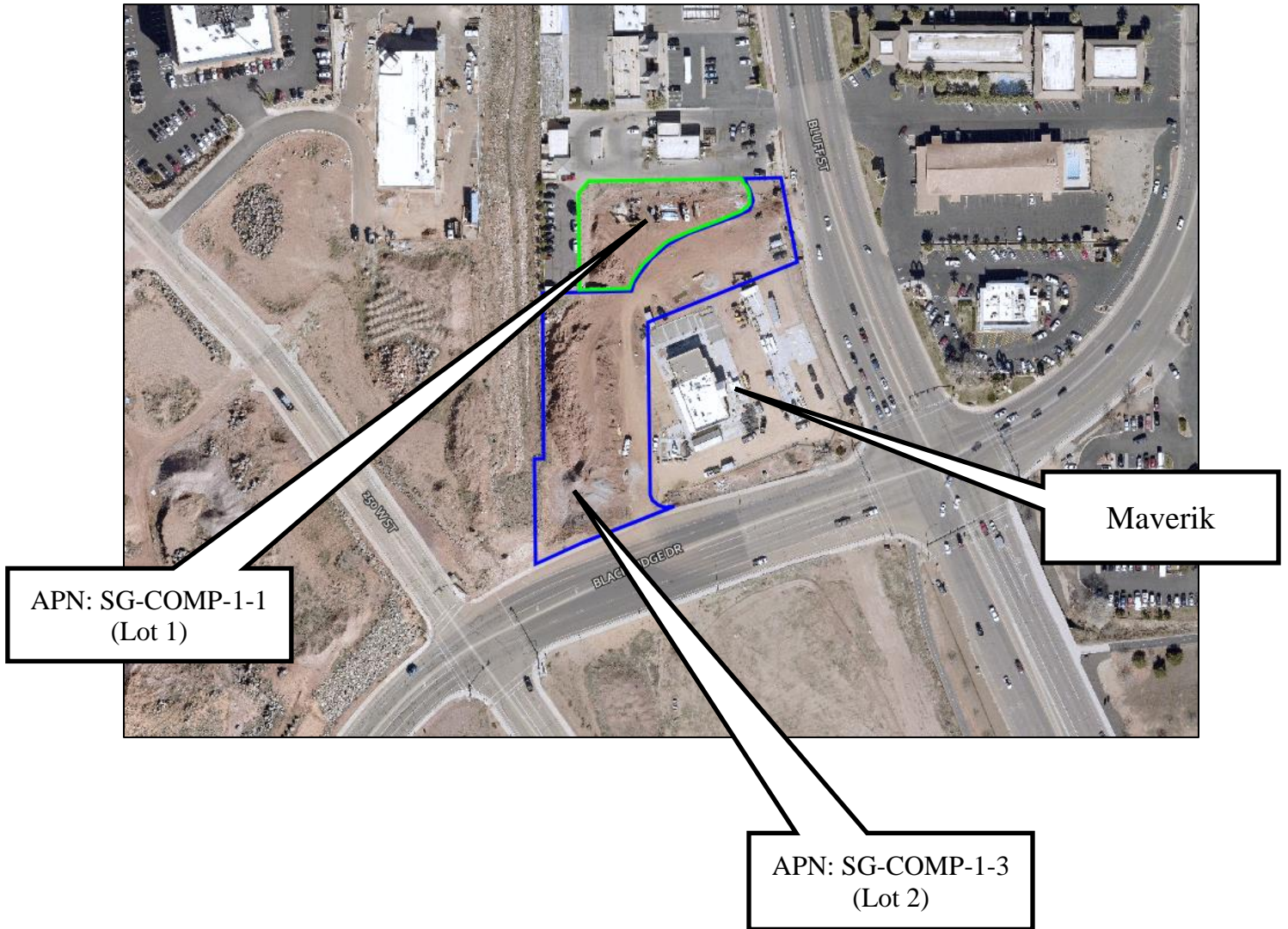


## Hillside Overlay Map



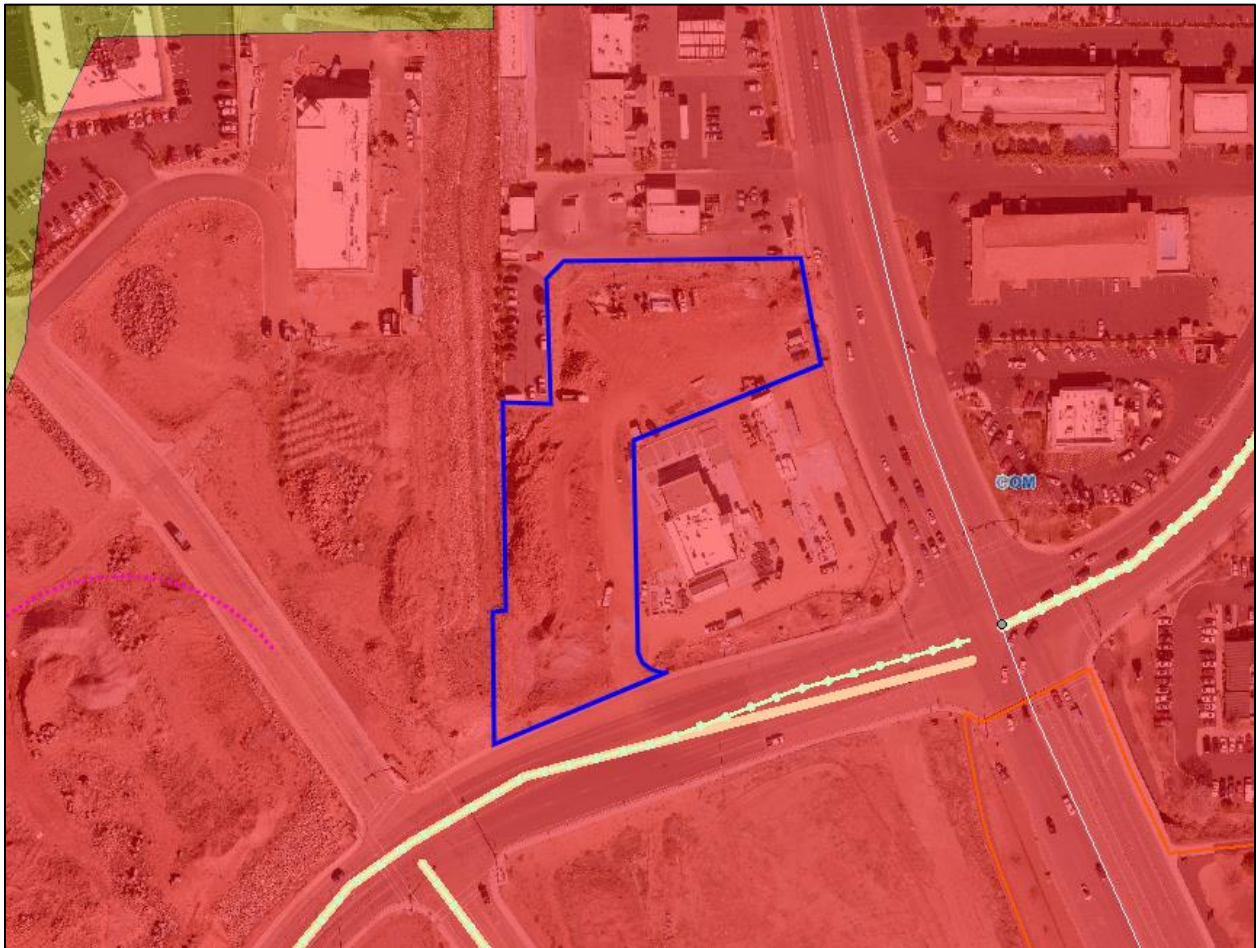


## Vicinity Map



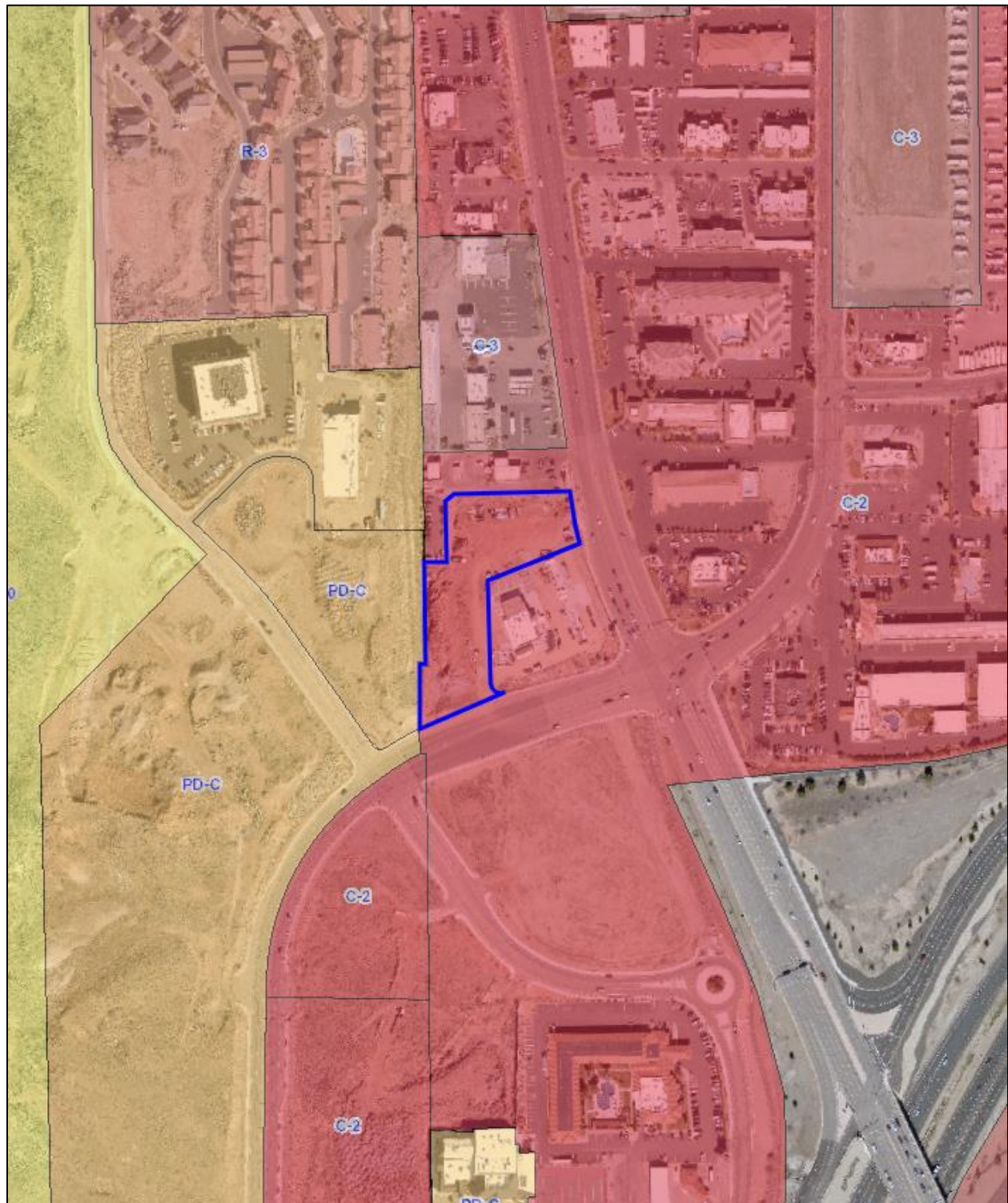


**General Plan = COM** (*Commercial*)



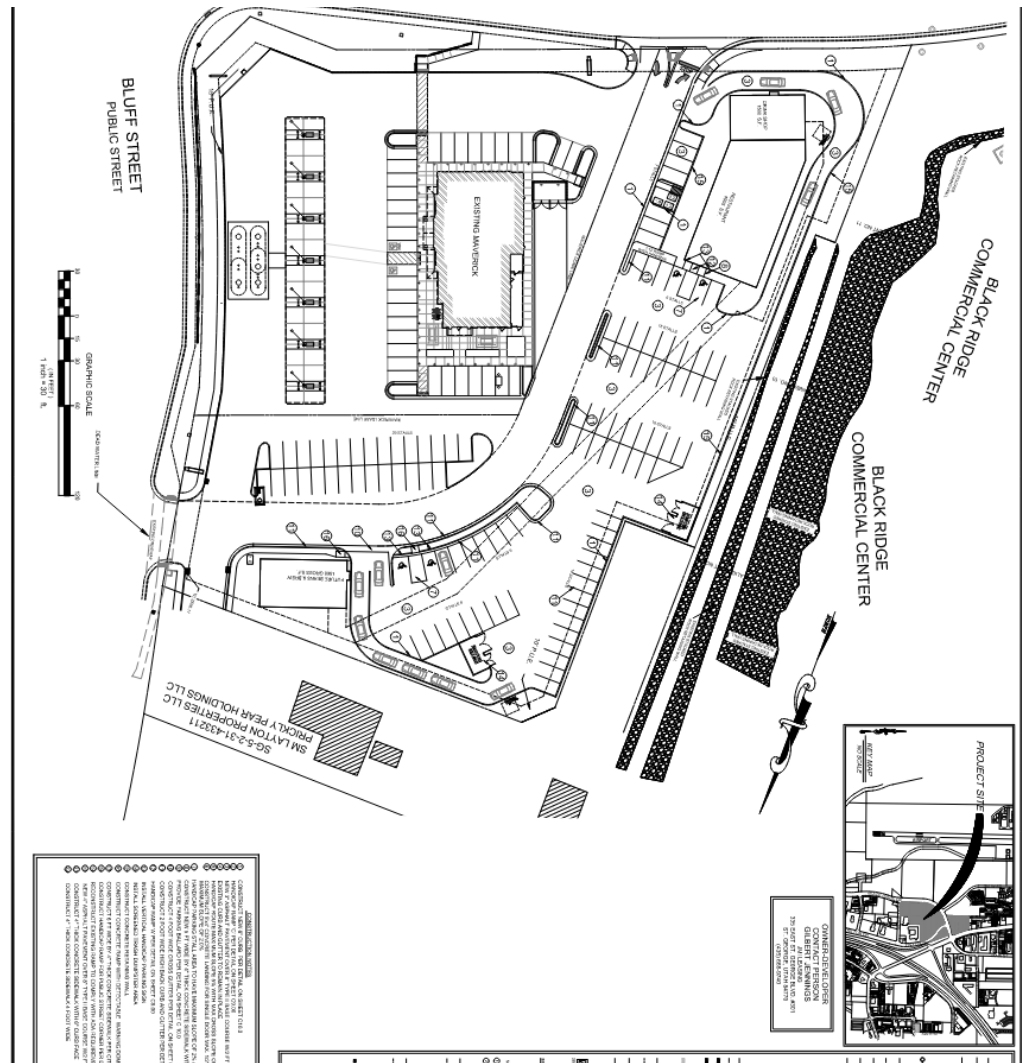


## Zoning = PD-C



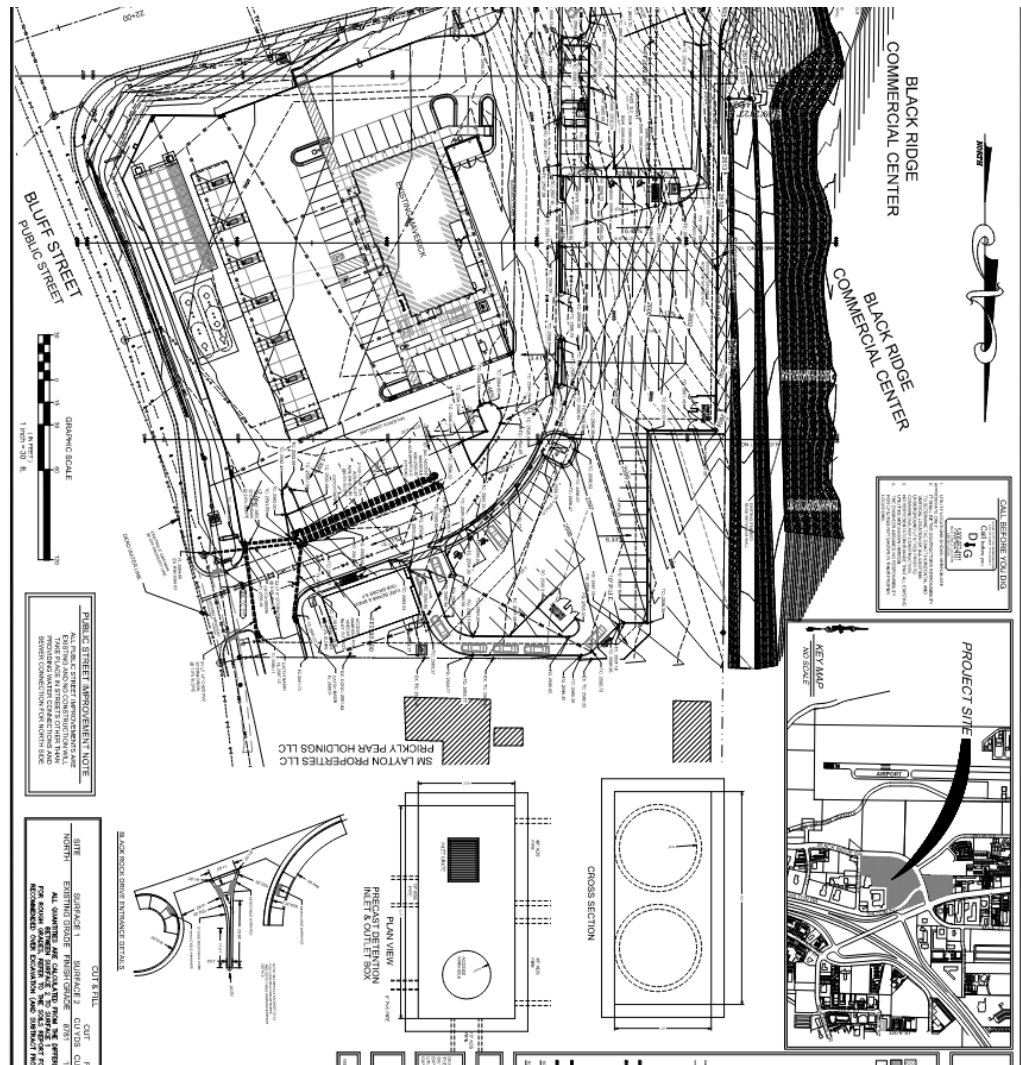


## Concept Site Plan





## Grading Plan





# **Slope Stability Analysis**





**GEOTECHNICAL TESTING SERVICES, INC.**  
735 East Tabernacle Street, St. George, UT 84770  
(435) 628-9536 office@gtsstg.com

December 8, 2020

Mr. Steve Jennings  
Jennings Management, Inc.  
335 East St. George Blvd., Suite 301  
St. George, UT 84770

Subject: Slope Stability Analysis  
Proposed Commerce Point Shopping Center - North Phase  
Northwest Corner of Black Ridge Drive and  
Bluff Street  
St. George, Utah  
GTS Project Number 18535

Dear Mr. Jennings:

As requested, we have analyzed the slope located west of the proposed development to determine if the proposed development will impact the stability of the existing slope. This analysis was performed because the St. George Hillside Committee was afraid that the proposed development would impact the slope.

An analysis was performed by Applied Geotechnical Engineering Consultants, Applied Geotech, (AGEC), Slope Stability Consultation, Blackstone Hotel Project, AGEC Project Number 2180187, dated September 23, 2019, on the existing slope for a proposed hotel project and they determined that the slope was not stable (Factor of Safety was less than 1) and that a secant wall would need to be constructed along the western property line of our subject property, to stabilize the slope enough to construct the hotel project. Based upon a review of their work, it appears that AGEC assumed that the elevation of our subject property was the elevation of the proposed pad, therefore, if the secant wall is constructed and the elevation of our subject pad is approximately 2602 feet, our subject site is stable.

The concern from the hillside committee was that if the hotel property is not developed and our subject site is, will our subject site affect the stability of the slope. In order to determine this we performed a stability analysis of the slope using GSTABL7. A fairly recent topography map was made of the area which is shown on Figure 1. It appears that AGEC used this topography map for their analysis, although the location of their cross-section is not known at this time. L.R. Pope was able to create several cross-sections through the slope and we chose cross-section 1+00 to perform our analysis because it passes through the proposed development. Using AGEC's profile data of the location of the different soils layers, we were able to create a profile of cross section 1+00 which is shown in Figure 2. It should be noted that there was some "smoothing" of the surface profile lines in areas where the topography fluctuated over short distances.

GSTABL7 uses Modified Bishops Method, Simplified Janbu Method, and Random search for its analysis. The analysis for both the Bishops and Janbu methods are shown in Table 1. The printout of the analysis is shown in Appendix A. We next altered the surface profile of the cross



section to reflect the proposed development. The proposed development requires an over-excavation below the proposed building; therefore, we altered the soil profile located below the building to be in conformance with the Geotechnical Investigation, GTS Project Number 18535, dated July 28, 2017. The profile that was created is shown in Figures 3 and 4. It should be noted that Figure 4 is our hand drawn profile used to input the data used to develop Figure 3. The material that was used to back fill the over-excavation is denoted as "Fill" in our analysis. We again ran Modified Bishops Method and Simplified Janbu Method and the results are summarized in Table 1. Appendix B contains a print out of the analysis. It should be noted that our analysis of the proposed slope indicated the installation of piers along the western side of the building. The piers "geometrically" put in place for our analysis but zero forces were assigned to them; therefore the analysis was run assuming the piers were not in place. Our Random analysis yielded higher factors of safety than the Bishops and Janbu analysis and therefore were not reported.

**TABLE 1**  
**Summary of Slope Stability Analysis**

Analysis Method	Factor of Safety	
	Existing Slope	Proposed Slope
Modified Bishop Method	1.904	1.933
Simplified Janbu Method	1.862	1.888

It should be noted that our analysis did not show that the slope was unstable like AGECE's analysis. Their analysis showed a factor of safety of less than 1. We ran the exact cross section AGECE used for their analysis through GSTABL7 and our analysis again showed factors of safety greater than 1. Even though our factors of safety are greater than AGECE's, using the principles of dimensional analysis, we can state that the development proposed will not impact the stability of the slope. According to our analysis, the proposed development will improve the stability of the slope.

Even though the proposed development of the subject site will not affect the stability of the slope to the point as to cause failure, changes in the soil or loading conditions above the slope could affect the stability of the hill. The following factors are a partial list of conditions that might affect the stability of the slope at some point in the future. All property owners and managers, both located on the Commerce Point Development and the up slope properties should be made aware of these issues.

- Saturation of the down, mid, and/or up slope soils will cause the soils to weaken and could cause movement of the slope. Saturation of the soils also causes an increase in the weight of the soils which will increase the loading conditions of the slope. Care should be given to the landscaping of all properties, desert type landscaping is recommended. Storm water of



the up slope properties should be carefully controlled and monitored and not be allowed to saturate into the subsurface soils. Water should not be allowed to flow over the slope.

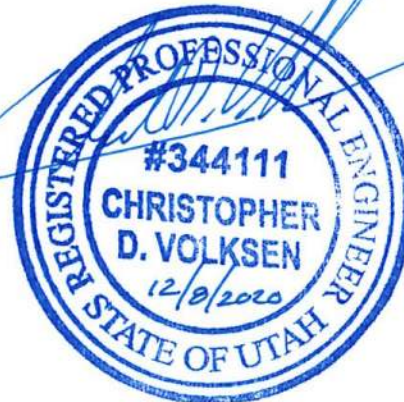
- Over steeping of the existing slope will increase the loading conditions of the slope. Any changes of the exiting slope that are required for future development should be analyzed for their impact of the stability of the slope.
- Future development of the up slope properties could cause an increase in the loading conditions of the slope. Adding fill material or any type of building will increase loading and it should be analyzed for its impact on the stability of the slope. Removing material from the up slope properties should decrease the loading conditions and may increase the stability of the slope.

It is the responsibility of the current and future landowners of the property to the west to demonstrate that any proposed development will not impact the Commerce Point Commercial Center property.

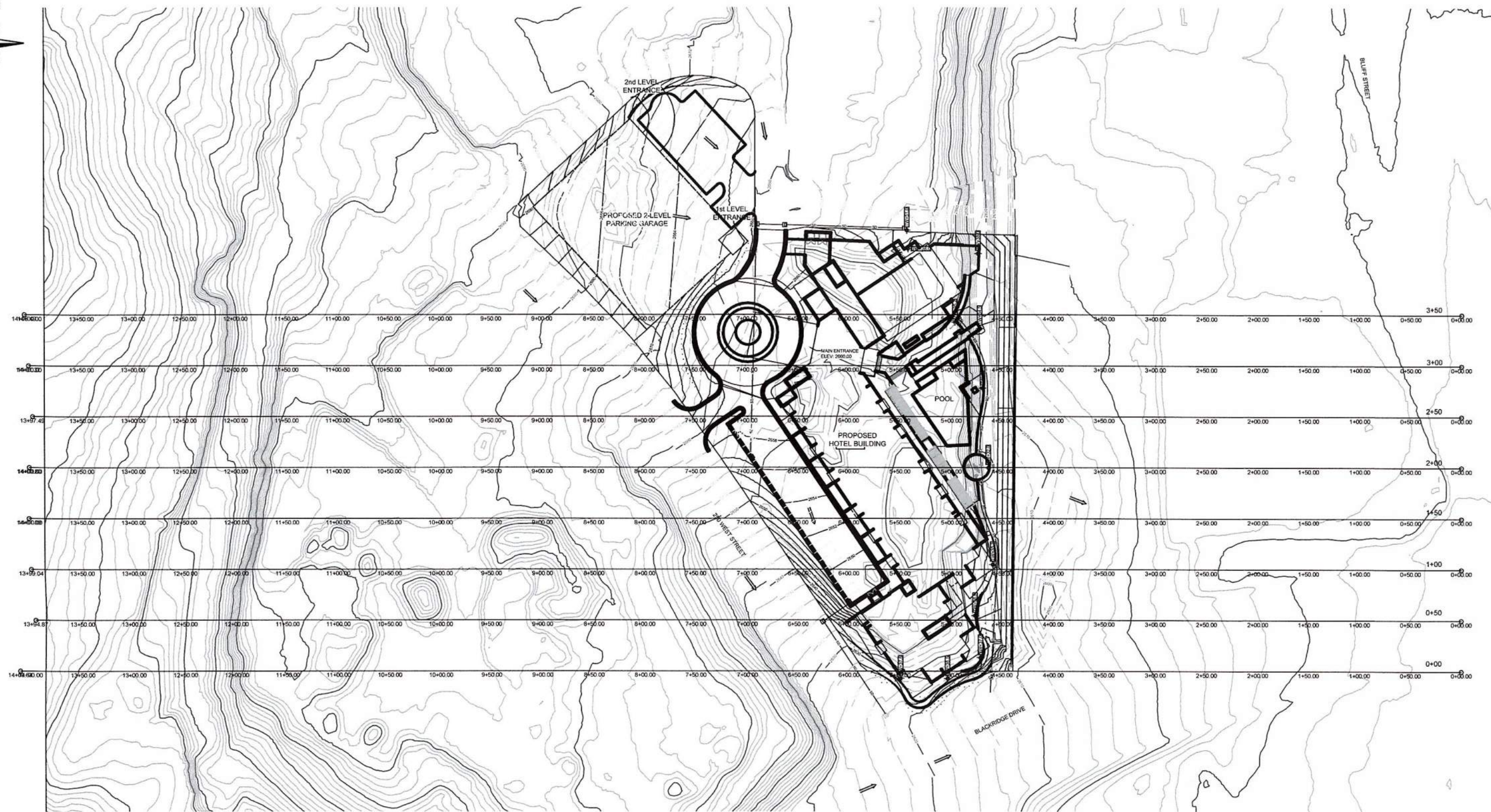
We appreciate the opportunity to be of service to you on this project. Please call us if you have any questions or need additional information.

Very truly yours,  
**GEOTECHNICAL TESTING SERVICES, INC.**

**CHRISTOPHER D. VOLKSEN, P.E.**  
President  
CDV/c







Engineering  
Consulting  
Testing

### SITE PLAN

Client: Jennings Management, Inc  
Project: Slope Stability Analysis - North Phase  
Location: Commerce Point Shopping Center, St. George, UT  
Number: 18535

Figure 1



# original Profile - Section 1+00

3700

Soil Desc.	Soil Type No.	Total Unit Wt. (pcf)	Saturated Unit Wt. (pcf)	Intercept (psf)	Friction Angle (deg)	Pore Pressure Param.	Pressure Constant (psf)	Piez. No.
Slide parent	1	125.	135.	200.	15.	0.	0.	W1
Sandston	2	130.	135.	0.	0.	0.	0.	W1
basalt	3	130.	135.	3000.	44.	0.	0.	W1
	4	135.	170.	30000.	45.	0.	0.	0

3450

3200

2950

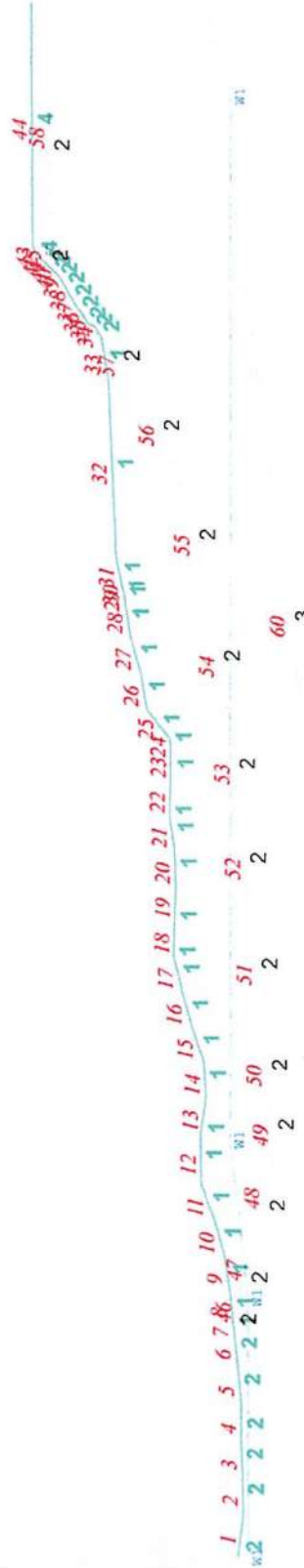
2700

2450

2200

0 250 500 750 1000 1250 1500 1750 2000 2250

Segment Len. = 2540.0 ft



Engineering  
Consulting  
Testing

ORIGINAL PROFILE STA 1+00

Client: Jennings Management, Inc  
Project: Slope Stability Analysis - North Phase  
Location: Commerce Point Shopping Center, St. George, UT  
Number: 18535

Figure 2



# Modified Profile - Section 1+00 JMI Pad mod with soil

z:\18500\sl18535 - commerce point - jmi\north end stability analysis\stability analysis for south corner of north parcel\18535 - sw corner of northern parcel - modified with jmi pad profile 1+00 modified soil parameters add piles.plt Geometry Preview 12/8/2020

3700

Soil Desc.	Soil Type No.	Total Unit Wt. (pcf)	Saturated Unit Wt. (pcf)	Intercept (psf)	Cohesion (psf)	Friction Angle (deg)	Pore Pressure Param.	Pressure Constant (psf)	Piez. No.
Slide parent	1	125.	135.	200.	0.	15.	0.	0.	W1
Sandston	2	130.	135.	0.	0.	0.	0.	0.	W1
basalt	3	130.	135.	3000.	0.	44.	0.	0.	W1
Fill	4	135.	170.	30000.	0.	45.	0.	0.	0
	5	135.	144.	800.	0.	30.	0.	0.	0

3450

3200

2950

2700

2450

2200



Segment Len. = 2540.0 ft

0

250

500

750

1000

1250

1500

1750

2000

2250



Engineering  
Consulting  
Testing

## MODIFIED PROFILE STA 1+00

Client: Jennings Management, Inc  
Project: Slope Stability Analysis - North Phase  
Location: Commerce Point Shopping Center, St. George, UT  
Number: 18535

Figure 3





Client: Jennings Management, Inc  
Project: Slope Stability Analysis - North Phase  
Location: Commerce Point Shopping Center, S  
Number: 18535

### Figure 4



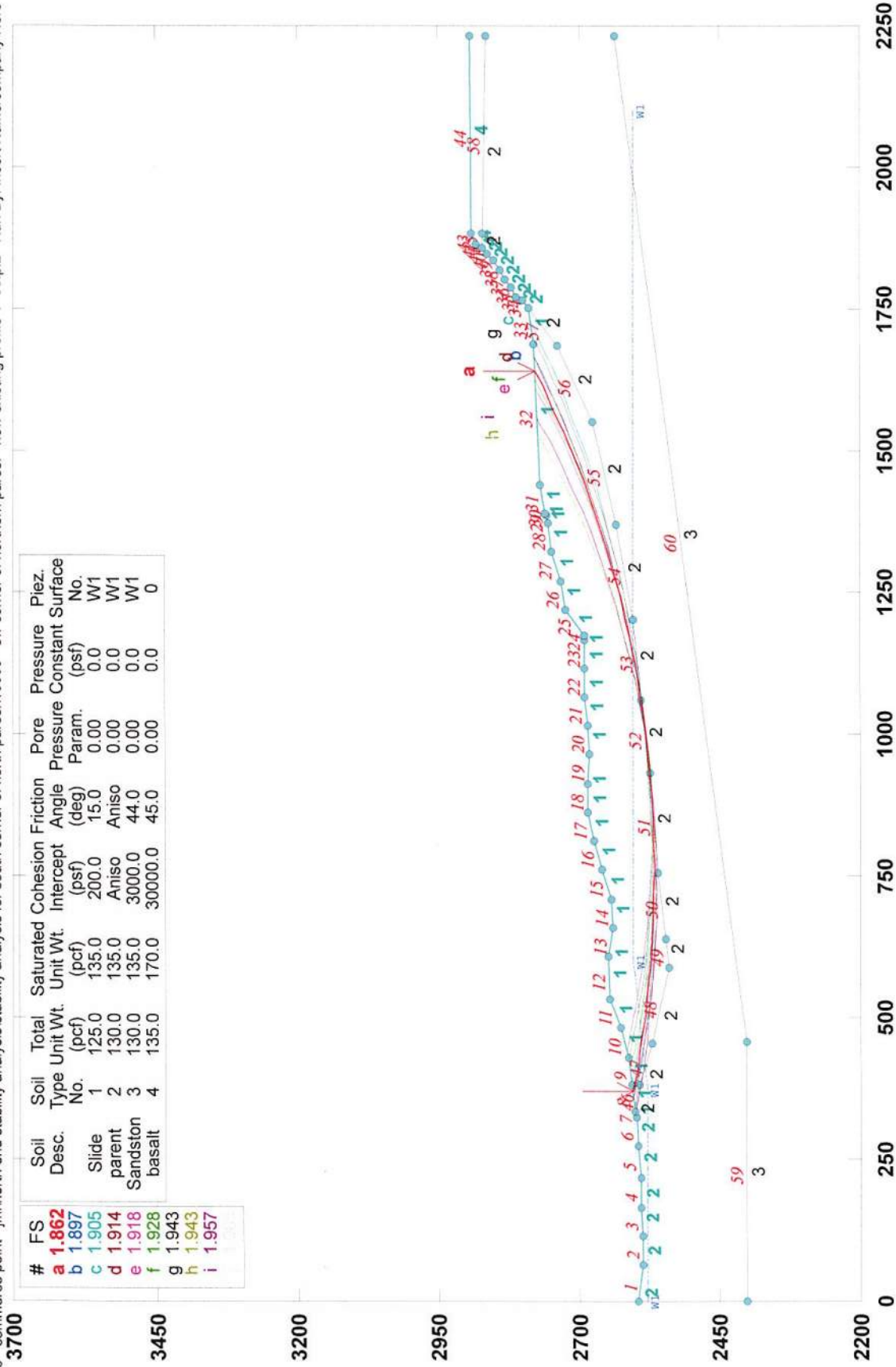
## **APPENDIX A**

### **Analysis to Existing Slope Station 1+00**



# original Profile - Section 1+00

z:\18500's\18535 - commerce point - jmi\north end stability analysis\stability analysis for south corner of north parcel\18535 - sw corner of northern parcel - new existing profile 1+00.pl/2 Run By: Insert Name/company Here 12/8/2020 10

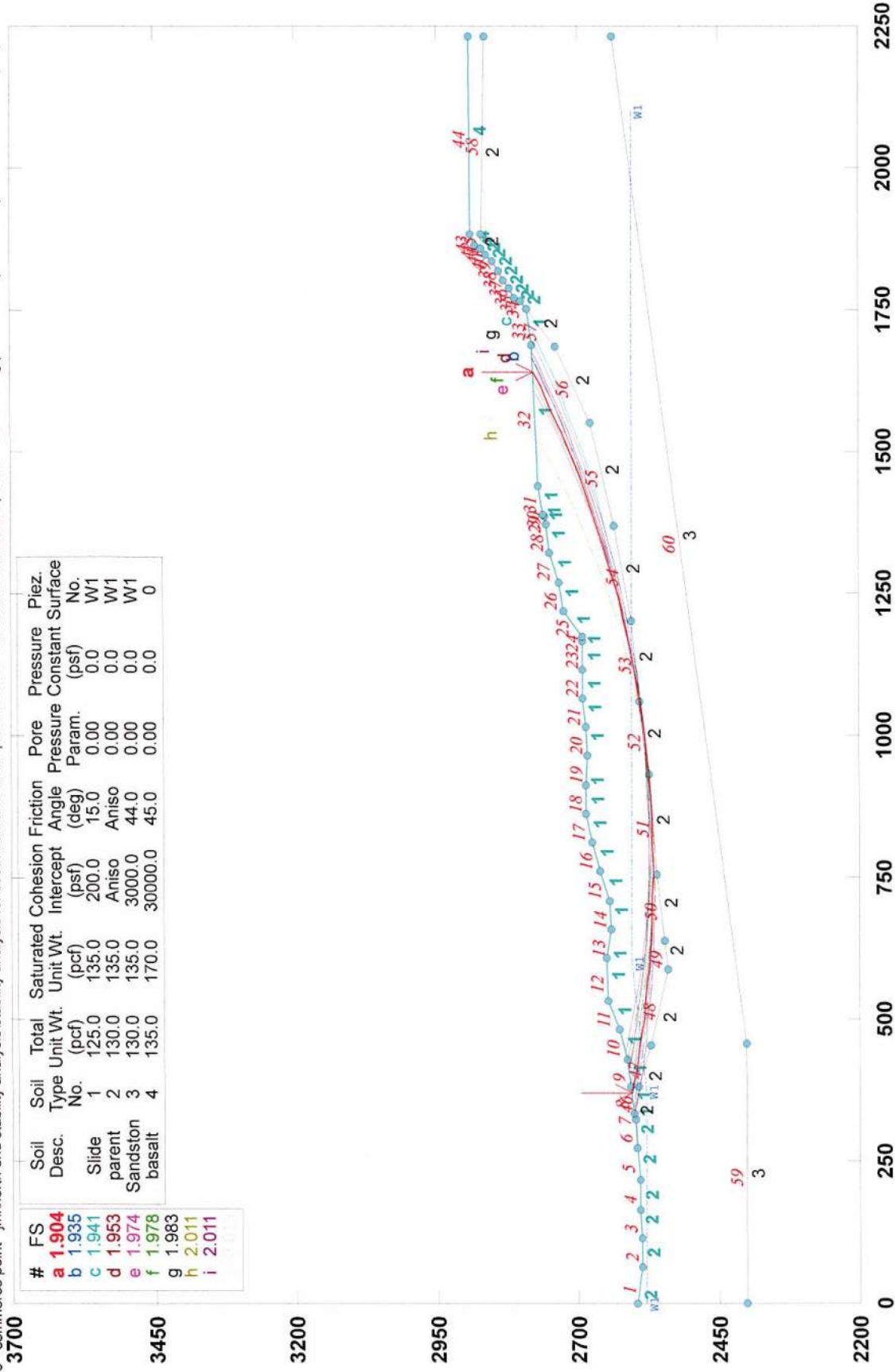


GSTABL7 v.2 FSmin=1.862  
Safety Factors Are Calculated By The Simplified Janbu Method



# original Profile - Section 1+00

z:\18500\18535 - commerce point - jmi\north end stability analysis\stability analysis for south corner of north parcel\18535 - sw corner of northern parcel - new existing profile 1+00.pl2 Run By: Insert Name/company Here 12/8/2020 08



GSTABL7 v.2 FSmin=1.904  
Safety Factors Are Calculated By The Modified Bishop Method



## \*\*\* GSTABL7 \*\*\*

\*\* GSTABL7 by Dr. Garry H. Gregory, Ph.D., P.E., D.GE \*\*  
 \*\* Original Version 1.0, January 1996; Current Ver. 2.005.3, Feb. 2013 \*\*  
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\*\*\*\*\*

## SLOPE STABILITY ANALYSIS SYSTEM

Modified Bishop, Simplified Janbu, or GLE Method of Slices.  
 (Includes Spencer & Morgenstern-Price Type Analysis)  
 Including Pier/Pile, Reinforcement, Soil Nail, Tieback,  
 Nonlinear Undrained Shear Strength, Curved Phi Envelope,  
 Anisotropic Soil, Fiber-Reinforced Soil, Boundary Loads, Water  
 Surfaces, Pseudo-Static & Newmark Earthquake, and Applied Forces.

\*\*\*\*\*

Analysis Run Date: 12/8/2020  
 Time of Run: 09:57AM  
 Run By: Insert Name/company Here  
 Input Data Filename: Z:\18500's\18535 - Commerce Point - JMI\North end stability  
 analysis\stability analysis for south corner of north parcel\18535 - sw corner of northern parcel  
 Output Filename: Z:\18500's\18535 - Commerce Point - JMI\North end stability  
 analysis\stability analysis for south corner of north parcel\18535 - sw corner of northern parcel  
 Unit System: English  
 Plotted Output Filename: Z:\18500's\18535 - Commerce Point - JMI\North end stability  
 analysis\stability analysis for south corner of north parcel\18535 - sw corner of northern parcel

**PROBLEM DESCRIPTION: original Profile - Section 1+00**

## BOUNDARY COORDINATES

44 Top Boundaries

60 Total Boundaries

Boundary No.	X-Left (ft)	Y-Left (ft)	X-Right (ft)	Y-Right (ft)	Soil Type Below Bnd
1	0.00	2595.00	63.00	2587.00	2
2	63.00	2587.00	113.00	2588.00	2
3	113.00	2588.00	165.00	2590.00	2
4	165.00	2590.00	218.00	2590.00	2
5	218.00	2590.00	273.00	2595.00	2
6	273.00	2595.00	324.00	2600.00	2
7	324.00	2600.00	335.00	2602.00	1
8	335.00	2602.00	381.50	2606.00	1
9	381.50	2606.00	431.00	2613.00	1
10	431.00	2613.00	484.00	2628.00	1
11	484.00	2628.00	534.00	2647.00	1
12	534.00	2647.00	608.00	2648.00	1
13	608.00	2648.00	659.00	2640.00	1
14	659.00	2640.00	710.00	2643.00	1
15	710.00	2643.00	761.00	2660.00	1
16	761.00	2660.00	811.00	2674.00	1
17	811.00	2674.00	863.00	2686.00	1
18	863.00	2686.00	913.00	2685.00	1
19	913.00	2685.00	964.00	2683.00	1
20	964.00	2683.00	1015.00	2685.00	1
21	1015.00	2685.00	1066.00	2692.00	1
22	1066.00	2692.00	1115.00	2690.00	1
23	1115.00	2690.00	1167.00	2690.00	1
24	1167.00	2690.00	1175.00	2691.00	1
25	1175.00	2691.00	1218.00	2725.00	1
26	1218.00	2725.00	1269.00	2733.00	1
27	1269.00	2733.00	1323.00	2749.00	1
28	1323.00	2749.00	1374.00	2756.00	1
29	1374.00	2756.00	1386.00	2758.00	1
30	1386.00	2758.00	1390.00	2760.00	1
31	1390.00	2760.00	1439.00	2770.00	1
32	1439.00	2770.00	1687.00	2780.00	1
33	1687.00	2780.00	1752.00	2790.00	1
34	1752.00	2790.00	1767.00	2800.00	2
35	1767.00	2800.00	1772.00	2810.00	2
36	1772.00	2810.00	1787.00	2820.00	2
37	1787.00	2820.00	1802.00	2830.00	2
38	1802.00	2830.00	1820.00	2840.00	2
39	1820.00	2840.00	1837.00	2850.00	2



40	1837.00	2850.00	1847.00	2860.00	2
41	1847.00	2860.00	1857.00	2870.00	2
42	1857.00	2870.00	1865.00	2880.00	4
43	1865.00	2880.00	1882.00	2890.00	4
44	1882.00	2890.00	2232.00	2893.00	4
45	1857.00	2870.00	1882.00	2870.00	2
46	335.00	2602.50	382.00	2592.00	2
47	382.00	2592.00	456.00	2571.24	2
48	456.00	2571.24	588.00	2540.97	2
49	588.00	2540.97	638.00	2545.57	2
50	638.00	2545.57	757.00	2559.08	2
51	757.00	2559.08	931.00	2574.58	2
52	931.00	2574.58	1061.00	2591.46	2
53	1061.00	2591.46	1202.00	2604.83	2
54	1202.00	2604.83	1370.00	2636.42	2
55	1370.00	2636.42	1551.00	2676.21	2
56	1551.00	2676.21	1684.00	2738.22	2
57	1684.00	2738.22	1752.00	2790.00	2
58	1857.00	2870.00	2232.00	2863.00	2
59	0.00	2400.00	457.00	2400.00	3
60	457.00	2400.00	2232.00	2637.00	3

User Specified Y-Origin = 2200.00(ft)

Default X-Plus Value = 0.00(ft)

Default Y-Plus Value = 0.00(ft)

## ISOTROPIC SOIL PARAMETERS

4 Type(s) of Soil

Soil Type No.	Total Unit Wt. (pcf)	Saturated Unit Wt. (pcf)	Cohesion Intercept (psf)	Friction Angle (deg)	Pore Pressure Param. (psf)	Pressure Constant (psf)	Piez. Surface No.
1	125.0	135.0	200.0	15.0	0.00	0.0	1
2	130.0	135.0	0.0	0.0	0.00	0.0	1
3	130.0	135.0	3000.0	44.0	0.00	0.0	1
4	135.0	170.0	30000.0	45.0	0.00	0.0	0

## ANISOTROPIC STRENGTH PARAMETERS

1 soil type(s)

Soil Type 2 Is Anisotropic

Number Of Direction Ranges Specified = 6

Direction Range No.	Counterclockwise Direction Limit (deg)	Cohesion Intercept (psf)	Friction Angle (deg)
1	-90.0	535.00	28.00
2	5.0	535.00	28.00
3	5.1	0.00	8.50
4	10.0	0.00	8.50
5	10.0	535.00	28.00
6	90.0	535.00	28.00

## ANISOTROPIC SOIL NOTES:

- (1) An input value of 0.01 for C and/or Phi will cause Aniso C and/or Phi to be ignored in that range.
- (2) An input value of 0.02 for Phi will set both Phi and C equal to zero, with no water weight in the tension crack.
- (3) An input value of 0.03 for Phi will set both Phi and C equal to zero, with water weight in the tension crack.

## 1 PIEZOMETRIC SURFACE(S) SPECIFIED

Unit Weight of Water = 62.40 (pcf)

Piezometric Surface No. 1 Specified by 4 Coordinate Points

Pore Pressure Inclination Factor = 0.50

Point No.	X-Water (ft)	Y-Water (ft)
1	0.00	2580.00
2	373.09	2580.00
3	600.00	2605.00
4	2100.00	2605.00

A Critical Failure Surface Searching Method, Using A Random Technique For Generating Circular Surfaces, Has Been Specified.  
2100 Trial Surfaces Have Been Generated.

50 Surface(s) Initiate(s) From Each Of 42 Points Equally Spaced  
Along The Ground Surface Between X = 200.00(ft)



and X = 450.00(ft)  
 Each Surface Terminates Between X = 1100.00(ft)  
 and X = 1732.00(ft)  
 Unless Further Limitations Were Imposed, The Minimum Elevation  
 At Which A Surface Extends Is Y = 2540.00(ft)  
 44.00(ft) Line Segments Define Each Trial Failure Surface.  
 Following Are Displayed The Ten Most Critical Of The Trial

Failure Surfaces Evaluated. They Are  
 Ordered - Most Critical First.

\* \* Safety Factors Are Calculated By The Modified Bishop Method \* \*

Total Number of Trial Surfaces Attempted = 2100

Number of Trial Surfaces With Valid FS = 2100

Statistical Data On All Valid FS Values:

FS Max = 4.097 FS Min = 1.904 FS Ave = 2.596

Standard Deviation = 0.382 Coefficient of Variation = 14.71 %

Failure Surface Specified By 31 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	370.732	2605.074
2	413.968	2596.910
3	457.376	2589.719
4	500.935	2583.503
5	544.622	2578.266
6	588.416	2574.010
7	632.294	2570.737
8	676.234	2568.450
9	720.215	2567.149
10	764.214	2566.835
11	808.209	2567.508
12	852.178	2569.168
13	896.098	2571.814
14	939.948	2575.444
15	983.706	2580.057
16	1027.349	2585.651
17	1070.855	2592.222
18	1114.203	2599.768
19	1157.371	2608.284
20	1200.337	2617.767
21	1243.080	2628.210
22	1285.577	2639.611
23	1327.808	2651.961
24	1369.752	2665.256
25	1411.386	2679.489
26	1452.691	2694.651
27	1493.646	2710.737
28	1534.229	2727.737
29	1574.420	2745.643
30	1614.200	2764.447
31	1641.623	2778.170

Circle Center At X = 756.210 ; Y = 4528.087 ; and Radius = 1961.268

Factor of Safety  
 \*\*\* 1.904 \*\*\*

Slice No.	Width (ft)	Weight (lbs)	Individual data on the		60 slices		Earthquake		
			Water Force Top (lbs)	Water Force Bot (lbs)	Tie Force Norm (lbs)	Tie Force Tan (lbs)	Force Hor (lbs)	Force Ver (lbs)	Surcharge Load (lbs)
1	10.8	1991.8	0.0	0.0	0.	0.	0.0	0.0	0.0
2	32.5	33767.8	0.0	0.0	0.	0.	0.0	0.0	0.0
3	17.0	34695.3	0.0	0.0	0.	0.	0.0	0.0	0.0
4	26.4	81861.3	0.0	0.0	0.	0.	0.0	0.0	0.0
5	1.7	6650.3	0.0	0.0	0.	0.	0.0	0.0	0.0
6	24.9	115312.6	0.0	4917.4	0.	0.	0.0	0.0	0.0
7	16.9	99868.6	0.0	8956.8	0.	0.	0.0	0.0	0.0
8	33.1	249395.6	0.0	29715.5	0.	0.	0.0	0.0	0.0
9	10.6	92562.6	0.0	12880.5	0.	0.	0.0	0.0	0.0
10	43.8	401279.3	0.0	68702.4	0.	0.	0.0	0.0	0.0
11	11.6	111039.7	0.0	22180.2	0.	0.	0.0	0.0	0.0



12	8.0	77670.8	0.0	16095.1	0.	0.	0.0	0.0	0.0
13	24.3	234193.3	0.0	50707.4	0.	0.	0.0	0.0	0.0
14	26.7	249864.2	0.0	58334.4	0.	0.	0.0	0.0	0.0
15	17.2	160488.8	0.0	38877.4	0.	0.	0.0	0.0	0.0
16	33.8	325078.9	0.0	78096.4	0.	0.	0.0	0.0	0.0
17	10.2	102687.2	0.0	24041.7	0.	0.	0.0	0.0	0.0
18	40.8	454948.3	0.0	96702.5	0.	0.	0.0	0.0	0.0
19	3.2	38833.6	0.0	7652.4	0.	0.	0.0	0.0	0.0
20	44.0	565962.3	0.0	*****	0.	0.	0.0	0.0	0.0
21	2.8	38042.0	0.0	6524.9	0.	0.	0.0	0.0	0.0
22	41.2	583124.8	0.0	94134.5	0.	0.	0.0	0.0	0.0
23	10.8	159760.7	0.0	24021.1	0.	0.	0.0	0.0	0.0
24	33.1	486486.8	0.0	70727.0	0.	0.	0.0	0.0	0.0
25	16.9	243502.6	0.0	34380.1	0.	0.	0.0	0.0	0.0
26	20.6	291241.2	0.0	39934.2	0.	0.	0.0	0.0	0.0
27	6.3	88041.5	0.0	11817.9	0.	0.	0.0	0.0	0.0
28	24.1	327776.3	0.0	42691.2	0.	0.	0.0	0.0	0.0
29	19.7	262198.4	0.0	32124.6	0.	0.	0.0	0.0	0.0
30	31.3	407447.4	0.0	45157.2	0.	0.	0.0	0.0	0.0
31	12.3	158367.7	0.0	15645.9	0.	0.	0.0	0.0	0.0
32	33.7	429714.2	0.0	35693.3	0.	0.	0.0	0.0	0.0
33	5.0	63535.3	0.0	4382.3	0.	0.	0.0	0.0	0.0
34	4.9	61354.4	0.0	4027.3	0.	0.	0.0	0.0	0.0
35	2.2	27233.6	0.0	1731.0	0.	0.	0.0	0.0	0.0
36	41.2	491004.9	0.0	22992.1	0.	0.	0.0	0.0	0.0
37	0.8	9021.4	0.0	261.1	0.	0.	0.0	0.0	0.0
38	25.7	282126.4	0.0	4151.4	0.	0.	0.0	0.0	0.0
39	16.6	173462.2	0.0	0.0	0.	0.	0.0	0.0	0.0
40	9.6	97074.2	0.0	0.0	0.	0.	0.0	0.0	0.0
41	8.0	79208.0	0.0	0.0	0.	0.	0.0	0.0	0.0
42	25.3	272522.7	0.0	0.0	0.	0.	0.0	0.0	0.0
43	17.7	216572.6	0.0	0.0	0.	0.	0.0	0.0	0.0
44	25.1	319205.3	0.0	0.0	0.	0.	0.0	0.0	0.0
45	25.9	321669.3	0.0	0.0	0.	0.	0.0	0.0	0.0
46	16.6	203215.2	0.0	0.0	0.	0.	0.0	0.0	0.0
47	37.4	460172.0	0.0	0.0	0.	0.	0.0	0.0	0.0
48	4.8	58947.1	0.0	0.0	0.	0.	0.0	0.0	0.0
49	41.9	492467.1	0.0	0.0	0.	0.	0.0	0.0	0.0
50	4.2	47646.6	0.0	0.0	0.	0.	0.0	0.0	0.0
51	12.0	132361.1	0.0	0.0	0.	0.	0.0	0.0	0.0
52	4.0	43752.9	0.0	0.0	0.	0.	0.0	0.0	0.0
53	21.4	230837.9	0.0	0.0	0.	0.	0.0	0.0	0.0
54	27.6	285197.6	0.0	0.0	0.	0.	0.0	0.0	0.0
55	13.7	133725.7	0.0	0.0	0.	0.	0.0	0.0	0.0
56	41.0	351611.5	0.0	0.0	0.	0.	0.0	0.0	0.0
57	40.6	272843.8	0.0	0.0	0.	0.	0.0	0.0	0.0
58	40.2	190708.6	0.0	0.0	0.	0.	0.0	0.0	0.0
59	39.8	105503.6	0.0	0.0	0.	0.	0.0	0.0	0.0
60	27.4	21625.9	0.0	0.0	0.	0.	0.0	0.0	0.0

## Failure Surface Specified By 32 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	346.342	2602.976
2	389.684	2595.395
3	433.172	2588.703
4	476.788	2582.903
5	520.514	2577.998
6	564.331	2573.990
7	608.221	2570.880
8	652.165	2568.669
9	696.146	2567.359
10	740.144	2566.950
11	784.141	2567.442
12	828.119	2568.835
13	872.059	2571.129
14	915.943	2574.322
15	959.752	2578.414
16	1003.469	2583.401



17	1047.074	2589.283
18	1090.549	2596.057
19	1133.877	2603.720
20	1177.038	2612.269
21	1220.016	2621.700
22	1262.791	2632.009
23	1305.346	2643.192
24	1347.663	2655.244
25	1389.725	2668.161
26	1431.513	2681.936
27	1473.010	2696.565
28	1514.199	2712.040
29	1555.062	2728.355
30	1595.583	2745.504
31	1635.744	2763.479
32	1669.195	2779.282

Circle Center At X = 738.095 ; Y = 4714.530 ; and Radius = 2147.587

Factor of Safety

\*\*\* 1.935 \*\*\*

Failure Surface Specified By 33 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	389.025	2607.064
2	432.388	2599.604
3	475.891	2593.015
4	519.518	2587.298
5	563.251	2582.457
6	607.072	2578.493
7	650.964	2575.408
8	694.909	2573.203
9	738.889	2571.879
10	782.887	2571.436
11	826.884	2571.875
12	870.865	2573.196
13	914.809	2575.397
14	958.701	2578.479
15	1002.523	2582.439
16	1046.256	2587.276
17	1089.884	2592.989
18	1133.388	2599.575
19	1176.752	2607.031
20	1219.957	2615.354
21	1262.987	2624.542
22	1305.825	2634.590
23	1348.452	2645.494
24	1390.853	2657.250
25	1433.009	2669.853
26	1474.904	2683.299
27	1516.522	2697.581
28	1557.845	2712.694
29	1598.857	2728.632
30	1639.541	2745.388
31	1679.882	2762.957
32	1719.862	2781.330
33	1731.145	2786.792

Circle Center At X = 782.978 ; Y = 4767.327 ; and Radius = 2195.891

Factor of Safety

\*\*\* 1.941 \*\*\*

Failure Surface Specified By 33 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	328.049	2600.736
2	371.378	2593.083
3	414.854	2586.313
4	458.459	2580.429
5	502.175	2575.434
6	545.983	2571.330
7	589.865	2568.118



8	633.804	2565.799
9	677.781	2564.375
10	721.778	2563.846
11	765.776	2564.213
12	809.758	2565.474
13	853.705	2567.631
14	897.600	2570.681
15	941.423	2574.624
16	985.156	2579.458
17	1028.783	2585.180
18	1072.283	2591.790
19	1115.641	2599.283
20	1158.836	2607.657
21	1201.853	2616.908
22	1244.672	2627.032
23	1287.277	2638.026
24	1329.649	2649.884
25	1371.771	2662.603
26	1413.625	2676.175
27	1455.194	2690.597
28	1496.462	2705.861
29	1537.410	2721.962
30	1578.022	2738.893
31	1618.281	2756.647
32	1658.171	2775.217
33	1666.214	2779.162

Circle Center At X = 725.767 ; Y = 4726.015 ; and Radius = 2162.172

Factor of Safety  
\*\*\* 1.953 \*\*\*

Failure Surface Specified By 29 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	443.903	2616.652
2	486.831	2607.001
3	530.006	2598.518
4	573.394	2591.206
5	616.964	2585.072
6	660.685	2580.121
7	704.523	2576.355
8	748.448	2573.778
9	792.426	2572.391
10	836.425	2572.196
11	880.414	2573.192
12	924.360	2575.380
13	968.230	2578.757
14	1011.993	2583.321
15	1055.616	2589.068
16	1099.067	2595.994
17	1142.315	2604.095
18	1185.327	2613.364
19	1228.073	2623.795
20	1270.521	2635.379
21	1312.639	2648.109
22	1354.397	2661.975
23	1395.764	2676.967
24	1436.710	2693.073
25	1477.205	2710.282
26	1517.219	2728.582
27	1556.723	2747.959
28	1595.687	2768.398
29	1610.938	2776.933

Circle Center At X = 821.627 ; Y = 4196.651 ; and Radius = 1624.523

Factor of Safety  
\*\*\* 1.974 \*\*\*

Failure Surface Specified By 30 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	425.610	2612.238



2	468.716	2603.416
3	512.030	2595.672
4	555.522	2589.011
5	599.168	2583.436
6	642.939	2578.951
7	686.808	2575.560
8	730.748	2573.263
9	774.731	2572.063
10	818.731	2571.960
11	862.720	2572.954
12	906.670	2575.045
13	950.555	2578.231
14	994.346	2582.511
15	1038.017	2587.882
16	1081.541	2594.339
17	1124.890	2601.880
18	1168.037	2610.500
19	1210.956	2620.193
20	1253.620	2630.954
21	1296.003	2642.775
22	1338.077	2655.649
23	1379.817	2669.568
24	1421.198	2684.524
25	1462.192	2700.508
26	1502.775	2717.508
27	1542.921	2735.515
28	1582.606	2754.518
29	1621.805	2774.505
30	1627.522	2777.602

Circle Center At X = 800.837 ; Y = 4335.580 ; and Radius = 1763.718

Factor of Safety  
\*\*\* 1.978 \*\*\*

Failure Surface Specified By 33 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	376.829	2605.598
2	420.132	2597.798
3	463.588	2590.896
4	507.177	2584.896
5	550.881	2579.800
6	594.681	2575.610
7	638.558	2572.328
8	682.494	2569.956
9	726.470	2568.494
10	770.466	2567.943
11	814.465	2568.304
12	858.447	2569.576
13	902.392	2571.759
14	946.284	2574.852
15	990.101	2578.853
16	1033.827	2583.760
17	1077.441	2589.573
18	1120.926	2596.287
19	1164.262	2603.900
20	1207.432	2612.410
21	1250.415	2621.812
22	1293.195	2632.102
23	1335.753	2643.276
24	1378.070	2655.329
25	1420.128	2668.256
26	1461.909	2682.051
27	1503.396	2696.708
28	1544.570	2712.222
29	1585.415	2728.586
30	1625.911	2745.792
31	1666.042	2763.832
32	1705.792	2782.700
33	1706.342	2782.976



Circle Center At X = 775.047 ; Y = 4692.173 ; and Radius = 2124.235

Factor of Safety

\*\*\* 1.983 \*\*\*

Failure Surface Specified By 28 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	413.415	2610.513
2	456.224	2600.345
3	499.318	2591.463
4	542.658	2583.873
5	586.206	2577.583
6	629.923	2572.599
7	673.770	2568.925
8	717.706	2566.563
9	761.694	2565.517
10	805.693	2565.788
11	849.664	2567.374
12	893.568	2570.275
13	937.366	2574.489
14	981.018	2580.010
15	1024.486	2586.834
16	1067.730	2594.956
17	1110.711	2604.368
18	1153.392	2615.061
19	1195.734	2627.026
20	1237.699	2640.252
21	1279.250	2654.728
22	1320.349	2670.440
23	1360.960	2687.375
24	1401.046	2705.517
25	1440.571	2724.849
26	1479.500	2745.356
27	1517.799	2767.017
28	1528.692	2773.617

Circle Center At X = 774.607 ; Y = 4035.336 ; and Radius = 1469.891

Factor of Safety

\*\*\* 2.011 \*\*\*

Failure Surface Specified By 31 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	413.415	2610.513
2	456.675	2602.479
3	500.103	2595.410
4	543.678	2589.308
5	587.378	2584.178
6	631.181	2580.021
7	675.066	2576.839
8	719.011	2574.634
9	762.994	2573.408
10	806.993	2573.160
11	850.987	2573.891
12	894.954	2575.601
13	938.872	2578.288
14	982.719	2581.952
15	1026.474	2586.590
16	1070.115	2592.201
17	1113.620	2598.781
18	1156.968	2606.327
19	1200.137	2614.835
20	1243.107	2624.302
21	1285.855	2634.723
22	1328.361	2646.092
23	1370.603	2658.404
24	1412.561	2671.652
25	1454.214	2685.831
26	1495.542	2700.932
27	1536.523	2716.949
28	1577.137	2733.875



29	1617.365	2751.699
30	1657.187	2770.414
31	1675.529	2779.537

Circle Center At X = 796.128 ; Y = 4550.849 ; and Radius = 1977.719  
Factor of Safety  
\*\*\* 2.011 \*\*\*

Failure Surface Specified By 30 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	358.537	2604.025
2	401.584	2594.917
3	444.851	2586.921
4	488.310	2580.039
5	531.931	2574.278
6	575.686	2569.641
7	619.546	2566.131
8	663.481	2563.751
9	707.463	2562.501
10	751.463	2562.384
11	795.451	2563.398
12	839.399	2565.543
13	883.277	2568.818
14	927.056	2573.221
15	970.708	2578.749
16	1014.202	2585.397
17	1057.512	2593.163
18	1100.607	2602.040
19	1143.460	2612.022
20	1186.041	2623.104
21	1228.324	2635.277
22	1270.279	2648.534
23	1311.880	2662.865
24	1353.098	2678.263
25	1393.906	2694.715
26	1434.278	2712.212
27	1474.186	2730.741
28	1513.604	2750.291
29	1552.507	2770.848
30	1559.657	2774.865

Circle Center At X = 734.011 ; Y = 4271.946 ; and Radius = 1709.662  
Factor of Safety  
\*\*\* 2.013 \*\*\*  
\*\*\*\* END OF GSTABL7 OUTPUT \*\*\*\*

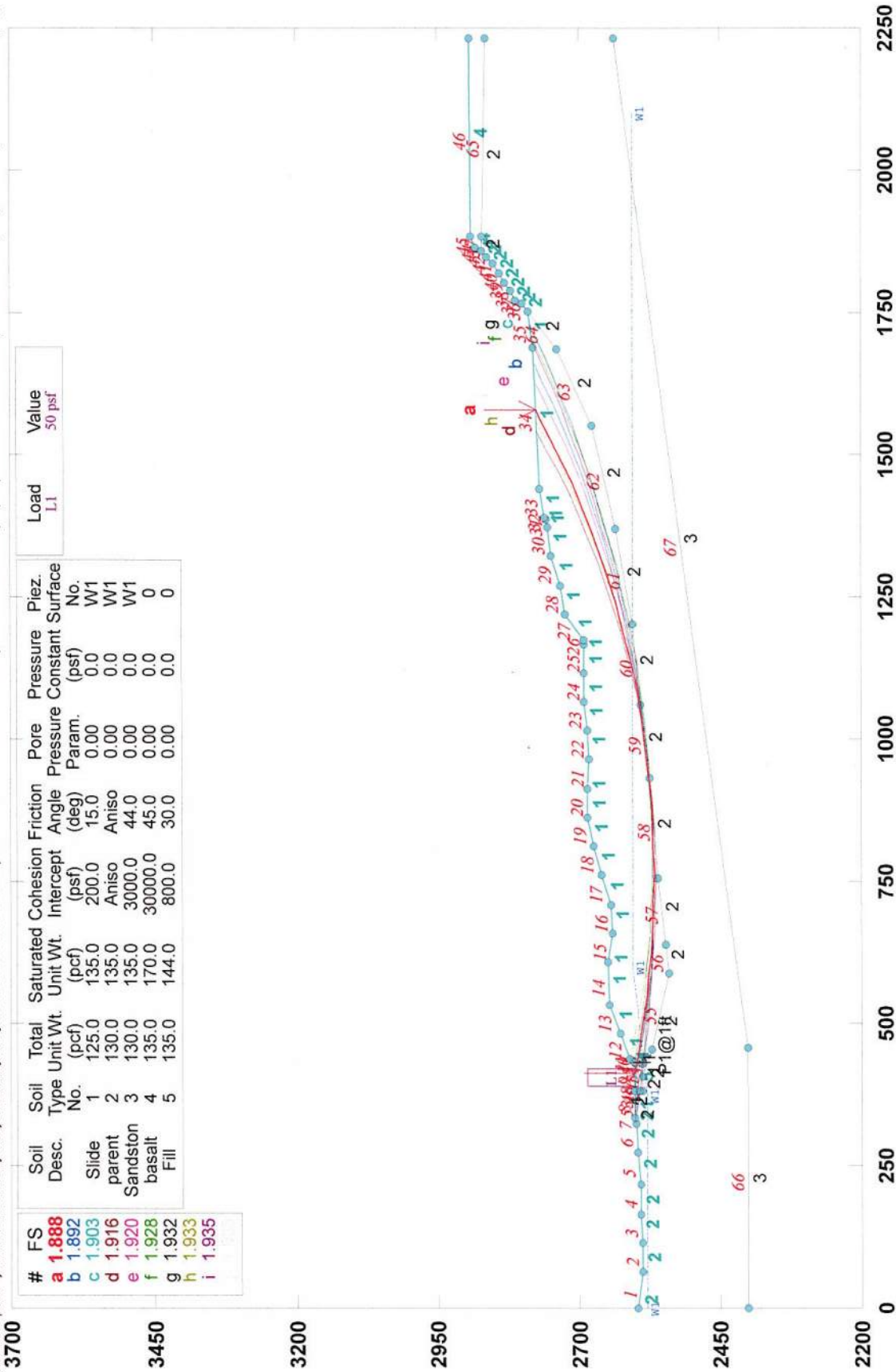


## **APPENDIX B**

### **Analysis to Modified Slope Station 1+00**



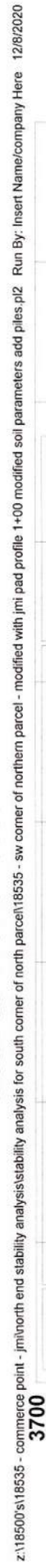
## Modified Profile - Section 1+00 JMI Pad mod with soil



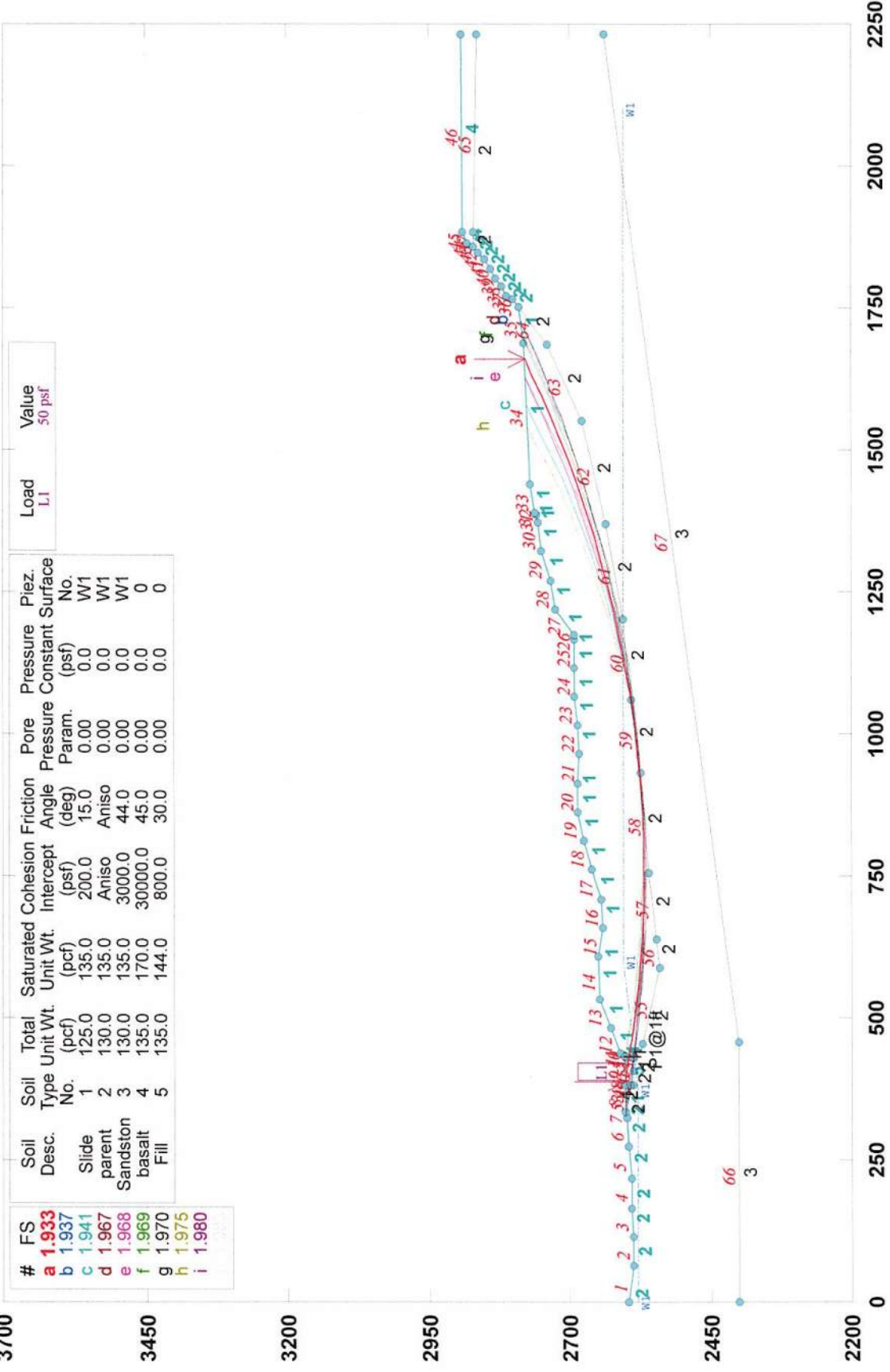
GSTABL7 v.2 FSmin=1.888  
Safety Factors Are Calculated By The Simplified Janbu Method



**Modified Profile - Section 1+00 JMI Pad mod with soil**



#	FS a 1933 b 1937 c 1941 d 1967 e 1968 f 1969 g 1970	Soil Desc.	Soil Type No.	Total Unit Wt. (pcf)	Saturated Unit Wt. (pcf)	Cohesion Intercept (psf)	Friction Angle (deg)	Pore Pressure Param.	Pressure Constant (psf)	Piez. Surface
a	1933	Slide	1	125.0	135.0	200.0	15.0	0.00	0.0	W1
b	1937	parent Sandstone	2	130.0	135.0	Aniso	Aniso	0.00	0.0	W1
c	1941	sandstone	3	130.0	135.0	3000.0	44.0	0.00	0.0	W1
d	1967	basalt	4	130.0	170.0	30000.0	45.0	0.00	0.0	o
e	1968	Fill	5	135.0	144.0	800.0	30.0	0.00	0.0	o



GSTABL7 v.2 FSmin=1.933

### Safety Factors Are Calculated By The Modified Bishop Method



\*\*\* GSTABL7 \*\*\*

\*\* GSTABL7 by Dr. Garry H. Gregory, Ph.D., P.E., D.GE \*\*  
\*\* Original Version 1.0, January 1996; Current Ver. 2.005.3, Feb. 2013 \*\*  
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\*\*\*\*\*

SLOPE STABILITY ANALYSIS SYSTEM

Modified Bishop, Simplified Janbu, or GLE Method of Slices.  
(Includes Spencer & Morgenstern-Price Type Analysis)  
Including Pier/Pile, Reinforcement, Soil Nail, Tieback,  
Nonlinear Undrained Shear Strength, Curved Phi Envelope,  
Anisotropic Soil, Fiber-Reinforced Soil, Boundary Loads, Water  
Surfaces, Pseudo-Static & Newmark Earthquake, and Applied Forces.

\*\*\*\*\*

Analysis Run Date: 12/8/2020  
Time of Run: 10:09AM  
Run By: Insert Name/company Here  
Input Data Filename: Z:\18500's\18535 - Commerce Point - JMI\North end stability  
analysis\stability analysis for south corner of north parcel\18535 - sw corner of northern parcel  
Output Filename: Z:\18500's\18535 - Commerce Point - JMI\North end stability  
analysis\stability analysis for south corner of north parcel\18535 - sw corner of northern parcel  
Unit System: English  
Plotted Output Filename: Z:\18500's\18535 - Commerce Point - JMI\North end stability  
analysis\stability analysis for south corner of north parcel\18535 - sw corner of northern parcel  
PROBLEM DESCRIPTION: Modified Profile - Section 1+00  
JMI Pad mod with soil

BOUNDARY COORDINATES

46 Top Boundaries  
67 Total Boundaries

Boundary No.	X-Left (ft)	Y-Left (ft)	X-Right (ft)	Y-Right (ft)	Soil Type Below Bnd
1	0.00	2595.00	63.00	2587.00	2
2	63.00	2587.00	113.00	2588.00	2
3	113.00	2588.00	165.00	2590.00	2
4	165.00	2590.00	218.00	2590.00	2
5	218.00	2590.00	273.00	2595.00	2
6	273.00	2595.00	324.00	2600.00	2
7	324.00	2600.00	335.00	2602.00	2
8	335.00	2602.00	381.50	2602.50	1
9	381.50	2602.50	431.50	2602.50	5
10	431.50	2602.50	435.00	2605.50	1
11	435.00	2605.50	438.00	2610.50	1
12	438.00	2610.50	484.00	2628.00	1
13	484.00	2628.00	534.00	2647.00	1
14	534.00	2647.00	608.00	2648.00	1
15	608.00	2648.00	659.00	2640.00	1
16	659.00	2640.00	710.00	2643.00	1
17	710.00	2643.00	761.00	2660.00	1
18	761.00	2660.00	811.00	2674.00	1
19	811.00	2674.00	863.00	2686.00	1
20	863.00	2686.00	913.00	2685.00	1
21	913.00	2685.00	964.00	2683.00	1
22	964.00	2683.00	1015.00	2685.00	1
23	1015.00	2685.00	1066.00	2692.00	1
24	1066.00	2692.00	1115.00	2690.00	1
25	1115.00	2690.00	1167.00	2690.00	1
26	1167.00	2690.00	1175.00	2691.00	1
27	1175.00	2691.00	1218.00	2725.00	1
28	1218.00	2725.00	1269.00	2733.00	1
29	1269.00	2733.00	1323.00	2749.00	1
30	1323.00	2749.00	1374.00	2756.00	1
31	1374.00	2756.00	1386.00	2758.00	1
32	1386.00	2758.00	1390.00	2760.00	1
33	1390.00	2760.00	1439.00	2770.00	1
34	1439.00	2770.00	1687.00	2780.00	1
35	1687.00	2780.00	1752.00	2790.00	1
36	1752.00	2790.00	1767.00	2800.00	2
37	1767.00	2800.00	1772.00	2810.00	2
38	1772.00	2810.00	1787.00	2820.00	2



39	1787.00	2820.00	1802.00	2830.00	2
40	1802.00	2830.00	1820.00	2840.00	2
41	1820.00	2840.00	1837.00	2850.00	2
42	1837.00	2850.00	1847.00	2860.00	2
43	1847.00	2860.00	1857.00	2870.00	2
44	1857.00	2870.00	1865.00	2880.00	4
45	1865.00	2880.00	1882.00	2890.00	4
46	1882.00	2890.00	2232.00	2893.00	4
47	1857.00	2870.00	1882.00	2870.00	2
48	381.50	2602.50	382.00	2592.00	1
49	382.00	2592.00	382.50	2587.50	2
50	382.50	2587.50	407.00	2587.50	2
51	407.00	2587.50	429.50	2587.50	1
52	429.50	2587.50	431.50	2602.50	1
53	335.00	2602.00	382.00	2592.00	2
54	407.00	2587.50	456.00	2571.24	2
55	456.00	2571.24	588.00	2540.97	2
56	588.00	2540.97	638.00	2545.57	2
57	638.00	2545.57	757.00	2559.08	2
58	757.00	2559.08	931.00	2574.58	2
59	931.00	2574.58	1061.00	2591.46	2
60	1061.00	2591.46	1202.00	2604.83	2
61	1202.00	2604.83	1370.00	2636.42	2
62	1370.00	2636.42	1551.00	2676.21	2
63	1551.00	2676.21	1684.00	2738.22	2
64	1684.00	2738.22	1752.00	2790.00	2
65	1857.00	2870.00	2232.00	2863.00	2
66	0.00	2400.00	457.00	2400.00	3
67	457.00	2400.00	2232.00	2637.00	3

User Specified Y-Origin = 2200.00(ft)

Default X-Plus Value = 0.00(ft)

Default Y-Plus Value = 0.00(ft)

#### ISOTROPIC SOIL PARAMETERS

5 Type(s) of Soil

Soil Type	Total Unit Wt.	Saturated Unit Wt.	Cohesion Intercept	Friction Angle	Pore Pressure Param.	Pressure Constant	Piez. Surface
No.	(pcf)	(pcf)	(psf)	(deg)		(psf)	No.
1	125.0	135.0	200.0	15.0	0.00	0.0	1
2	130.0	135.0	0.0	0.0	0.00	0.0	1
3	130.0	135.0	3000.0	44.0	0.00	0.0	1
4	135.0	170.0	30000.0	45.0	0.00	0.0	0
5	135.0	144.0	800.0	30.0	0.00	0.0	0

#### ANISOTROPIC STRENGTH PARAMETERS

1 soil type(s)

Soil Type 2 Is Anisotropic

Number Of Direction Ranges Specified = 6

Direction Range	Counterclockwise Direction Limit	Cohesion Intercept	Friction Angle
No.	(deg)	(psf)	(deg)
1	-90.0	535.00	28.00
2	5.0	535.00	28.00
3	5.1	0.00	8.50
4	10.0	0.00	8.50
5	10.0	535.00	28.00
6	90.0	535.00	28.00

#### ANISOTROPIC SOIL NOTES:

- (1) An input value of 0.01 for C and/or Phi will cause Aniso C and/or Phi to be ignored in that range.
- (2) An input value of 0.02 for Phi will set both Phi and C equal to zero, with no water weight in the tension crack.
- (3) An input value of 0.03 for Phi will set both Phi and C equal to zero, with water weight in the tension crack.

#### 1 PIEZOMETRIC SURFACE(S) SPECIFIED

Unit Weight of Water = 62.40 (pcf)

Piezometric Surface No. 1 Specified by 4 Coordinate Points

Pore Pressure Inclination Factor = 0.50

Point No.	X-Water (ft)	Y-Water (ft)
-----------	--------------	--------------



1	0.00	2580.00
2	373.09	2580.00
3	600.00	2605.00
4	2100.00	2605.00

BOUNDARY LOAD(S)

1 Load(s) Specified

Load No.	X-Left (ft)	X-Right (ft)	Intensity (psf)	Deflection (deg)
1	390.00	420.00	50.0	0.0

NOTE - Intensity Is Specified As A Uniformly Distributed Force Acting On A Horizontally Projected Surface.

PIER/PILE LOAD(S)

1 Pier/Pile Load(s) Specified

Pier/Pile No.	X-Pos (ft)	Y-Pos (ft)	Load (lbs)	Spacing (ft)	Inclination (deg)	Length (ft)
1	433.00	2603.79	0.0	1.0	90.00	30.0

NOTE - An Equivalent Line Load Is Calculated For Each Row Of Piers/Piles Assuming A Uniform Distribution Of Load Horizontally Between Individual Piers/Piles.

A Critical Failure Surface Searching Method, Using A Random Technique For Generating Circular Surfaces, Has Been Specified. 2100 Trial Surfaces Have Been Generated.

50 Surface(s) Initiate(s) From Each Of 42 Points Equally Spaced Along The Ground Surface Between X = 200.00(ft) and X = 450.00(ft)

Each Surface Terminates Between X = 1100.00(ft) and X = 1732.00(ft)

Unless Further Limitations Were Imposed, The Minimum Elevation At Which A Surface Extends Is Y = 2540.00(ft)

44.00(ft) Line Segments Define Each Trial Failure Surface. Following Are Displayed The Ten Most Critical Of The Trial Failure Surfaces Evaluated. They Are Ordered - Most Critical First.

\* \* Safety Factors Are Calculated By The Simplified Janbu Method \* \*

Total Number of Trial Surfaces Attempted = 2100

Number of Trial Surfaces With Valid FS = 2100

Statistical Data On All Valid FS Values:

FS Max = 3.441 FS Min = 1.888 FS Ave = 2.492

Standard Deviation = 0.327 Coefficient of Variation = 13.11 %

Failure Surface Specified By 29 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	413.415	2602.500
2	456.594	2594.042
3	499.978	2586.706
4	543.538	2580.495
5	587.243	2575.414
6	631.066	2571.467
7	674.976	2568.656
8	718.944	2566.984
9	762.941	2566.450
10	806.937	2567.056
11	850.902	2568.802
12	894.808	2571.685
13	938.624	2575.704
14	982.321	2580.856
15	1025.870	2587.139
16	1069.242	2594.547
17	1112.408	2603.076
18	1155.338	2612.720
19	1198.004	2623.472
20	1240.377	2635.326
21	1282.429	2648.273
22	1324.132	2662.305
23	1365.457	2677.412
24	1406.377	2693.584
25	1446.865	2710.810
26	1486.893	2729.079



27 1526.434 2748.379  
 28 1565.463 2768.696  
 29 1577.930 2775.602

Factor of Safety  
 \*\*\* 1.888 \*\*\*

Slice No.	Width (ft)	Weight (lbs)	Individual data on the		60 slices		Earthquake		
			Water Force Top (lbs)	Water Force Bot (lbs)	Tie Force Norm (lbs)	Tie Force Tan (lbs)	Force Hor (lbs)	Force Ver (lbs)	Surcharge Load (lbs)
1	6.6	573.4	0.0	0.0	0.	0.	0.0	0.0	329.3
2	11.0	3533.8	0.0	0.0	0.	0.	0.0	0.0	0.0
3	0.5	209.2	0.0	0.0	0.	0.	0.0	0.0	0.0
4	3.5	2356.0	0.0	0.0	0.	0.	0.0	0.0	0.0
5	3.0	3758.1	0.0	0.0	0.	0.	0.0	0.0	0.0
6	18.6	42240.5	0.0	0.0	0.	0.	0.0	0.0	0.0
7	17.3	61321.6	0.0	0.0	0.	0.	0.0	0.0	0.0
8	10.1	45228.9	0.0	890.4	0.	0.	0.0	0.0	0.0
9	16.0	86642.7	0.0	5069.1	0.	0.	0.0	0.0	0.0
10	34.0	243153.2	0.0	24670.8	0.	0.	0.0	0.0	0.0
11	9.5	80173.8	0.0	10205.8	0.	0.	0.0	0.0	0.0
12	43.7	389620.8	0.0	63404.2	0.	0.	0.0	0.0	0.0
13	12.8	120084.6	0.0	23402.2	0.	0.	0.0	0.0	0.0
14	8.0	76528.6	0.0	15585.4	0.	0.	0.0	0.0	0.0
15	23.1	219947.2	0.0	46958.5	0.	0.	0.0	0.0	0.0
16	27.9	259687.4	0.0	60131.4	0.	0.	0.0	0.0	0.0
17	16.0	148117.0	0.0	35794.8	0.	0.	0.0	0.0	0.0
18	35.0	336843.7	0.0	80942.8	0.	0.	0.0	0.0	0.0
19	8.9	89851.3	0.0	21138.3	0.	0.	0.0	0.0	0.0
20	42.1	469568.7	0.0	*****	0.	0.	0.0	0.0	0.0
21	1.9	23510.5	0.0	4668.4	0.	0.	0.0	0.0	0.0
22	44.0	566497.1	0.0	*****	0.	0.	0.0	0.0	0.0
23	4.1	55522.4	0.0	9607.0	0.	0.	0.0	0.0	0.0
24	39.9	566383.3	0.0	92175.5	0.	0.	0.0	0.0	0.0
25	12.1	178846.9	0.0	27084.2	0.	0.	0.0	0.0	0.0
26	31.8	468333.1	0.0	68344.7	0.	0.	0.0	0.0	0.0
27	18.2	262106.2	0.0	37026.8	0.	0.	0.0	0.0	0.0
28	25.6	360037.3	0.0	48926.3	0.	0.	0.0	0.0	0.0
29	11.2	153856.1	0.0	20186.9	0.	0.	0.0	0.0	0.0
30	14.2	190375.4	0.0	24138.4	0.	0.	0.0	0.0	0.0
31	18.3	241840.9	0.0	29036.5	0.	0.	0.0	0.0	0.0
32	26.9	346784.0	0.0	37624.1	0.	0.	0.0	0.0	0.0
33	5.8	73500.8	0.0	7261.9	0.	0.	0.0	0.0	0.0
34	10.9	137079.3	0.0	12778.2	0.	0.	0.0	0.0	0.0
35	40.1	500791.0	0.0	36667.1	0.	0.	0.0	0.0	0.0
36	3.2	39928.3	0.0	2202.2	0.	0.	0.0	0.0	0.0
37	43.2	500020.7	0.0	16991.1	0.	0.	0.0	0.0	0.0
38	2.6	28131.6	0.0	270.7	0.	0.	0.0	0.0	0.0
39	6.0	64003.0	0.0	256.3	0.	0.	0.0	0.0	0.0
40	34.4	348547.5	0.0	0.0	0.	0.	0.0	0.0	0.0
41	11.7	110514.2	0.0	0.0	0.	0.	0.0	0.0	0.0
42	8.0	73833.2	0.0	0.0	0.	0.	0.0	0.0	0.0
43	23.0	228661.7	0.0	0.0	0.	0.	0.0	0.0	0.0
44	20.0	227019.2	0.0	0.0	0.	0.	0.0	0.0	0.0
45	22.4	264495.9	0.0	0.0	0.	0.	0.0	0.0	0.0
46	28.6	325666.5	0.0	0.0	0.	0.	0.0	0.0	0.0
47	13.4	149037.1	0.0	0.0	0.	0.	0.0	0.0	0.0
48	40.6	445726.6	0.0	0.0	0.	0.	0.0	0.0	0.0
49	1.1	12303.5	0.0	0.0	0.	0.	0.0	0.0	0.0
50	41.3	424273.1	0.0	0.0	0.	0.	0.0	0.0	0.0
51	8.5	81492.6	0.0	0.0	0.	0.	0.0	0.0	0.0
52	12.0	110761.2	0.0	0.0	0.	0.	0.0	0.0	0.0
53	4.0	36339.6	0.0	0.0	0.	0.	0.0	0.0	0.0
54	16.4	146011.4	0.0	0.0	0.	0.	0.0	0.0	0.0
55	32.6	269738.4	0.0	0.0	0.	0.	0.0	0.0	0.0
56	7.9	59991.7	0.0	0.0	0.	0.	0.0	0.0	0.0
57	40.0	256077.3	0.0	0.0	0.	0.	0.0	0.0	0.0
58	39.5	168047.8	0.0	0.0	0.	0.	0.0	0.0	0.0



59	39.0	76959.9	0.0	0.0	0.	0.	0.0	0.0	0.0
60	12.5	4989.5	0.0	0.0	0.	0.	0.0	0.0	0.0

Failure Surface Specified By 31 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	389.025	2602.500
2	432.371	2594.947
3	475.872	2588.334
4	519.505	2582.667
5	563.251	2577.947
6	607.089	2574.176
7	650.999	2571.356
8	694.959	2569.489
9	738.950	2568.575
10	782.950	2568.615
11	826.939	2569.609
12	870.896	2571.556
13	914.800	2574.456
14	958.631	2578.307
15	1002.368	2583.106
16	1045.992	2588.853
17	1089.480	2595.544
18	1132.813	2603.177
19	1175.970	2611.747
20	1218.932	2621.250
21	1261.677	2631.683
22	1304.186	2643.039
23	1346.439	2655.315
24	1388.416	2668.503
25	1430.097	2682.599
26	1471.463	2697.594
27	1512.494	2713.483
28	1553.171	2730.258
29	1593.475	2747.910
30	1633.386	2766.432
31	1658.711	2778.859

Factor of Safety  
\*\*\* 1.892 \*\*\*

Failure Surface Specified By 34 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	334.146	2601.845
2	377.561	2594.692
3	421.102	2588.353
4	464.754	2582.830
5	508.502	2578.125
6	552.330	2574.239
7	596.223	2571.174
8	640.166	2568.930
9	684.143	2567.509
10	728.139	2566.912
11	772.138	2567.137
12	816.126	2568.186
13	860.086	2570.058
14	904.003	2572.752
15	947.863	2576.267
16	991.649	2580.602
17	1035.346	2585.756
18	1078.939	2591.726
19	1122.412	2598.511
20	1165.751	2606.109
21	1208.941	2614.516
22	1251.965	2623.729
23	1294.810	2633.747
24	1337.460	2644.563
25	1379.899	2656.177
26	1422.115	2668.582
27	1464.090	2681.775



28	1505.811	2695.751
29	1547.264	2710.505
30	1588.433	2726.032
31	1629.305	2742.327
32	1669.864	2759.384
33	1710.097	2777.197
34	1730.507	2786.693

Factor of Safety

\*\*\* 1.903 \*\*\*

Failure Surface Specified By 28 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	401.220	2602.500
2	444.290	2593.504
3	487.592	2585.696
4	531.092	2579.083
5	574.758	2573.670
6	618.556	2569.461
7	662.454	2566.458
8	706.417	2564.665
9	750.413	2564.083
10	794.409	2564.711
11	838.370	2566.551
12	882.264	2569.599
13	926.058	2573.854
14	969.718	2579.313
15	1013.212	2585.971
16	1056.505	2593.824
17	1099.566	2602.865
18	1142.362	2613.088
19	1184.860	2624.485
20	1227.029	2637.047
21	1268.836	2650.765
22	1310.249	2665.629
23	1351.238	2681.626
24	1391.771	2698.746
25	1431.818	2716.974
26	1471.347	2736.298
27	1510.330	2756.702
28	1541.512	2774.134

Factor of Safety

\*\*\* 1.916 \*\*\*

Failure Surface Specified By 30 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	401.220	2602.500
2	444.467	2594.396
3	487.893	2587.314
4	531.474	2581.257
5	575.186	2576.229
6	619.004	2572.233
7	662.905	2569.271
8	706.862	2567.345
9	750.853	2566.455
10	794.853	2566.602
11	838.837	2567.786
12	882.781	2570.007
13	926.661	2573.263
14	970.451	2577.552
15	1014.128	2582.872
16	1057.668	2589.220
17	1101.046	2596.593
18	1144.238	2604.986
19	1187.220	2614.394
20	1229.969	2624.813
21	1272.460	2636.237
22	1314.670	2648.659
23	1356.575	2662.073



24	1398.153	2676.471
25	1439.380	2691.844
26	1480.233	2708.185
27	1520.690	2725.485
28	1560.727	2743.733
29	1600.323	2762.920
30	1629.003	2777.661

Factor of Safety  
\*\*\* 1.920 \*\*\*

Failure Surface Specified By 31 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	431.707	2602.678
2	475.085	2595.301
3	518.610	2588.858
4	562.265	2583.352
5	606.027	2578.785
6	649.877	2575.159
7	693.795	2572.476
8	737.761	2570.737
9	781.754	2569.944
10	825.754	2570.095
11	869.740	2571.192
12	913.693	2573.234
13	957.591	2576.219
14	1001.416	2580.147
15	1045.145	2585.015
16	1088.760	2590.822
17	1132.241	2597.564
18	1175.566	2605.240
19	1218.717	2613.844
20	1261.672	2623.373
21	1304.414	2633.823
22	1346.920	2645.189
23	1389.173	2657.465
24	1431.152	2670.646
25	1472.839	2684.727
26	1514.213	2699.699
27	1555.256	2715.557
28	1595.948	2732.293
29	1636.272	2749.899
30	1676.208	2768.368
31	1705.978	2782.920

Factor of Safety  
\*\*\* 1.928 \*\*\*

Failure Surface Specified By 34 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	346.342	2602.122
2	389.751	2594.936
3	433.289	2588.576
4	476.940	2583.045
5	520.688	2578.345
6	564.518	2574.478
7	608.413	2571.445
8	652.358	2569.246
9	696.337	2567.883
10	740.334	2567.357
11	784.333	2567.667
12	828.318	2568.813
13	872.273	2570.796
14	916.183	2573.614
15	960.031	2577.266
16	1003.802	2581.751
17	1047.479	2587.067
18	1091.048	2593.213
19	1134.492	2600.186
20	1177.796	2607.983



21	1220.943	2616.602
22	1263.919	2626.040
23	1306.708	2636.293
24	1349.294	2647.358
25	1391.662	2659.231
26	1433.796	2671.907
27	1475.682	2685.381
28	1517.305	2699.649
29	1558.648	2714.707
30	1599.698	2730.547
31	1640.439	2747.165
32	1680.857	2764.554
33	1720.937	2782.708
34	1728.735	2786.421

Factor of Safety  
\*\*\* 1.932 \*\*\*

Failure Surface Specified By 28 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	437.805	2610.175
2	480.723	2600.477
3	523.903	2592.023
4	567.310	2584.822
5	610.907	2578.880
6	654.657	2574.201
7	698.525	2570.789
8	742.473	2568.647
9	786.464	2567.778
10	830.462	2568.181
11	874.430	2569.856
12	918.332	2572.802
13	962.129	2577.017
14	1005.787	2582.497
15	1049.267	2589.237
16	1092.535	2597.232
17	1135.553	2606.475
18	1178.286	2616.958
19	1220.698	2628.673
20	1262.753	2641.610
21	1304.417	2655.757
22	1345.654	2671.104
23	1386.430	2687.636
24	1426.710	2705.341
25	1466.462	2724.204
26	1505.651	2744.208
27	1544.246	2765.338
28	1560.576	2774.902

Factor of Safety  
\*\*\* 1.933 \*\*\*

Failure Surface Specified By 33 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	328.049	2600.736
2	371.467	2593.606
3	415.014	2587.305
4	458.672	2581.834
5	502.427	2577.196
6	546.263	2573.393
7	590.162	2570.425
8	634.111	2568.294
9	678.092	2567.001
10	722.089	2566.546
11	766.088	2566.929
12	810.071	2568.150
13	854.022	2570.209
14	897.927	2573.105
15	941.768	2576.837
16	985.531	2581.404



17	1029.198	2586.803
18	1072.755	2593.033
19	1116.185	2600.092
20	1159.473	2607.977
21	1202.602	2616.686
22	1245.558	2626.214
23	1288.325	2636.559
24	1330.887	2647.717
25	1373.228	2659.684
26	1415.334	2672.455
27	1457.189	2686.026
28	1498.778	2700.392
29	1540.085	2715.547
30	1581.096	2731.487
31	1621.796	2748.206
32	1662.171	2765.696
33	1696.865	2781.518

Factor of Safety  
 \*\*\* 1.935 \*\*\*

Failure Surface Specified By 30 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	401.220	2602.500
2	444.433	2594.219
3	487.837	2586.998
4	531.404	2580.842
5	575.109	2575.753
6	618.925	2571.736
7	662.826	2568.793
8	706.787	2566.925
9	750.780	2566.133
10	794.779	2566.418
11	838.758	2567.781
12	882.690	2570.219
13	926.549	2573.732
14	970.310	2578.317
15	1013.945	2583.972
16	1057.429	2590.693
17	1100.735	2598.476
18	1143.837	2607.317
19	1186.711	2617.211
20	1229.329	2628.150
21	1271.667	2640.130
22	1313.699	2653.142
23	1355.400	2667.179
24	1396.745	2682.233
25	1437.708	2698.293
26	1478.267	2715.352
27	1518.396	2733.398
28	1558.071	2752.421
29	1597.269	2772.409
30	1605.200	2776.702

Factor of Safety  
 \*\*\* 1.935 \*\*\*

\*\*\*\* END OF GSTABL7 OUTPUT \*\*\*\*



# **GTS Localized Slope Stability Analysis**





**GEOTECHNICAL TESTING SERVICES, INC.**  
735 East Tabernacle Street, St. George, UT 84770  
(435) 628-9536 office@gtsstg.com

February 1, 2021

Mr. Steve Jennings  
Jennings Management, Inc.  
335 East St. George Blvd., Suite 301  
St. George, UT 84770

Subject: Localized Slope Stability Analysis - Revised  
Comments from Russell Owens Review  
Proposed Commerce Point Shopping Center - North Phase  
Northwest Corner of Black Ridge Drive and  
Bluff Street  
St. George, Utah  
GTS Project Number 18535

Dear Mr. Jennings:

As requested, we are providing you with additional information about the above referenced project. Our comments are based upon a review by Mr. Russels Owens of our slope stability analysis reports, dated January 14, 2021; an email from Mr. Wesley Jenkins, City of St. George, dated January 26, 2021; and a meeting to discuss the project with Mr. Russell Owens, Mr. Wesley Jenkins, Mr. Cameron Cutler of the City of St. George, Mr. Austin Atkins of Jennings Management, Inc., and Mr. Steve Jennings on January 26, 2021 held at the City of St. George offices.

In the meeting, Mr. Owens asked if GTS felt that the slide plane was located on or off of the property. We feel that the slide plane is located to the west of the site and not actually crossing or underlying the subject site. We feel that the slide plane is not located on the property. Our reasoning is as follows:

- The test pits and test holes that we performed for the Geotechnical Investigation for the site, GTS Project Number 18535, dated January 25, 2021 indicated that the upper soils were in a sheared condition (either indicating shallow slide plane or weathering condition) but bedrock conditions were present below the upper sheared material. The sheared material was shallow and either has been removed or will be removed by the proposed development. I do not agree with the analysis performed by AGECEC with their determination of the depth and extent of the slip plane.
- The geometry of the slope indicates that the slide is located just west of the subject site and not under the site. The slip plane, as determined by AGECEC, extends under Bluff Street.

Mr. Owens showed Plate 1 that was located in his review, which was adapted from Landslide-Hazard Map for the St. George-Hurricane Metropolitan Area, Lund, W.R., Knudsen, T.R., and Shal, L.M., Utah Geological Survey, 2008, which showed the subject site lies just outside (east) of the Very High Hazard Existing Landslide Area. Based on the UGS mapping, Mr. Owens also agreed that the slide plane appears to be located just west of the subject site.



The following are our comments regarding Mr. Owens review of the May 24, 2018 report:

1. Our May 24, 2018 report is superceded by our December 8, 2020 report and this report; therefore, the analysis found in the May 24, 2018 report can be ignored. There is no need to further comment on Mr. Owens comments.

The following are our comments regarding Mr. Owens review of the December 8, 2020 report:

1. We used the surface elevation information found on Figure 1 of our December 8, 2020 for our analysis of the cross-section at STA 1+00. Figure 1 was generated from a topography map developed by the owners of the property located to the west of the subject property. AGECE's analysis was based off of the information found in Figure 1, thus we used the same information for our analysis. The cross-section on Figure 1 only covers up to 14+00; therefore we used topography information found on the Washington County GIS map in addition to the surface elevation data points found in AGECE's analysis to extend our surface contours to the top of the hill.
2. The basis for our December 8, 2020 report was not to determine the overall stability of the slide but was to determine if the proposed development will affect the overall stability of the entire slide mass which was the requirements of the Hillside Committee. In our attempt to show the overall affect of the development, as Mr. Owens pointed out, we did not show the effects of the development to the hillside immediately to the west of the subject site. The development proposed to install an 8-foot high cantilevered retaining wall near the west property boundary to retain the slope.

We ran a slope stability analysis on the section located at STA 1+50 instead of STA 1+00 because it appeared to be more critical for a local analysis. The analysis of the proposed cut slope was run assuming that the retaining wall would consist of a 12-inch thick concrete wall. The existing slide plane that was originally located below the site was repositioned to be located at the base of the adjacent rockery wall. The soil parameters that were used in our December 8, 2020 report was used for our local analysis. The stability analysis can be found in Figure 1 which is attached to this report. Our analysis showed that the factor of safety was 1.4 and that the most critical failure plane came through an area near the top of the wall. The next most critical failure surface indicated a factor of safety of 1.5. We increased the thickness of the concrete wall to 1.5 feet and the factor of safety increased to 1.5 for the most critical surface and the next critical surface was increased to 1.6. See Figure 2 for the analysis.

We looked at providing tie backs to the slope behind the retaining wall, but due to the fact that the slip plane is near horizontal at the location of the retaining wall, the tie backs would provide little to no resistance to the sliding resistance. We also looked at providing shallow drilled caissons along the property line to increase the shear strength of the soils; however, providing a thicker retaining wall would provide the same resistance at a greater reduced cost.



According to our analysis, the proposed development, with its associated retaining wall, will not affect the local stability of the property to the west. We recommend the following:

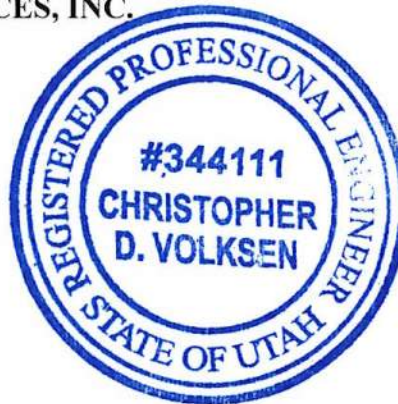
- The equivalent concrete area of the retaining wall should be at least 1.5 feet thick throughout the entire height of the wall. This may be accomplished by either making the entire wall 1.5 feet thick or providing buttresses behind the wall to increase the equivalent thickness.
- The base of the wall (bottom of the footing) should be at least 4 feet below the proposed grade.
- The wall should be designed for an equivalent fluid pressure of 95 pcf. A passive pressure of 300 pcf can be used in front of the wall to resist sliding forces. The wall should be founded on at least 12 inches of structural fill, as outlined in the most recent Geotechnical Investigation for the development, compacted to 95 percent the Modified Proctor maximum dry density. Sliding forces may be resisted by using a friction factor between the footing and the structural fill of 0.4. Weep holes should be provided to prevent the build-up of pore pressure behind the wall.

It is the responsibility of the current and future landowners of the property to the west to demonstrate that any proposed development will not impact the Commerce Point Commercial Center property.

We appreciate the opportunity to be of service to you on this project. Please call us if you have any questions or need additional information.

Very truly yours,  
**GEOTECHNICAL TESTING SERVICES, INC.**

**CHRISTOPHER D. VOLKSEN, P.E.**  
President  
CDV/c





## **3<sup>rd</sup> Party (Russell Owens) Review**



January 14, 2021

Subject: Review of:

GTS Slope Stability Analysis, Proposed Commerce Point Shopping Center – North Plaza, Northeast Corner of Black Ridge Drive and Bluff Street, St. George, Utah; GTS Project Number 18535, dated May 24, 2018

GTS Slope Stability Analysis, Proposed Commerce Point Shopping Center – North Plaza, Northeast Corner of Black Ridge Drive and Bluff Street, St. George, Utah; GTS Project Number 18535, dated December 8, 2020

### **Comments for May 24, 2018 Report-**

It is my understanding that the subject report was completed to evaluate whether the proposed cut (with associated retaining wall) required to achieve a level pad for site development will adversely affect the stability of adjacent (uphill) properties. Adverse affects, in this case, are defined as an overall reduction in the safety factor that would result in potential failure of the slope between the development and uphill properties.

The subject report states that, "...the exact geometry of the slope is unknown, but in this analysis we have assumed that a retaining wall will be constructed near the property line...". Based on Table 1 of the report, the distance from the property line to the retaining wall will vary from 4 to 35 feet, however, the height and geometry of retaining wall(s) is not stated. From Figures 4 and 5 of the subject report it appears that the maximum single wall height will be on the order of 10-12 feet. Figures 8 and 9 portray a tiered wall with an overall height of about 20 feet.

After reviewing the subject report, the following are presented:

1. The subject report states that Figure 2 of the report is a "global" analysis and Figure 3 is a "local" analysis. Since the input data is not provided in the report, it appears that the difference between the two analyses may be varying the starting and ending segments from which the failure circles initiate and terminate.

The studies performed appear to model global stability. As modelled, cuts of 10-20 feet on the surface would have little to no effect on the overall global stability since the magnitude of the area evaluated dwarfs the actual material removed from the cuts. Cutting out a 10-20 feet section with a 10-20 feet lateral extent is miniscule, as compared to the modelled area extending 550 feet with a depth of up to 150 feet.

The proposed development appears to be beyond the toe of the landslide mass as mapped by Lund et.al (2008). See Plate 1, attached. The failure plane, as modelled, which extends to depths of +100 feet below the ground surface would encounter material comprising the landslide mass above the development and material beyond the toe of the landslide mass. The material properties used in the report makes no distinction between landslide material and material beyond the landslide



toe and assigns the same strength values to both types of material. The landslide material would logically have a lower strength value.

In order to evaluate the actual reduction in the safety factor due to the proposed cuts, a much more local approach should be performed on sections similar to that shown in Plate 2, attached. A section showing the existing topography which includes the existing rock wall to the west should be modelled to evaluate the current factor of safety and then a section with proposed cuts should be modelled to determine how the safety factor is reduced due to proposed development. This type of approach will be required to assess whether tie-backs or other methods of stabilization will be required in the new cut slope. Any required retaining method should ensure that the same or greater resistance is achieved as was provided by the wedge of material that will be removed due to projected grading of the project.

2. Strength parameters for the “mudstone” were obtained from unconfined compression tests of samples at the moisture content (average of 13.2 percent) when the samples were tested. A cohesion value of 2,700 psf was used in the analysis which, based on sample disturbance, the report indicates is expected to be lower than if “fresh” samples were obtained. The report indicates that the 2,700 psf value is expected to be “very conservative”.

Bowman and Lund, 2016, states that “Geotechnical-engineering investigations should include static and pseudostatic analyses of the stability of existing and proposed slopes using appropriate shear-strength parameters, under existing and development-induced conditions, and considering the likely range of groundwater conditions.

Triaxial or direct shear tests are generally recommended over unconfined compressive strength tests to determine sample strength because the moisture content and loading parameters can be varied to assess how the strength is reduced due to higher moisture contents. It should be noted in the report that the moisture content for samples with strengths on the order of 2,700 psf varied from about 11.7 to 12.9 percent. Samples obtained from TH-2 at 11.17 feet and TH-3 at 20.83 feet), where the reported moisture contents were higher (18.8 and 21.1%), had significantly lower measured unconfined compressive strengths of 1,829 and 2,172 psf respectively.

The effect that proposed cut slopes have on the adjacent rock wall and slope should be evaluated on a more local basis. The analysis should assess the impact that higher moisture contents could have on the overall material strength and a pseudo-static (earthquake) analysis should be performed. The selected method of slope stabilization of the new cut slope should be equal to or greater than the resisting force of the soil wedge that will be removed during site grading.

#### **Comments for December 8, 2020 Report-**

1. The report states that cross-section 1+00 of Figure 1 was used for the analysis, however, it appears that cross-section 1 covers 14+00 feet whereas the cross-section in Figure 2 covers 2,250 feet.

2. The reported safety factor prior to site development in the GTS report ranges from 1.826 to 1.904, depending on the analysis method. The safety factor for the improved slope is 1.888 to



1.933. The improved safety factor is achieved by overexcavating the building site by 15 feet and replacing the excavated material with structural fill. The GTS report references AGECE's 2019 study which shows a safety factor of 1.410 for the existing slope and 1.464 when the slide mass is divided up into several layers with differing properties and where 2.5 feet diameter piers extending 105 feet have been installed.

At this point assessing the validity of the GTS study is difficult. The study assesses a landslide mass that is mapped as having a Very High hazard category with fairly recent failures within portions of the landslide. Therefore, a safety factor on the order of 1.5 or less is more feasible than the factors of safety of 1.8 to 1.9 reported by GTS. However, proposed improvements evaluated in both the GTS and AGECE reports produce an increase in the factor of safety of less than one tenth. Improving the factor of safety from 1.904 to 1.933 or from 1.41 to 1.464 is giving the City and developers a false sense of security that the improvements will bring a marginally stable situation into a stable situation. This is particularly highlighted by the number of assumptions and variables that are made in the analyses.

AGECE's slope stability consultation letter, dated October 15, 2019; states that critical conditions in the analysis include: subgrade water, water seepage, external loading, final grades, and material strength. "The characteristics of many of these conditions are often not well defined. Assumptions are made in order to evaluate the stability of a slope. Material strengths are difficult to estimate and typically, like many of the other conditions are not well defined." In addition, these may change over time.

GTS acknowledges that changes in soil conditions or loading uphill of their site could affect the stability of the slope. Factors that could impact slope stability include:

- Saturation of soils on-site or up and downslope of the site.
- Inadequate moisture control of on-site and uphill sources.
- Changes in the landslide mass due to oversteepening of slopes or increase loading from uphill sources.

The GTS report states, "It is the responsibility of the current and future landowners of the property to the west to demonstrate that any proposed development will not impact the Commerce Point Commercial Center Property." The actions of uphill development cannot be controlled nor impacts foreseen for either of the properties evaluated by GTS or AGECE.

The city's letter to AGECE, dated August 5, 2019 from the City of St. George, states that "A brief review of other municipal ordinances that address development in landslide areas, specify a minimum factor of safety of 1.5 or higher." It is unrealistic to believe that mitigation options such as the installation of piers or overexcavation and replacement as recommended in the GTS report would minimize movement of the landslide since the landslide extends far beyond any area that will be mitigated. Particularly, since GTS, AGECE, and the city acknowledge that conditions often change over time.

In current drought conditions adequate safety factors can likely be achieved. However, as seen before, in periods of excessive precipitation or irrigation, reactivating portion of the landslide or



saturation of clay within the landslide can cause considerable damage and concern. This has been manifest in many developments within, or near the landslide toe that have experienced damage ranging from floor heave and buckling, failure of rock walls, lateral movement that has caused significant structural damage to buildings along the toe of the slide and structural damage resulting in building condemnation and demolition.

Rather than fighting this battle with each new proposed development, the City needs to decide whether allowing building within the landslide is even prudent. If allowed, then the development should prove it won't degrade existing conditions but it is unrealistic to expect developers to stop a landslide that is outside of their development. However, the developer needs to clearly understand that they are building in a very high hazard area and based on past experiences, damage ranging from cosmetic to structural should be anticipated, particularly due to circumstances beyond their control. Approval by the City should be taken as acceptance of liability by the City should landslide movement occur. Very few municipalities would allow for development within a landslide mapped in a Very High hazard category.

There is already some precedence set for development below the landslide with recent construction of the Maverick store and the JMI property to the south. As currently mapped, the portion of the GTS site that is below the existing rockery wall/slope appears to be below the landslide, which basically coincides with the base of the rockery wall to the west. Site development will likely not impact the overall landslide, but could significantly impact the rockery slope immediately to the west. It appears that additional, site specific studies will need to be performed to assess what type of retaining will be required in order to provide the same resistance as the wedge of material that will be removed. Studies should not only show that recommended safety factors for both static and seismic conditions can be achieved, but that any cuts adjacent to the toe of the existing rock wall/slope provides at least as much resistance as the material removed from the cuts. Thus, tie backs, slope reinforcement, incorporating retaining in the lower portions of the buildings or similar slope stability methods will likely be required. A simple shotcrete face without tiebacks only retains the slope face and does nothing to provide overall slope reinforcement.

Respectfully submitted,



Russell Owens, PE



## References:

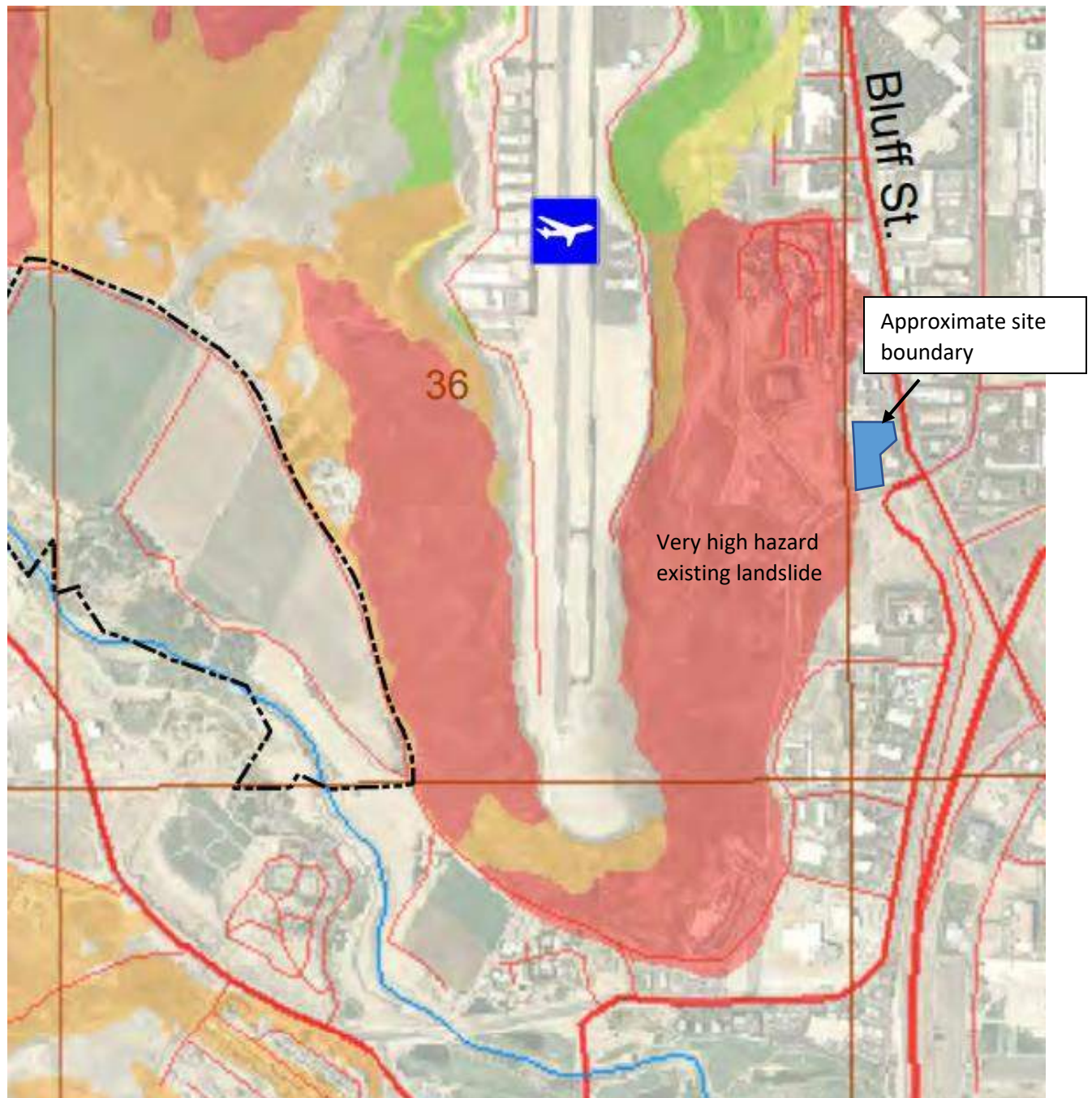
AGEC, Slope Stability Consultation, Blackstone Hotel Project, 250 West Blackridge Drive, St. George, Utah, Project No. 2180187, dated September 23, 2019.

Bowman, S.D. and Lund, W. R. editors, GUIDELINES FOR INVESTIGATING GEOLOGIC HAZARDS AND PREPARING ENGINEERING-GEOLOGY REPORTS, WITH A SUGGESTED APPROACH TO GEOLOGIC-HAZARD ORDINANCES IN UTAH, second edition.

Lund, W.R., Knudsen, T.R., Garrett, S.V., and Shaw, L.M., LANDSLIDE-HAZARD MAP FOR THE ST. GEORGE-HURRICANE METROPOLITAN AREA, Plate 4, Utah Geological Survey, 2008



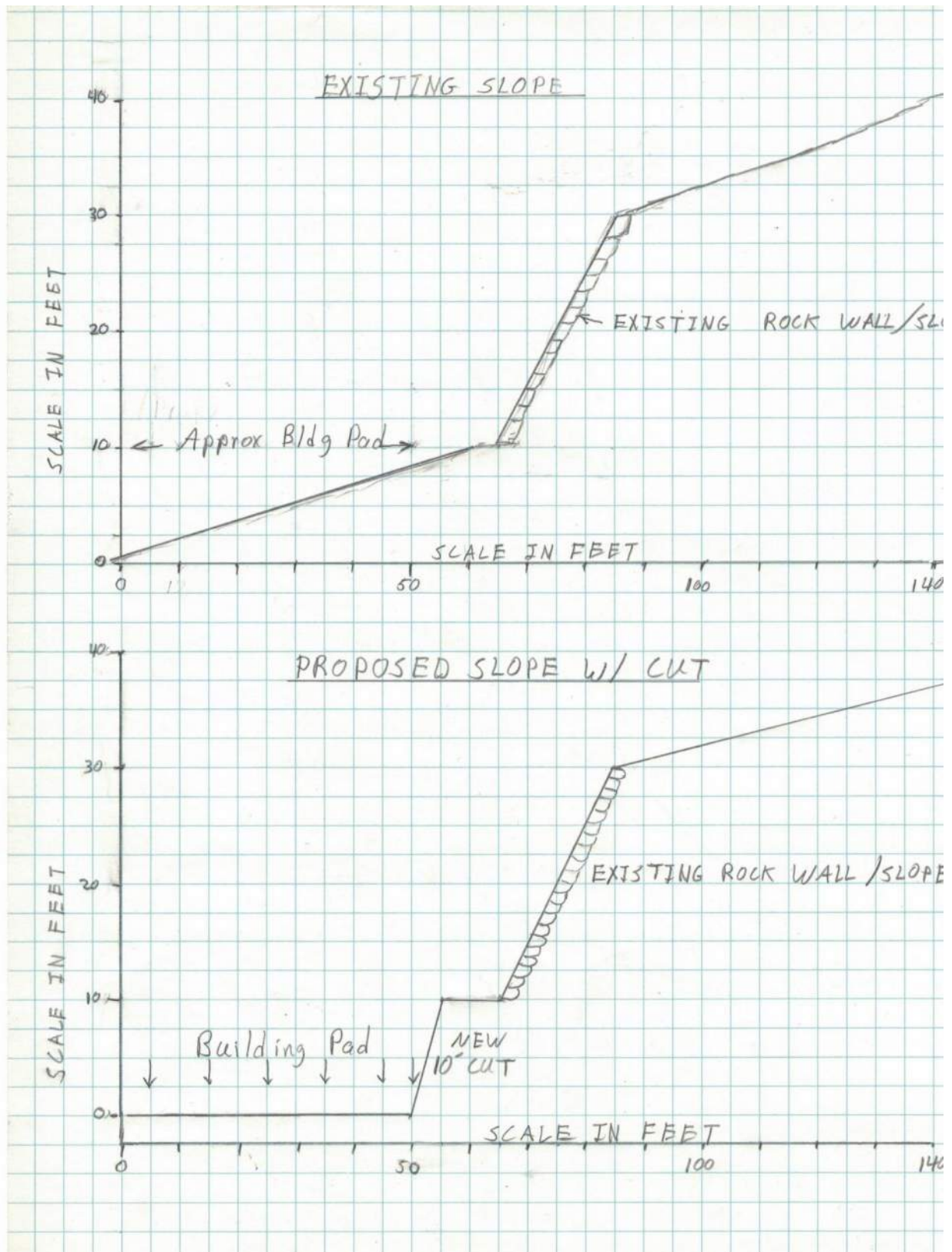
## LANDSLIDE HAZARD MAP



Adapted from LANDSLIDE-HAZARD MAP FOR THE ST. GEORGE-HURRICANE METROPOLITAN AREA, Lund, W.R., Knudsen, T.R., and Shaw, L.M., Utah Geological Survey, 2008

PLATE 1







DRAFT

Agenda Item Number : 12

## Request For Council Action

---

**Date Submitted** 02/16/2021 02:09 PM

**Proposed City Council  
Date** 03/18/2021

**Applicant** Austin Atkin

**Subject** Consider approval of a conditional use permit to develop Commerce Point Bldg. 1200 on lot 3 in the Commerce Point Phase 1 commercial subdivision on approximately 16 acres located at the intersection of Bluff Street and Black Ridge Drive. Case No 2021-CUP-002.

**Background** The proposal is for a conditional use permit. Buildings with a ground floor (footprint) area of twenty thousand (20,000) square feet or more, or a site with an aggregate ground floor (footprint) square footage of twenty thousand (20,000) square feet or more are required to obtain a conditional use permit.

**Proposed Resolution** Planning Commission recommends approval of the Commerce Point 1200 bldg.

**Cost** \$

**Action Taken**

**Requested by** Mike Hadley

**File Attachments** ccfinalreport2252021021621140923.pdf

**Approved by Legal  
Department?** Yes

**Approved by City Admin  
Services?** NA

**Approved in Budget?** N/A **Amount:**



## CUP Bldgs $\geq$ 20,000 sq. ft.

PLANNING COMMISSION AGENDA REPORT: **01/14/2021**  
**CITY COUNCIL AGENDA REPORT** **02/25/2021**  
 CONDITIONAL USE PERMIT  
**Commerce Point Bldg. 1200**  
 Case # 2021-CUP-002

**Request:** Consider a Conditional Use Permit (CUP) to develop Building 1200, a single-story building, on Lot 3 in the Commerce Point Phase 1 commercial subdivision.

**Location:** The subject property is located at approximately 1300 South Hilton Drive. It is part of the overall Commerce Point (Phase 1, Lot 3, Building 1200) subdivision located at the intersection of Bluff Street and Black Ridge Drive.

**Owner/Applicant:** Commerce Point, LC

**Representative:** Austin Atkin

**Zoning:** C-2 (Highway Commercial)

**General Plan:** COM (Commercial)

**Review criteria (10-17B-3):** In reviewing an application for a conditional use permit, the land use authority shall consider whether the application:

Item to Review:	Staff Comments
Identifies the maximum intensity of the proposed development and use;	--
Complies with all provisions of the code;	--
Compared to permitted development and uses within the zone, substantially mitigates the adverse impacts that are reasonably anticipated from the magnitude and intensity of the development and use, as proposed, considering:	
The size and location of the site;	Overall project comprises approximately 16 acres.
Traffic generation, timing and nature of traffic impacts and the existing condition and capacity of the streets in the area;	Traffic study not required at this time.
Utility demand and available capacity, including storm water retention;	Project must comply with ordinance; items will be further reviewed during the SPR process.



Emergency vehicle access and anticipated average and peak day demand;	--
Location and amount of off-street parking;	6,405 SF x 1/100 = 64 spaces All parking shall comply with ordinance and will be further reviewed during the SPR process.
Internal vehicular and pedestrian circulation system, including delivery vehicles, loading and unloading;	Project must comply with ordinance; items will be further reviewed during the SPR process.
Fencing, screening, and landscaping to separate the conditional use from adjoining property and uses;	Project must comply with ordinance; items will be further reviewed during the SPR process.
Building mass, bulk, design and orientation, and the location of buildings on the site including orientation to buildings on adjoining lots or parcels;	See conceptual site plan and elevations.
Usable open space;	Project must comply with ordinance; items will be further reviewed during the SPR process.
Signs and lighting;	Must comply with code and will further be reviewed during the sign permit application process.
Physical design and compatibility with surrounding structures in terms of mass, scale, style, design, and architectural detailing;	--
Noise, vibration, odors, steam, or other factors that might adversely affect people and property on-site and off-site;	--
Control of delivery and service vehicles, loading and unloading zones;	Project must comply with ordinance; items will be further reviewed during the SPR process.
Generation and screening of trash, and automated garbage collection	Project must comply with ordinance; items will be further reviewed during the SPR process.



(dumpsters);	
Recycling program and pickup areas;	Project must comply with ordinance; items will be further reviewed during the SPR process.
The potential adverse impacts arising from the conduct of patrons, guest, employees, occupants, or their affiliates;	--
Within and adjoining the site, the impacts of the use on public property and environmentally sensitive lands;	Project must comply with ordinance; items will be further reviewed during the SPR process.
Hours of operation, delivery and use;	--
Special hazards arising from the use, or from its reasonably anticipated secondary effects, including its potential to attract criminal behavior; and	--
Demand for public infrastructure or services.	Project must comply with ordinance; items will be further reviewed during the SPR process.

**Conditional use permit standards (10-17B-4):**

Upon review and consideration of the criteria identified in section 10-17B-1 and 10-17B-3, compared to the impacts of allowed uses in the zone, the proposal shall:

- A. Be compatible in use, scale and design with allowed uses in the zone; and
- B. Not compromise the health, safety, or welfare of:
  - a. Persons employed within or using the proposed development;
  - b. Those residing or working in the vicinity of the proposed use or development;
  - c. Property or improvements in the vicinity of the proposed use or development; or
  - d. Not imposed disproportionate burdens on the citizens of the city.
- C. The land use authority shall issue a conditional use permit, if the applicant has proposed, or if the land use authority can propose, conditions of approval to substantially mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with the standards and criteria herein. The conditional use permit shall describe the scope of the permit, and the conditions of approval.



**Requirements for Specific Conditional Use Permits (10-17B-9B):**

Buildings with ground floor area of twenty thousand (20,000) square feet or greater must meet the following additional standards. Buildings with a ground floor (footprint) area of twenty thousand (20,000) square feet or more, or a site with an aggregate ground floor (footprint) square footage of twenty thousand (20,000) square feet or more, shall meet the following additional standards:

<b>Additional Standards</b>	<b>Staff Comments</b>
Vehicle access and parking lots properly designed for safety, efficiency and beauty. Parking lots should be landscaped with shade trees throughout the lot to avoid major heat islands, and to break up large asphalt areas.	Will be further reviewed during SPR.
Enhanced landscaping of the project site that promotes common community appearance.	Will be further reviewed during SPR.
Building façade articulation shall include a variation in base, middle, and top of a building created by variations in color and materials. Articulated tops should consist of pitch dormers, gable ends, cornice detailing, or similar details. The base of a building shall include elements that relate to human scale such as doors, windows, texture, projections, awnings and canopies, ornament, etc. Buildings shall provide visual interest through articulation of the façade through:	
Combinations of significant stepping back or extending a portion of the façade (pop-outs);	--
Vertical divisions using different textures and materials;	--
Divisions into storefronts, with separate display windows and entrances, variation in rooflines by alternating dormers, stepped roofs, gables, or other roof elements; and	--
Arcades, awnings, window bays, arched windows, and balconies at intervals.	--
Building colors are limited to natural, muted tones that emulate the local geologic formations common to the area and blend with the predominant colors of the natural surroundings. Bright, white or contrasting colors shall be limited to trim.	--
A site plan along with colored building elevations of all sides of the building and a three (3) dimensional rendering shall demonstrate that the application complies with each of these criteria.	--



Upon staff evaluation and recommendation, the city council shall review the design plans, upon recommendation from the planning commission, to determine whether the proposed development will be compatible with the character of adjacent and surrounding developments, and whether aesthetically the development is harmonious with the character of the neighborhood in terms of style, materials and colors.	--
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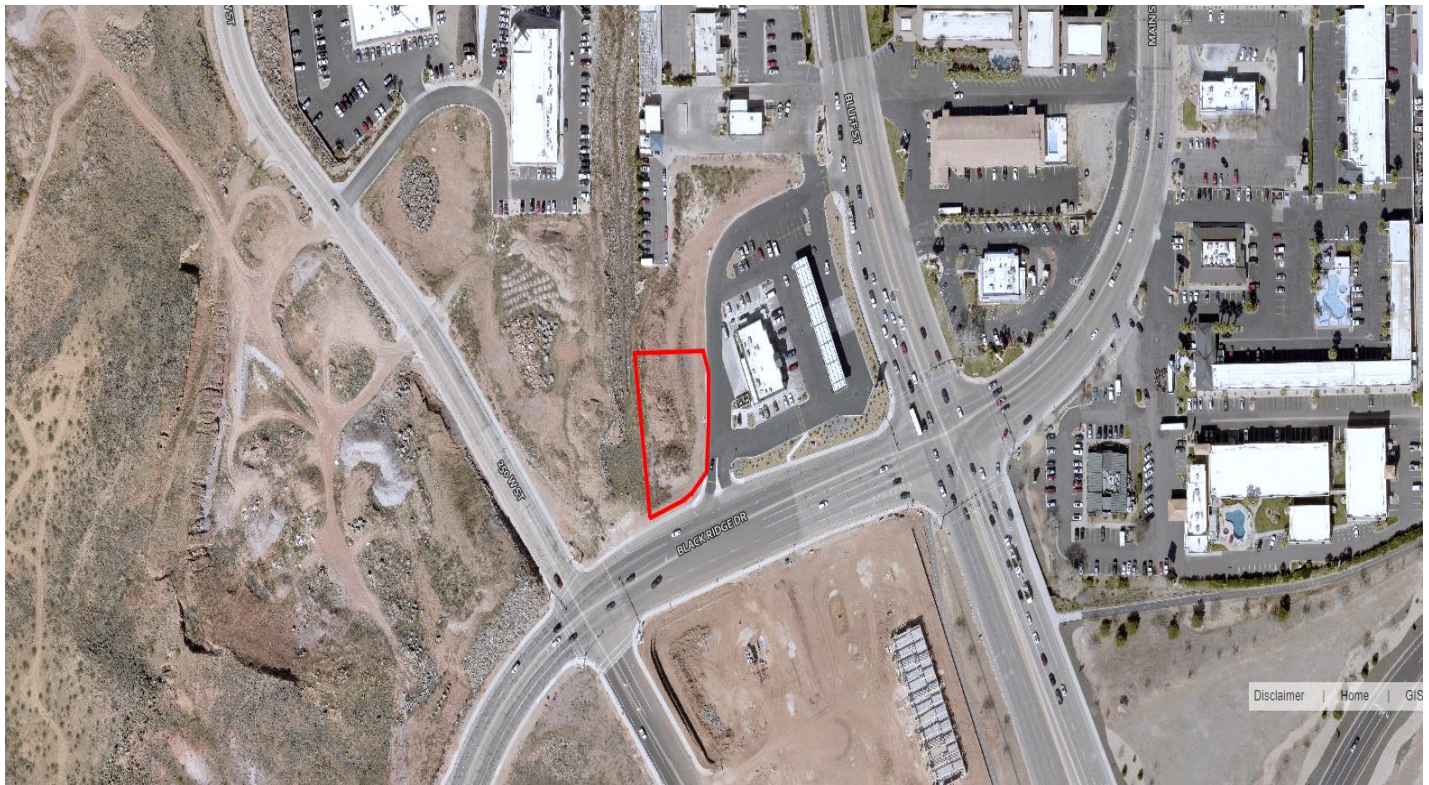
**Staff Recommendation:** Staff recommends approval with adoption of comments made in the staff report and a condition that development must comply with Hillside Development Permit.







***AERIAL SITE PLAN***





## ELEVATIONS





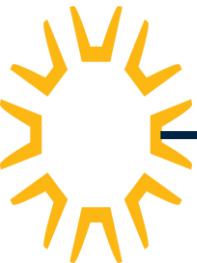
MATERIALS





# Commerce Point Bldg. 1200

2021-CUP-002



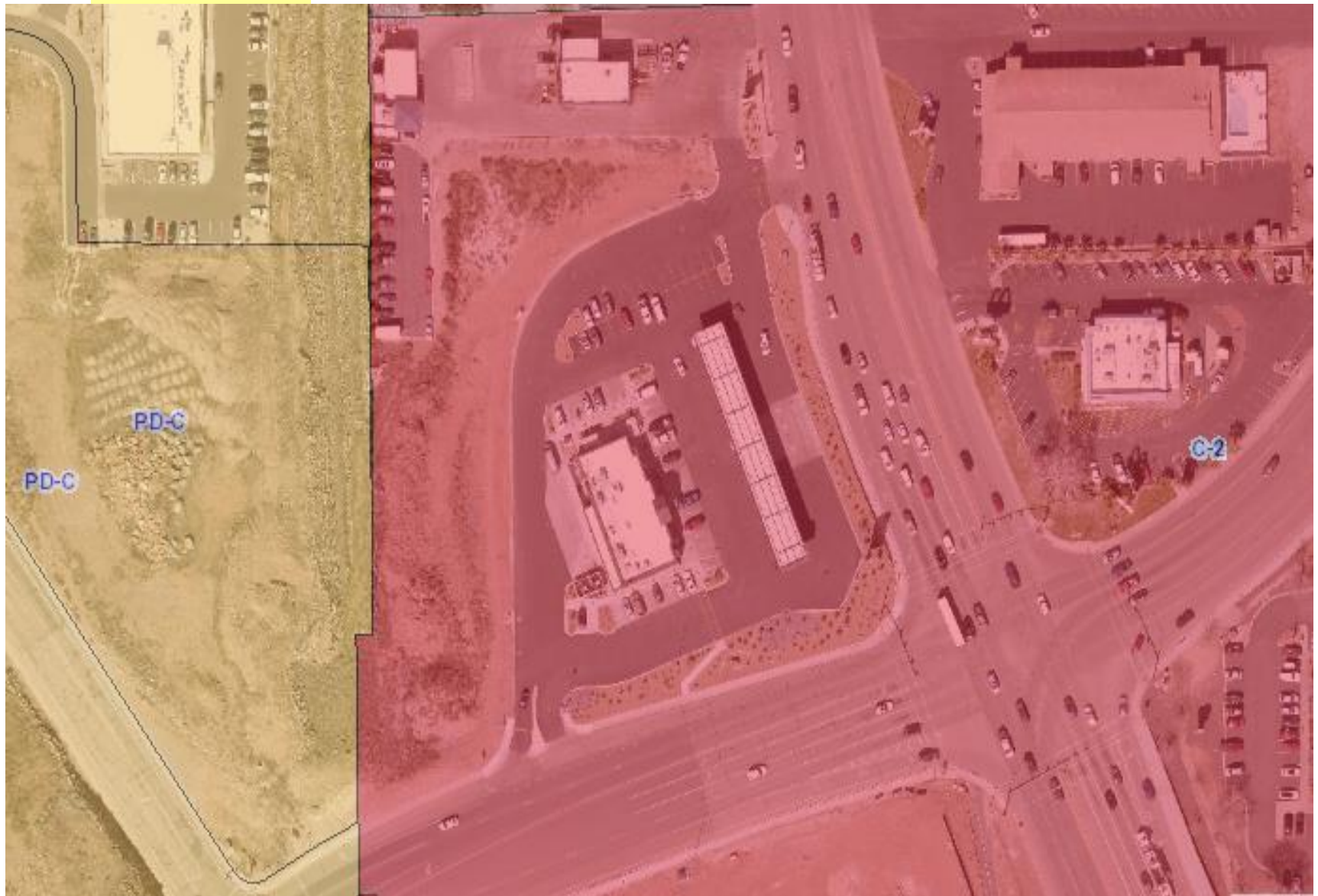


## Vicinity





# Zoning





Bldg. 1200

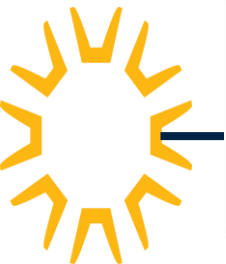






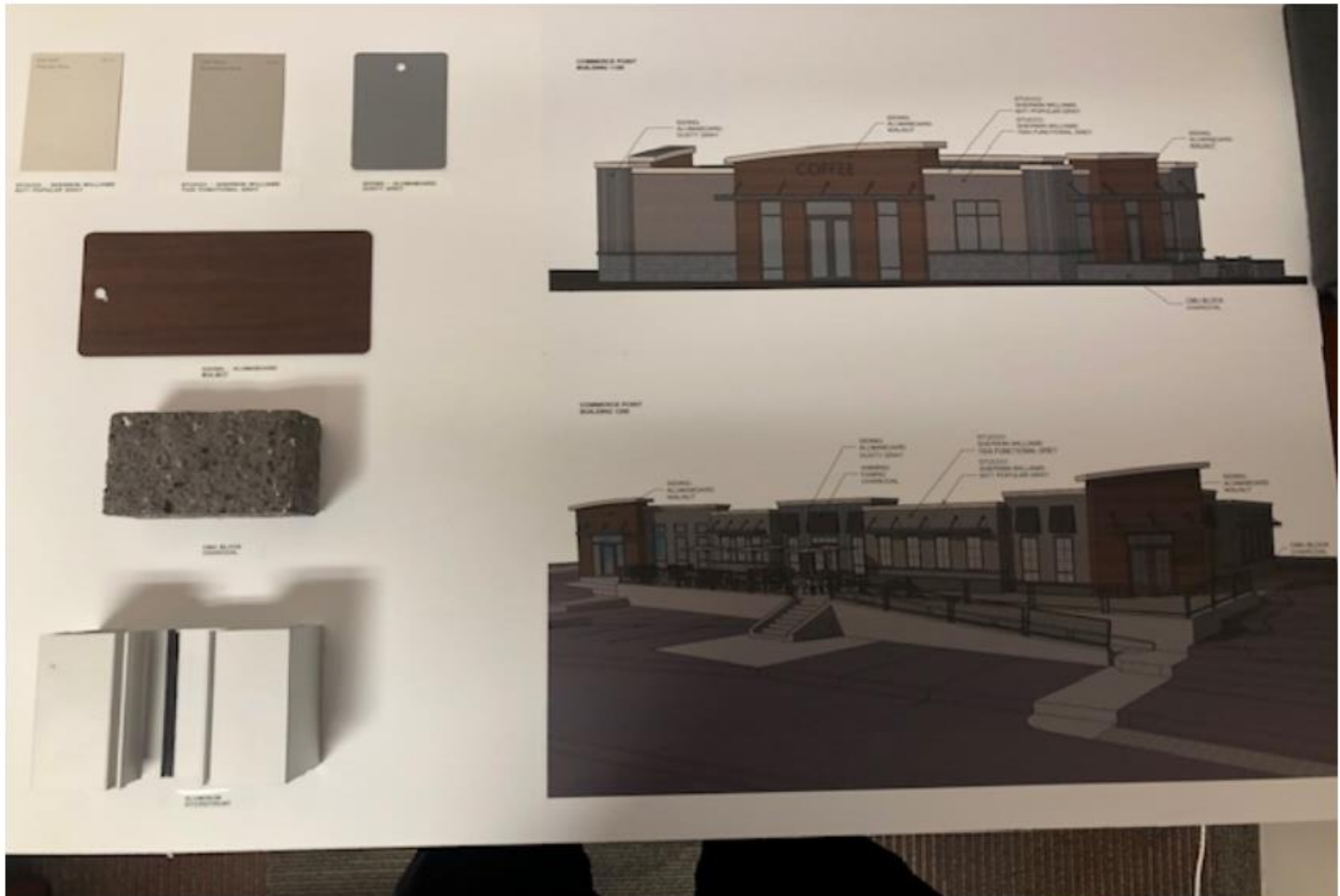


# Elevations





# Materials Board





DRAFT

Agenda Item Number : 13

## Request For Council Action

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**Date Submitted** 03/01/2021 10:42 AM

**Proposed City Council  
Date** 03/04/2021

**Applicant** Logan Blake, Development Solutions Group

**Subject** Consider approval of the preliminary plat for Fairway East Phases 1-4, a 76-lot residential subdivision located in the Ledges Development at approximately 1180 West and Ledges Parkway.

**Background** This proposed preliminary plat is located in the Ledges Development at approximately 1180 West and Ledges Parkway.

**Proposed Resolution** Planning Commission recommends approval

**Cost** \$N/A

**Action Taken** tabled

**Requested by** Wes Jenkins

**File Attachments** cc2021-pp-008fairwayeastphases1-4031521083720.pdf  
preliminaryplatpresentationforfairwayeastphases1-4-  
rev1031521083720.pdf

**Approved by Legal  
Department?** NA

**Approved by City Admin  
Services?** NA

**Approved in Budget?** N/A **Amount:**





PLANNING COMMISSION AGENDA REPORT: **02/23/2021**  
CITY COUNCIL **03/04/2021**

PRELIMINARY PLAT

Fairway East Phases 1-4

**Case No. 2021-PP-008**

**Request:** To approve a preliminary plat for a seventy-six (76) lot residential subdivision

**Location:** The site is located at approximately 1180 West Ledges Parkway.

**Property:** 26.13 acres

**Number of Lots:** 76

**Density:** 2.91 DU/AC

**Zoning:** PD-R

**Adjacent zones:** This plat is surrounded by the following zones:  
North – PD-R  
South – PD-R  
East – PD-R  
West – PD-R

**General Plan:** LDR

**Applicant:** Development Solutions Group

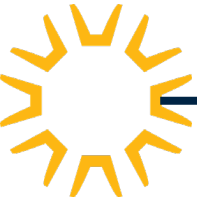
**Representative:** Logan Blake

**Comments:**

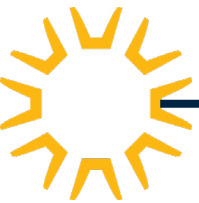
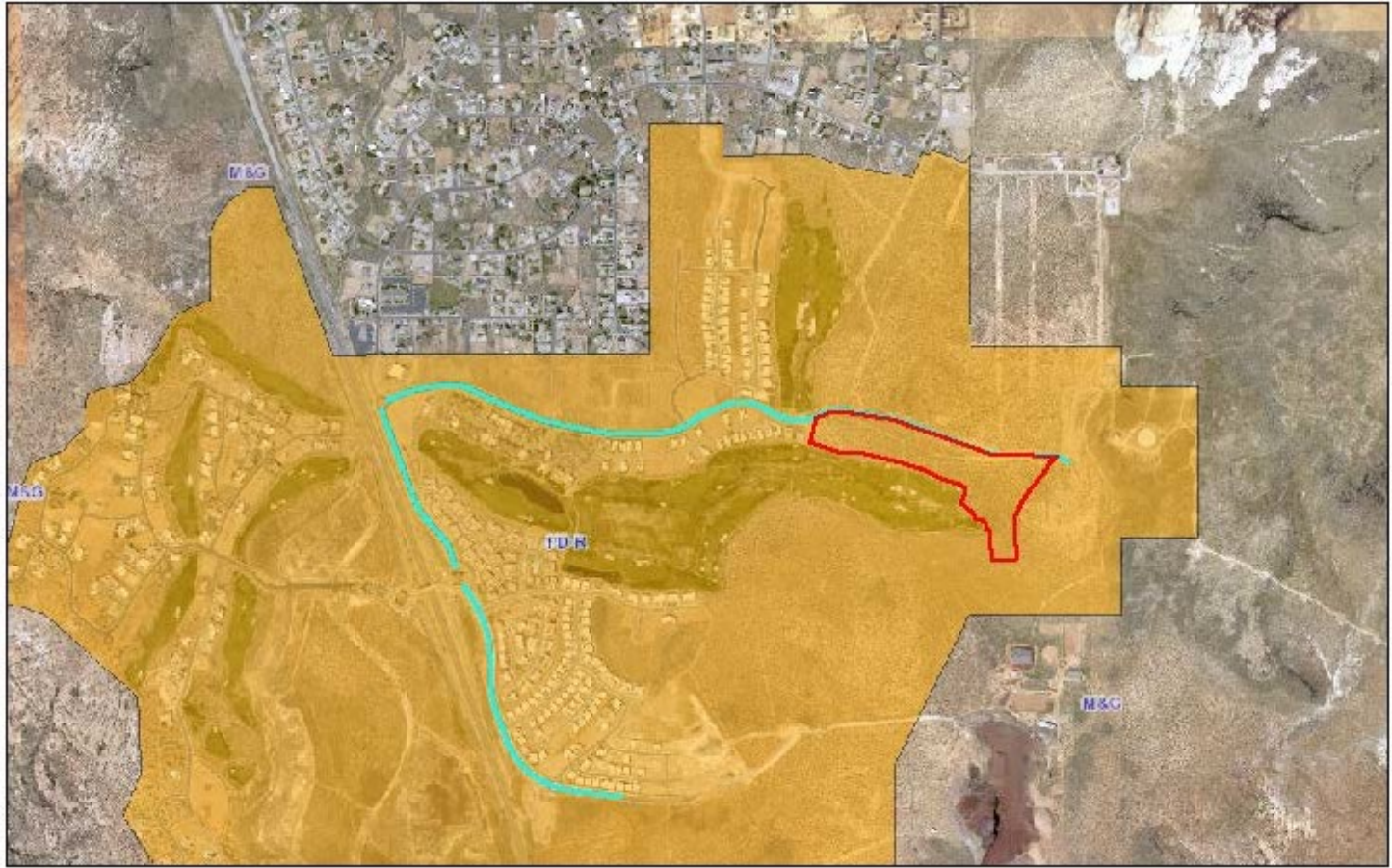


# Preliminary Plats

February 23, 2021

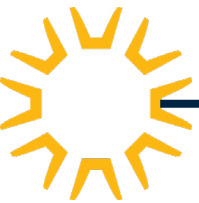






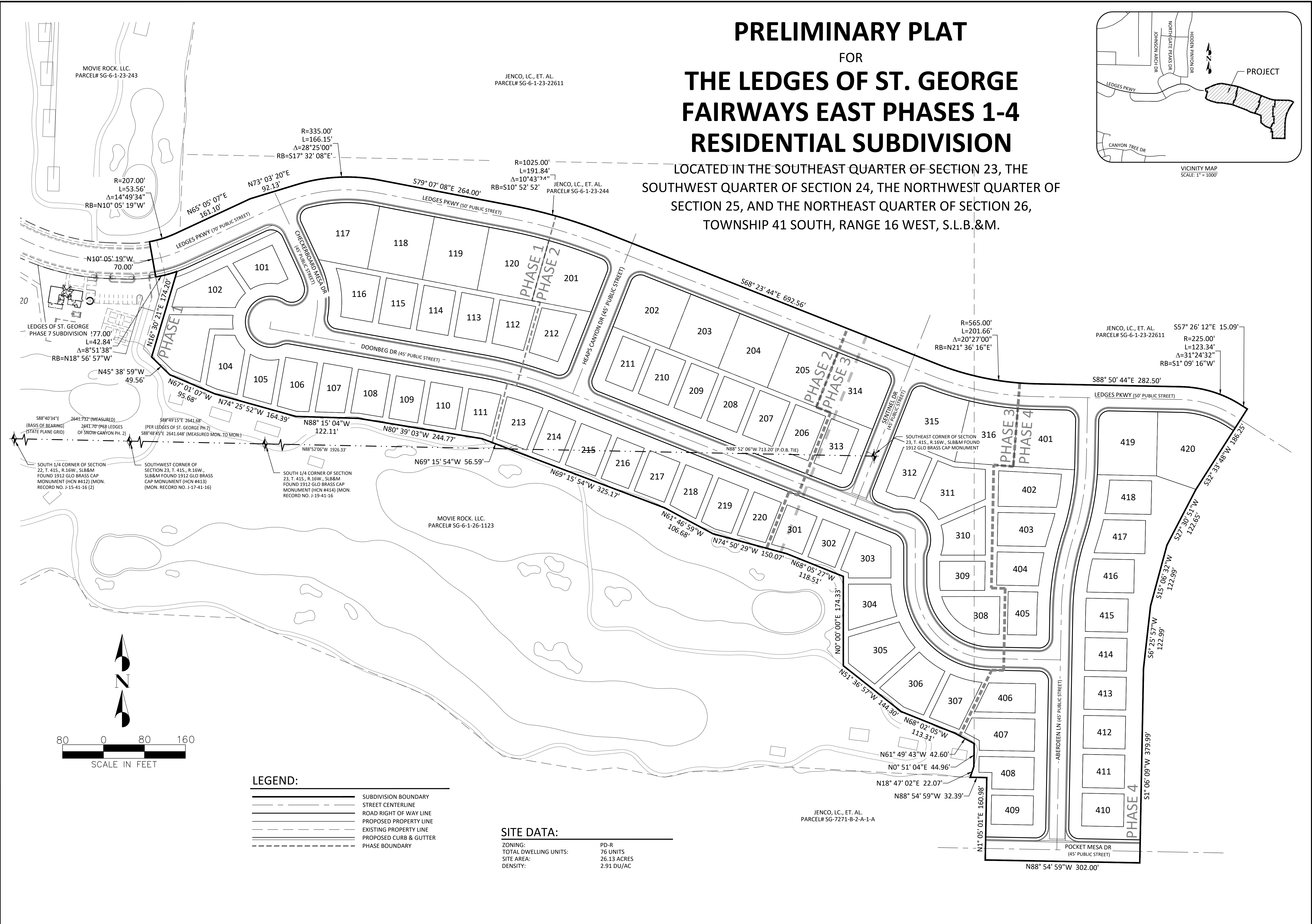
## Preliminary Plat – Fairway East Phases 1-4





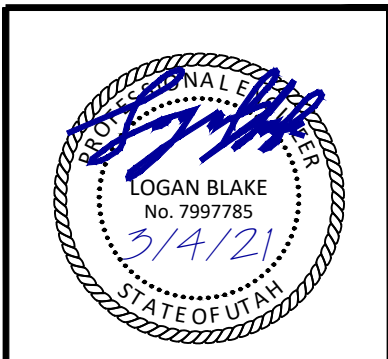
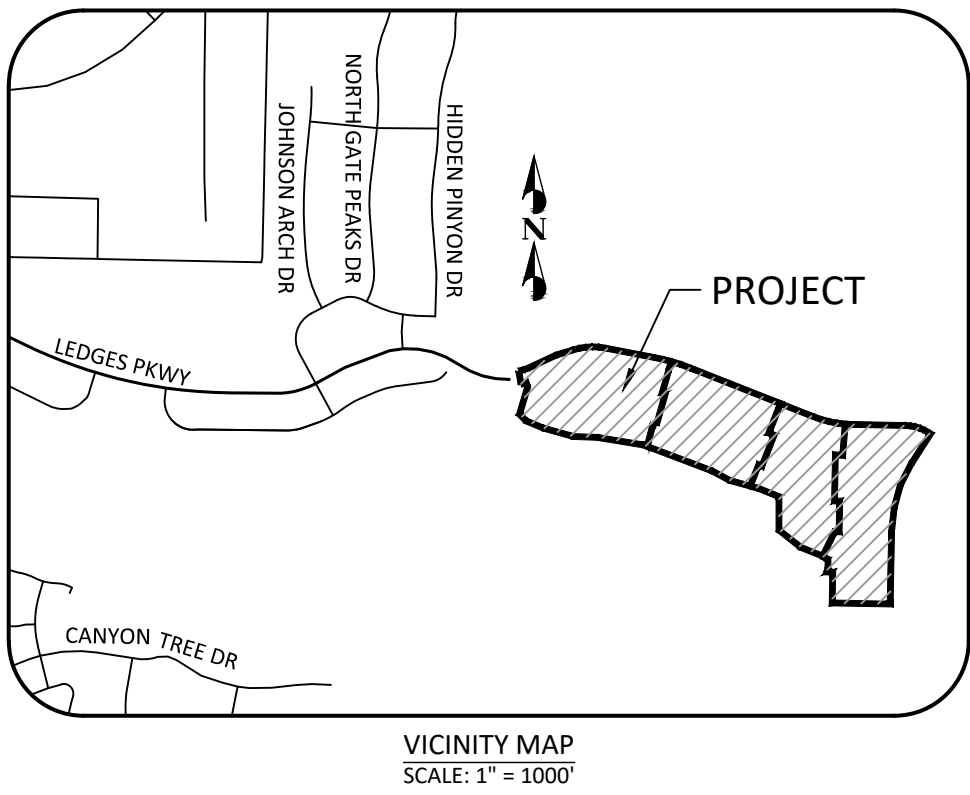
## Preliminary Plat – Fairway East Phases 1-4





PRELIMINARY PLAT  
FOR  
THE LEDGES OF ST. GEORGE  
FAIRWAYS EAST PHASES 1-4  
RESIDENTIAL SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 23, THE  
SOUTHWEST QUARTER OF SECTION 24, THE NORTHWEST QUARTER OF  
SECTION 25, AND THE NORTHEAST QUARTER OF SECTION 26,  
TOWNSHIP 41 SOUTH, RANGE 16 WEST, S.L.B.&M.



NO.	DESCRIPTION	DATE	APP'D.

PROJECT NAME:  
**THE LEDGES OF ST. GEORGE  
FAIRWAYS EAST PHASES 1 - 4**  
A PLANNED DEVELOPMENT LOCATED IN ST. GEORGE, UTAH  
SHEET NAME:  
**PRELIMINARY PLAT**

DSG ENGINEERING, INC.  
LAND PLANNERS, LAND SURVEYORS, CIVIL ENGINEERS  
113 East 200 North Suite #2  
St. George, UT 84770  
Office (435) 628-2121



DATE:	MARCH 2021
PM:	SY
DRAWN BY:	LB
DESIGNED BY:	LB
CHECKED BY:	JRT
PROJECT NO.:	19-041
SCALE:	1" = 80'
SHEET NUMBER:	

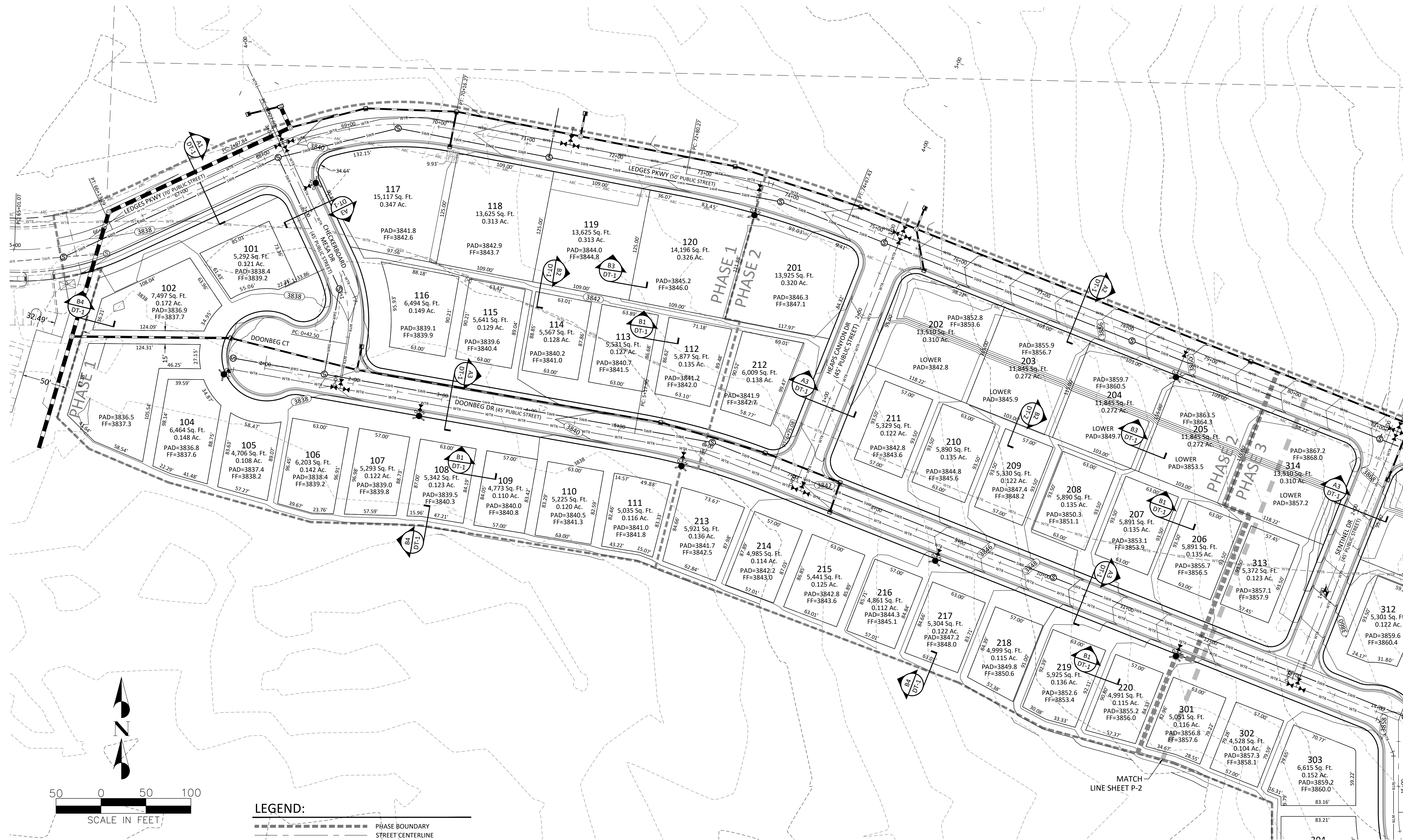
LEGEND:

	SUBDIVISION BOUNDARY
	STREET CENTERLINE
	ROAD RIGHT OF WAY LINE
	PROPOSED PROPERTY LINE
	EXISTING PROPERTY LINE
	PROPOSED CURB & GUTTER
	PHASE BOUNDARY

SITE DATA:

ZONING:	PD-R
TOTAL DWELLING UNITS:	76 UNITS
SITE AREA:	26.13 ACRES
DENSITY:	2.91 DU/AC

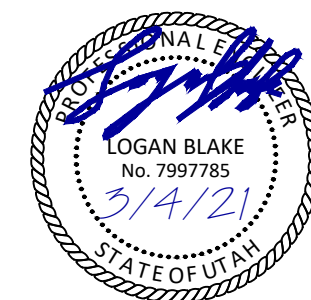




LEGEND:

- PHASE BOUNDARY
- STREET CENTERLINE
- ROAD RIGHT OF WAY LINE
- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- PROPOSED CURB & GUTTER
- EXISTING CONTOUR LINE
- PROPOSED CONTOUR LINE
- PROPOSED WATER LINE
- PROPOSED SEWER LINE
- PROPOSED STORM DRAIN LINE
- PROPOSED HYDRANT
- PROPOSED VALVE
- SECTION MONUMENT FOUND

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NO.	DESCRIPTION	DATE	APP'D.

PROJECT NAME: **THE LEDGES OF ST. GEORGE**  
**FAIRWAYS EAST PHASES 1 - 4**  
A PLANNED DEVELOPMENT LOCATED IN ST. GEORGE, UTAH  
SHEET NAME: **PRELIMINARY PLAT**

DSG ENGINEERING, INC.  
LAND PLANNERS, LAND SURVEYORS, CIVIL ENGINEERS  
113 East 200 North Suite #2  
St. George, UT 84770  
Office (435) 628-2121



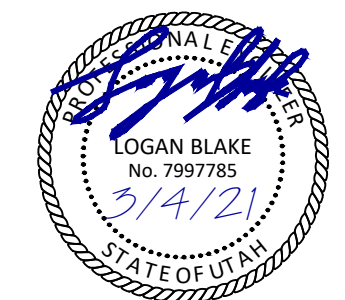
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DRAWN BY:	LB
DESIGNED BY:	LB
CHECKED BY:	JRT
PROJECT NO.:	19-041
SCALE:	1" = 50'
SHEET NUMBER:	

P-1





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1-800-662-4111



NO.	DESCRIPTION	DATE	APP'D.

PROJECT NAME: **THE LEDGES OF ST. GEORGE  
FAIRWAYS EAST PHASES 1 - 4**  
A PLANNED DEVELOPMENT LOCATED IN ST. GEORGE, UTAH  
SHEET NAME: **PRELIMINARY PLAT**

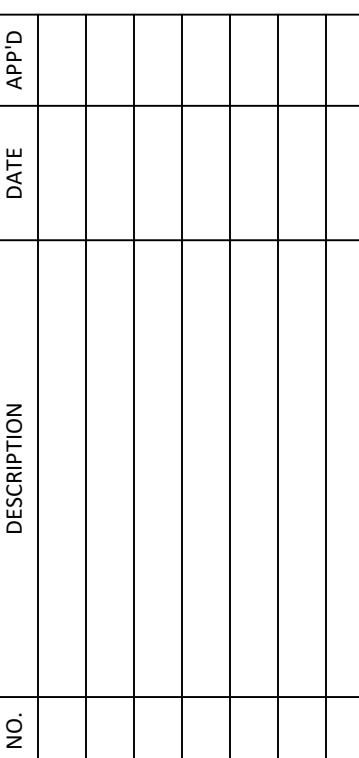
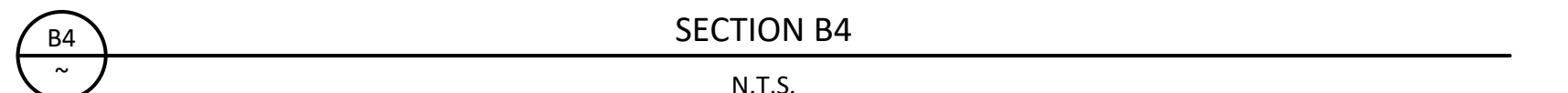
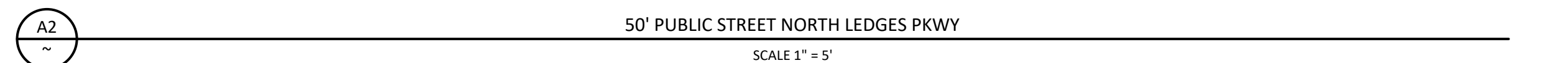
DSG ENGINEERING, INC.  
LAND PLANNERS, LAND SURVEYORS, CIVIL ENGINEERS  
113 East 200 North Suite #2  
St. George, UT 84770  
Office (435) 628-2121



DATE:	MARCH 2021
PM:	SY
DRAWN BY:	LB
DESIGNED BY:	LB
CHECKED BY:	JRT
PROJECT NO.:	19-041
SCALE:	1" = 50'
SHEET NUMBER:	

**P-2**





PROJECT NAME: **TH**

SHEET NAME: \_\_\_\_\_



SHEET NUMBER :

4 OF 5 TOTAL



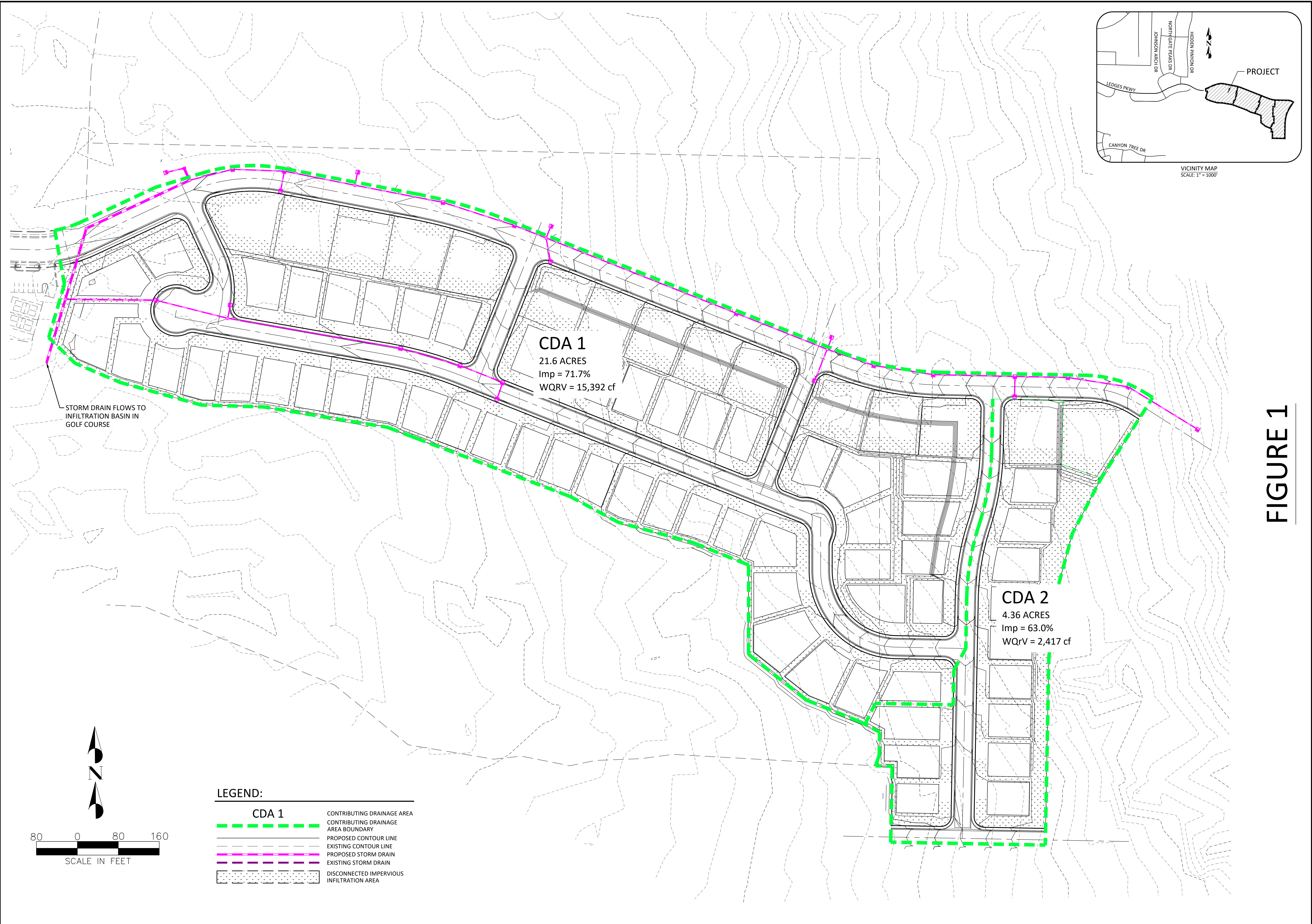
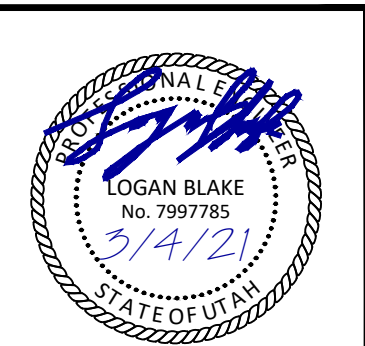


FIGURE 1



NO.	DESCRIPTION	DATE	APP'D.

PROJECT NAME:  
**THE LEDGES OF ST. GEORGE  
FAIRWAYS EAST PHASES 1 - 4**  
LOCATED IN ST. GEORGE, UTAH

SHEET NAME:  
**L.I.D. DEVELOPED CONDITIONS**

DSG ENGINEERING  
LAND PLANNERS, LAND SURVEYORS, CIVIL ENGINEERS  
113 East 200 North Suite #2  
Georgetown, UT 84310  
Office (435) 628-2121



DATE :	MARCH 2021
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DESIGNED BY :	LB
CHECKED BY :	JRT
PROJECT NO. :	19-041
SCALE :	1" = 80'
SHEET NUMBER :	



DRAFT

Agenda Item Number : 14

## Request For Council Action

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**Date Submitted** 03/15/2021 08:51 AM

**Proposed City Council  
Date** 03/18/2021

**Applicant** Allen Hall, Rosenberg Associates

**Subject** Consider approval of the preliminary plat for Rosalia Ridge at Divario, 47-lot residential subdivision located in the Divario development south of the Varano Vista subdivision along Divario Canyon Drive at approximately 600 South.

**Background** This proposed preliminary is located in the Divario development south of the Varano Vista subdivision along Divario Canyon Drive at approximately 600 South.

**Proposed Resolution** Planning Commission recommends approval

**Cost** \$N/A

**Action Taken**

**Requested by** Wes Jenkins

**File Attachments** cc2021-pp-011rosaliaridgeatdivario031521085101.pdf  
preliminaryplatpresentationforrosaliaridgeatdivario031521085101.pdf

**Approved by Legal  
Department?** NA

**Approved by City Admin  
Services?** NA

**Approved in Budget?** N/A **Amount:**





PLANNING COMMISSION AGENDA REPORT: **03/09/2021**  
CITY COUNCIL **03/18/2021**

PRELIMINARY PLAT  
Rosalia Ridge at Divario  
**Case No. 2021-PP-011**

**Request:** To approve a preliminary plat for a forty-seven (47) lot residential subdivision

**Location:** The site is located along Divario Canyon Drive south of Varano Vista subdivision approximately 600 South

**Property:** 13.38 acres

**Number of Lots:** 47

**Density:** 3.51 DU/AC

**Zoning:** R-1-6

**Adjacent zones:** This plat is surrounded by the following zones:  
North – R-1-10  
South – R-1-10  
East – R-1-10  
West – R-1-7

**General Plan:** MDR

**Applicant:** Rosenberg Associates

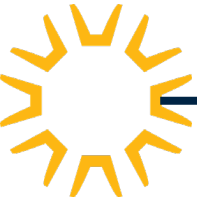
**Representative:** Allen Hall

**Comments:**

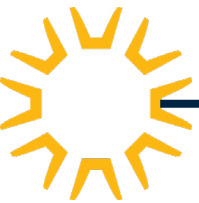
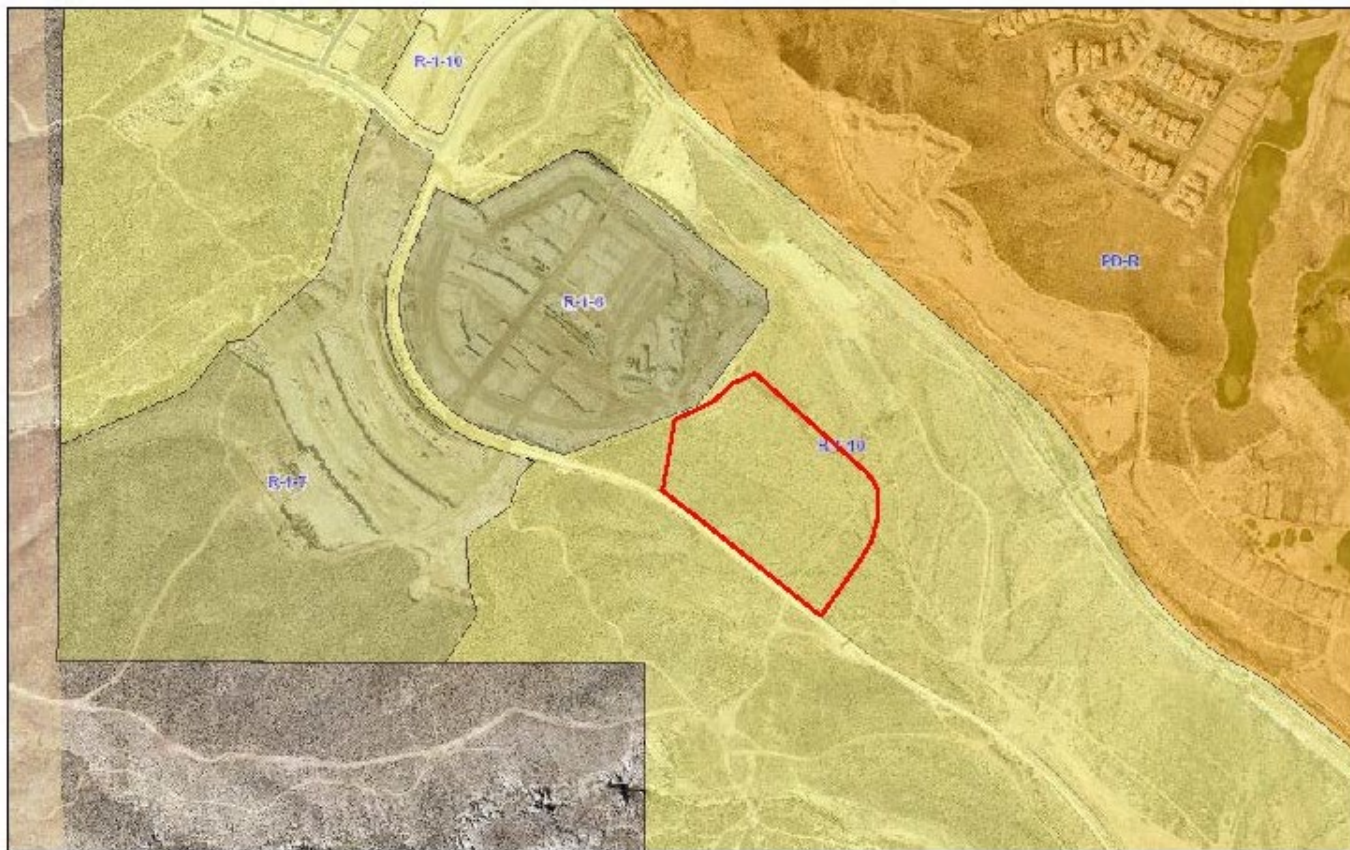


# Preliminary Plats

March 9, 2021

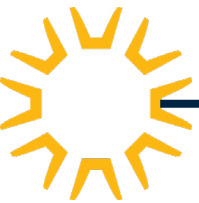
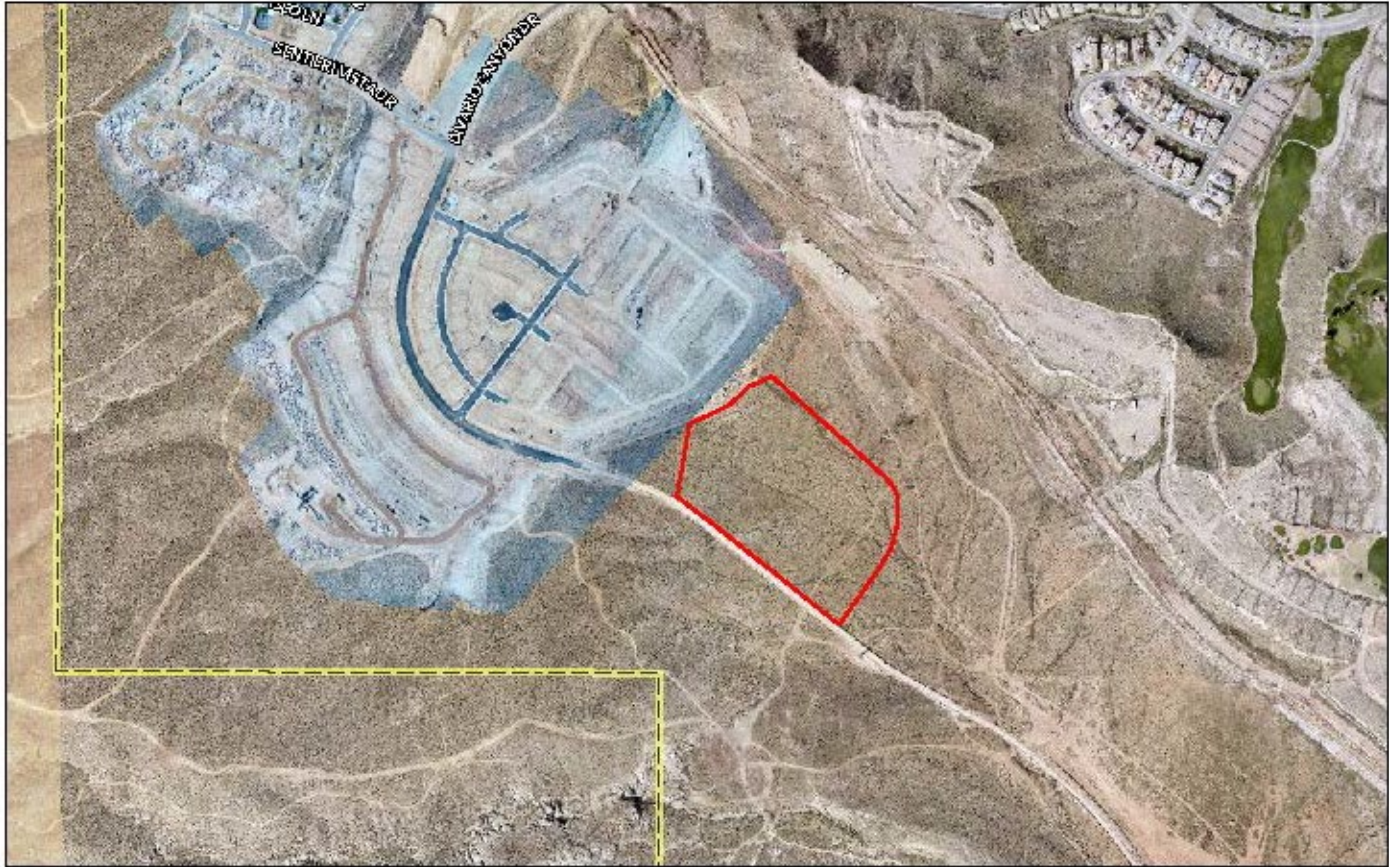






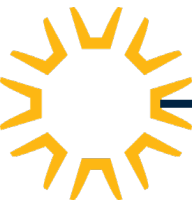
## Preliminary Plat – Rosalia Ridge at Divario



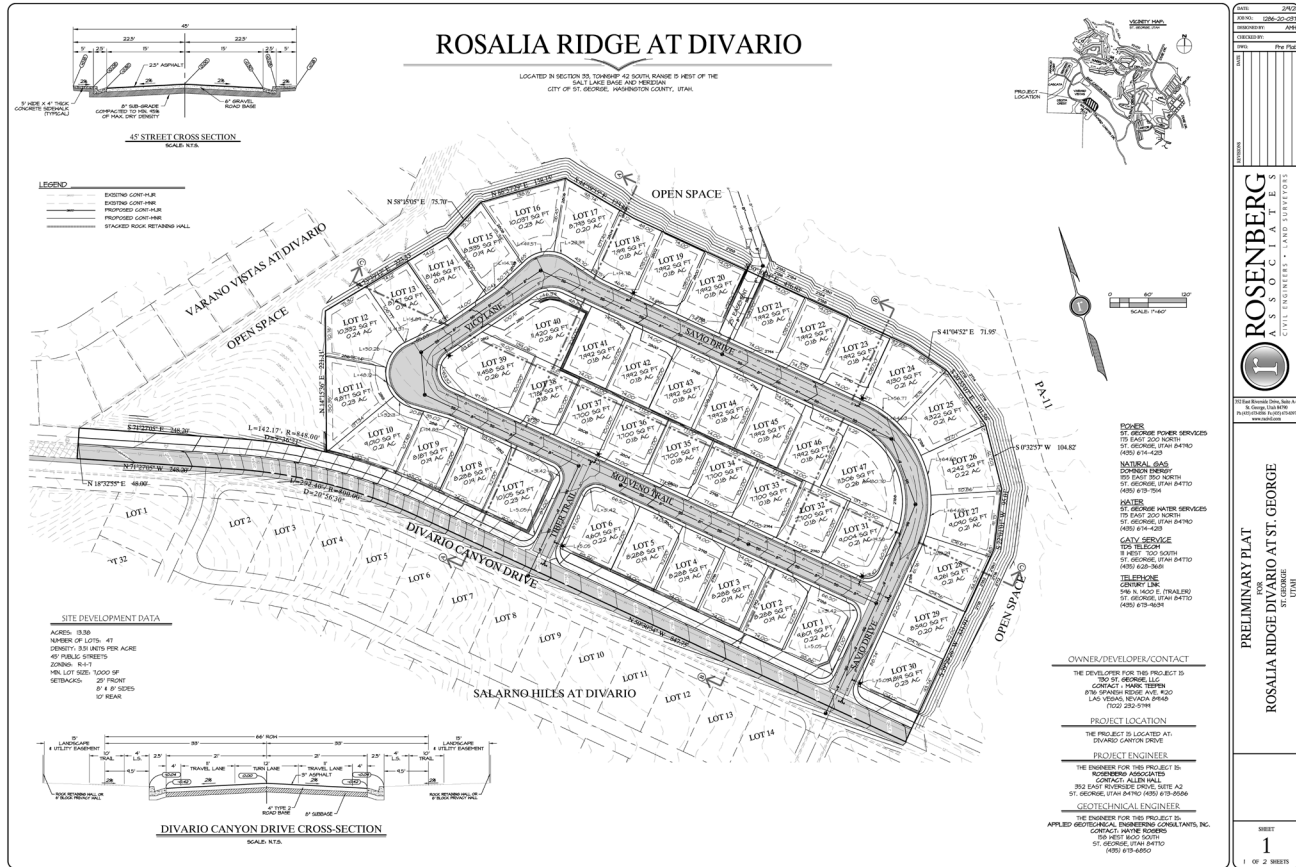


Preliminary Plat – Rosalia Ridge at Divario





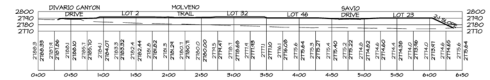
# Preliminary Plat – Rosalia Ridge at Divario



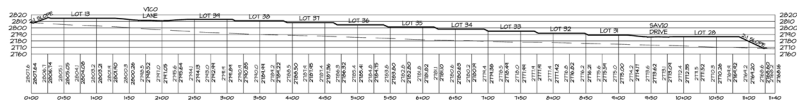


[illegible]

HORIZ. SCALE = 1" = 60'  
VER. SCALE = 1" = 60'



HORIZ. SCALE = 1" = 60'  
VER. SCALE = 1" = 60'



HORIZ. SCALE = 1" = 60'  
VER. SCALE = 1" = 60'

