

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

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

**CITY STAFF:** Community Development Director John Willis  
Assistant City Attorney Collin Simonsen  
Engineering Manager, Carolyn Prickett  
Planner III Dan Boles  
Planner III Michael Hadley  
Planner III Carol Davidson  
Development Office Supervisor Brenda Hatch

**EXCUSED:** Assistant Public Works Director Wes Jenkins

**CALL TO ORDER/FLAG SALUTE**

Chair Draper called the meeting to order at 5:05 pm. Commissioner Andrus led the flag salute. Chair Draper announced that Item 2C was removed from this agenda.

**1. GENERAL PLAN AMENDMENT (GPA) (Public Hearing) Legislative**

Consider a request for a general plan amendment from COM (Commercial) to MDR (Medium Density Residential) and from IND (Industrial) to MDR (Medium Density Residential), HDR (High Density Residential), and PF (Public Facilities) on approximately 53 acres generally located east of 3050 East Street at about 750 North Street (Please see exhibit on back). The applicant is Scott Sandberg, and the representative is Garrett Goff. The project will be known as St. George White Hills Development. Case No. 2021-GPA-012. (Staff – Carol Davidson)

Carol Davidson presented the following:

Carol Davidson – There is a pond here that is owned by the City, and we are ok with the General Plan change tonight, it won't change anything for that property. There will be a City substation on this property. They made the changes that were suggested at the work meeting. We do recommend approval of this General Plan amendment.

Garrett Goff – I am representing the Sandberg family. We appreciated the feedback from the work meeting, shifting the multi-family to where it is closer to the mixed residential across the street. We made the road in the industrial a round-a-bout so that the road didn't cross through the multi-family.

Commissioner West – I love the new design, I approve.

Commissioner Larsen – The pond, where does that water come from?

John Sandberg – The Millcreek stream supplies the pond. It was owned by a lot of families that farmed it. About 60 years ago the City of St. George bought those water shares from the families. There was a deal with my father that we could use the excess water, when my father passed away the excess water became a battle. We fought the City over the pond, for years and years they wanted it. We didn't want it there any longer. We lost, they imminent domained it because they can do that. The pond is used strictly for storage water for the City. They pump the water to school lawns and such on the east side of the Black Ridge. The agreement on that pond with us when we settled with the City is that we could use it as an amenity to our developments. The City only owns enough around the pond to maintain it. It is only to be used as a storage. Daily I have to run people off of it because they come to recreate on it.

Commissioner West – So there is a floodplain in the northeast corner and then it's contingent upon the traffic study which should be done soon.

Garrett Goff – Yes, we are working with Wes on the traffic study.

Chair Draper opened the public hearing.

Chair Draper closed the public hearing.

Commissioner Andrus – I am looking at Washington City's zoning map. There is residential to the east of that yellow. Directly across from 840 is planned industrial in Washington. I don't know that the HDR makes sense near the industrial.

Commissioner Larsen – I think Washington City gets the opportunity to do what they want to do and for some people it won't be an issue living next to this. They will be close to I-15, and they will be able to walk to those areas.

Commissioner Kemp – In my experience high density can go anywhere, as long as it's got access to services. With a piece of property this big, master planning high density into it somewhere makes sense.

Commissioner Anderson – I think my concern is the roads and we are not going to have the answer to that until the traffic study is done.

Commissioner West – I think the traffic study is important, but I think this plan makes more sense where the high density is now. It is a lot more attractive to me with the road separating it and it will be behind the big box store and the hospital. It makes sense to me.

John Willis – Washington City's general plan does show high density residential abutting this property. Typically, at the general plan stage we don't look at the traffic study, that would go along with the zone change.

Commissioner Fisher – I have been excited about this project since the work meeting. I think they tried to eliminate some hazards that come with being next to the industrial like the road. We can't always feather it out with heavy commercial and so on. Down the road on 3050 East, you see industrial and residential next to each other. It's not perfect but I think with what they are proposing, they will have to market it and it will work. This might be one way to help attainable housing.

**MOTION:** Commissioner Kemp made a motion to recommend to the City Council approval of the general plan amendment Item 1 for approximately 53 acres located at 3050 East Street and about 750 North with all of the comments that are in the staff packet.

**SECOND:** Commissioner West

**ROLL CALL VOTE:**

**AYES (7)**

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Natalie Larsen

Commissioner Elise West

Commissioner Nathan Fisher

Commissioner Austin Anderson

**NAYS (0)**

Motion Carries unanimous recommend approval

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

Consider a request to change the zone from R-1-10 (Residential, Single-Family, 10,000 sq ft minimum lot size) to R-1-8 (Residential, Single-Family, 8,000 sq ft minimum lot size) on approximately 35.65 acres located generally south-west of Gap Canyon Parkway approximately 1,200 feet. The applicant is proposing to change the zoning on the property to accommodate a future single-family subdivision. The applicant is St. George 730 LC and the representative is Mark Teepen. The project will be known as Divario PA 4 Rezone. Case No. 2021-ZC-077 (Staff – Dan Boles)

Dan Boles presented the following:

Dan Boles – The general plan calls for low density residential. The zoning is R-1-10, they are just going to from 10,000 sq ft lots to 8,000 sq ft lots. Their proposal is 132 lots over 35 acres for 3.78 units per acre falling in line with our general plan and their master plan.

Commissioner Fisher – This would allow for lot size averaging?

Dan Boles – It would, but the majority must be 8,000 sq ft.

Commissioner Kemp – The staff report indicates there isn't enough power for this, are there any other problems with utilities?

Dan Boles – No, they are working through the issue now, they are aware that the easements will need to be in place before they go to City Council.

Mark Teepen – I just want to thank the staff for their work. Power has raised its head and we are working to get the easements.

Chair Draper opened the public hearing.

Chair Draper closed the public hearing.

Commissioner Larsen – Do we have any updates on Gap Canyon Parkway, is that moving along?

John Willis – Yes, there are a lot of moving parts to getting that road through, the annexation, we are working with the developer to get that built but it's a little trickier than other sections because there are things that are out of their control.

**MOTION:** Commissioner West made a motion to recommend approval to the City Council Item 2 a zone change from R-1-10 to R-1-8 located southwest of Gap Canyon Parkway.

**SECOND:** Commissioner Fisher

**ROLL CALL VOTE:**

**AYES (7)**

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Natalie Larsen

Commissioner Elise West

Commissioner Nathan Fisher

Commissioner Austin Anderson

**NAYS (0)**

Motion Carries unanimous recommend approval

### **3. ZONING CHANGE AMENDMENT (ZCA) (Public Hearing) Legislative**

A. Consider a request for a zone change amendment for The Tonaquint Center PD-C (Planned Development Commercial) zone in order to review elevations and site layout for the Onset Financial Building on approximately 3.11 acres located approximately at the Southeast corner of Silicon Way and Dixie Drive. The representative is Jake Heward. The project will be known as Onset Financial Building Case No. 2021-ZCA-079. (Staff – Mike Hadley)

Mike Hadley presented the following:

Mike Hadley – The general plan designation is commercial. The building is off to the rear of the property, this is lot 2 of a recorded subdivision plat Tonaquint Parkway.

Mike showed the elevations.

Mike Hadley – One thing to mention is that our code has a max height of 50 ft. The Planning Commission can recommend approval to the City Council for a something higher than 50 ft. For example, the Washington County building is 77 ft. tall, and they are asking for 69 ft.

Commissioner Fisher – Is that the tallest point or is that an average?

Mike Hadley – I think the tallest point is 69 ft. 4 in.

Johnathan Gardner – We are excited about this project. Onset Financial is very interested in growing throughout the St. George marketplace. They are already established in Salt Lake City. There is a great

Planning Commission Minutes

October 26, 2021

Page 5 of 17

labor pool, a lot of graduates that would like to stay in the area. This building is not your typical Class A office building. This building is meant to attract talent. It's meant to attract those who have a good education and are looking for an area they can call home right here in the St. George market. We think this would be a wonderful use. There is a shared access point, it is indicated on the plat.

Commissioner Fisher – That property right now, does it sit a little lower than Dixie Dr?

Jake Heward – There is about 12 ft elevation drop from the north to the south.

Commissioner Fisher – Will the elevation be from Dixie Drive?

Johnathan Gardner – The finished floor will be 69 ft from Dixie Drive.

Commissioner Fisher – The piece on the material board it's entitled wood lock looks yellow in color, where will that be on the building?

Johnathan Gardner – I think you can see that on the interior, on the far-right side of the building. That is meant to mimic a wood-type paneling on the interior side. It's not intended to be yellow. That is more of a natural wood type finish. We have our architect here, Brian Young.

Brian Young – I think that's just bad glare on that photo. If you look at the renderings it is intended to be kind of a medium brown. The ultimate height at 69 ft. comes by way of a tapered top to the building. So basically, the parapet at the top grows from around the 50 ft on the south end of the building, and it tapers in order to screen all the mechanical equipment on the roof. There is only one point that it reaches 69 ft.

Discussion continued on the height of the building in relation to Dixie Drive.

Commissioner West – I love this because it is unique, I think it's a gorgeous project. I think we can all echo that it will be a welcome addition.

Commissioner Kemp – There isn't going to be a masonry component anywhere on the outside of this building?

Brian Young – There will be some low masonry walls where the building touches the ground. There will be a little bit of concrete exposed.

Johnathan Gardner – We have used this material on other office buildings and it's a hundred plus year product.

Chair Draper opened the public hearing.

Chair Draper closed the public hearing.

Commissioner Fisher – I think it's a great project.

Planning Commission Minutes

October 26, 2021

Page 6 of 17

Commissioner Anderson – I think it's an amazing building and I think it's great to bring that level of jobs to Southern Utah.

Commissioner Kemp – I am excited to see that kind of architecture here. There was at some point conversations about creating a secondary access between this property and the property to the south where their current Onset building is. Nothing that would be used on a regular basis because it goes through the wash, but just to go in there and pour some concrete to create a back door so to speak into this property. To create connectivity without having to go out on Dixie Drive.

**MOTION:** Commissioner Fisher made a motion to recommend approval to City Council of Item 3A a zone change amendment with the clarification that the materials board, although it indicates the yellow that we can see here, is actually a wood or a natural wood-looking product closer to the rendering that we see on the same page as the materials board and this is probably more a request than a condition, that they do consider as Commissioner Kemp has indicated to consider something that might alleviate forcing individuals to go out on Dixie Drive.

**SECOND:** Commissioner Anderson

**ROLL CALL VOTE:**

**AYES (7)**

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Natalie Larsen

Commissioner Elise West

Commissioner Nathan Fisher

Commissioner Austin Anderson

**NAYS (0)**

Motion Carries unanimous recommend approval

B. Consider a request to amend the Blackridge Commercial Center PD-C (Planned Development Commercial) and to change the zoning from R-1-10 (Single Family Residential) to PD-C (Planned Development Commercial) on an approximate 1.02-acre parcel for the purpose of constructing a new hotel. The total property area is approximately 17.03 acres. The project is located on the northwest corner of Blackridge Drive and 250 West Street (Please see map on back). The applicant is Oscar Covarrubias. The project will be known as St George Hotel Commercial Project. Case No. 2021-ZCA-078. (Staff – Carol Davidson)

Carol Davidson presented the following:

Chair Draper – I am going to have to recuse myself on this item and item 4. I have had business dealings with the owner of the property, so I am just making sure I can't influence anyone.

Carol Davidson – The hotel will be 5 stories, but it will be built into the side of the cliff. It will rise above 3 stories. They will have a pool, lazy river, spa and pickleball courts. There will be a restaurant in the space, we don't have the details on that, and they are not ready to put that in yet. They won't come back for the restaurant because the entire outside of the building will be done. We will need to look at the parking at that time. This lot does show 173 stalls, right now they are over by about 33 spots, I'm imagining that when this restaurant comes in they might need to expand their parking a little bit for it. They do meet the parking requirements for the hotel. Staff recommends that they get a pedestrian access off of 250, there is really no other place that they could have pedestrian access. They will need to

put in the 6ft wall and 10 ft landscape buffer where it abuts residential. In the concept landscape plan, they didn't do anything with the landscape area on the portion that has the retaining walls they want to dress it up and make it look a lot nicer. Staff will work with them closely on the landscape because this site is on a landslide location and so water is a concern, they don't want to add any unnecessary water. Staff will work closely with their landscape architect. They are asking for a recommendation to increase the height to 63 ft.

Carol showed elevations of the hotel.

Carol Davidson – This case was presented a few years ago for a site across the street and was approved. The applicant moved to this side of the street because the site is bigger, and it won't be as expensive to develop. Staff recommends approval of this Zone Change Amendment with the following conditions:

1. The applicant meets all requirements found in Section 10-8D of the Zoning Regulations.
2. The future restaurant will be required to meet the parking regulations at one space per 100sq.ft. for the dining area and one space for 250sq.ft. for the kitchen space at the time of the certificate of occupancy for the restaurant.
3. A maximum height of no more than 63 ft. will be allowed for all structures.
4. Approval of this zone change amendment is conditional upon approval of the hillside development permit.
5. The applicant will work with staff on the landscape plan.

Pro tempore chair Larsen – When I look at that I don't see where they would get additional parking for the restaurant.

Carol Davidson – They do own more land than what is shown in the rendering.

John Willis – Please keep in mind that the hill behind it is not red like is shown in the elevations so the building won't blend in. The hill is actually black. We had that when they did the DXATC building, and they actually changed it to be more of the blacks and the grays. Just keep that in mind when you look at the materials if that is important to the Planning Commission.

Oscar Covarrubias – We are open to changing the colors without a problem. We want to use colors that are native to the area. This has been about 4 years now, the reason we moved to this site is because we thought it was a better area. Marriott has restrictions on what we can do. This is the first Delta hotel in Utah. We are excited about the project. We are going to meet the recommendations given by hillside. We also see that there are issues with asbestos, we are not hiding that, it was a project done by the City in 2004. Unfortunately, a contractor from the City touched the pipe and they ended up going to court. We know the problem; we have a consultant doing all the testing. The recommendation is not to move it. We know it's small, but we want to be careful about that. We know it was not legally put there, it was not us, it was actually the City that put it there. We don't want any problems with that, we just want to keep it the way it is. We put a lot of money in this hotel, and we want to be responsible with that.

Commissioner West – I see this is phase 1, and it looks like you have quite a bit of property, what else are you planning?

Oscar Covarrubias – There will be a couple other buildings that will also be a part of the hotel, we don't know yet. We have 17 acres; we want to use it.

Commissioner Fisher – What I see in the picture are very different colors. What colors are you proposing?

Oscar Covarrubias – It will be the colors on the material board. If the City doesn't like the color we are open to change it.

Commissioner Kemp – I am concerned about the asbestos site. The solution was to put a cap of clay and leave it. So, is your intention to leave it there and build around it?

Oscar Covarrubias – Yes that is our intention.

Commissioner Fisher – It is a nice project. I see a group of boys in the back, can we have them come up and introduce themselves and let us know why they are here?

Braxton Johnson, Prat Davenport, Wesley Minor, James Boles, and Braden Hale, we are here to job shadow Brother Boles.

Pro tempore chair Larsen – Thank you for being here tonight.

Pro tempore chair Larsen opened the public hearing.

Luke Martindale – I am a student at Dixie High School, I am here to take notes on this meeting for a school project. Is it a Marriott Hotel? What was the man in the blue was saying with the contractor and building the hotel around the asbestos?

Pro tempore chair Larsen closed the public hearing.

Commissioner West – I am just trying to picture a hotel behind the Maverik that is 5 stories, it seems like it would tower.

Commissioner Anderson – It will look like a 3-story building, it is a difficult site, there are some difficult soils. I am excited that they are going to do the work. I do think the colors should be black and gray.

Commissioner Kemp – I think because they have the amenities in front and the building pushed back from the slope will help.

Commissioner Andrus – I think location wise this is a cool spot with the restaurants that are being built right there on Bluff, there will be the pedestrian underpass across Bluff Street. I think it is a neat location if you are staying there.

Commissioner Fisher – Whoever is going to make the motion needs to consider that we are approving everything presented.

Commissioner Anderson – I think the gray and black tones would look better.

Commissioner Andrus – I really like the older picture that they have of it with those gray and black rocks on the front of it, I think that looks really nice.

Oscar Covarrubias – Those are not the real colors on the screen, the real colors are on the board. We are almost 75 feet above the street, you will not see the height from the road. You will see it from the pool. We are almost 35 ft lower than the ridge.

Commissioner West – If I try and picture black and gray versus those colors incorporating with some of that stone that you have on the color pallet, I actually prefer that if you incorporate more of the stone into those colors versus the gray and black.

Oscar Covarrubias – We will do whatever the City wants to see. We want to make sure it looks great more than anything else. We don't own the property behind.

**MOTION:** Commissioner Kemp made a motion to recommend approval to the City Council item 3B a zone change from R-1-10 to PD-C on approximately 1.02 acres with the following recommendations: 1. The applicant meets all requirements found in Section 10-8D of the Zoning Regulations. 2. The future restaurant will be required to meet the parking regulations at one space per 100sq.ft. for the dining area and one space for 250sq.ft. for the kitchen space at the time of the certificate of occupancy for the restaurant. 3. A maximum height of no more than 63 ft. will be allowed for all structures. 4. Approval of this zone change amendment is conditional upon approval of the hillside development permit. 5. The applicant will work with staff on the landscape plan. 6. The applicant will work with staff on the color pallet incorporating more of the natural blacks and grays that are visible around the site.

**SECOND:** Commissioner Fisher

**ROLL CALL VOTE:**

**AYES (6)**

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Natalie Larsen

Commissioner Elise West

Commissioner Nathan Fisher

Commissioner Austin Anderson

**NAYS (0)**

Motion Carries unanimous recommend approval

#### **4. HILLSIDE DEVELOPMENT PERMIT (HS) Administrative**

Consider a request for a hillside development permit to allow disturbance of areas greater than 20% slope areas. This application is in anticipation of a new hotel. The property is generally located on the north-west corner of 250 West and Blackridge Drive and is zoned PD-C (Planned Development Commercial). The applicant is New England Alliance, LLC/Glen Overton. Case No. 2021-HS-008. (Staff – Wes Jenkins)

Carol Davidson presented the following:

Carol Davidson – I will go over the staff report and then turn it over to Carolyn Prickett, she is our representative from engineering today. The Hillside Review Board recognized the disturbance that is all over this site. There is an existing scar and piles of blue clay. They recognized that the majority of the

area where they were going to build the hotel was disturbed so they were ok with where they were going to place the hotel. The landscape plan was a concern to the hillside, they wanted to make sure that the watering of the plants was not excessive, that they only used native type plants for this area and that the irrigation system be closely monitored. One of the recommendations of the Hillside Board was to have a plan on mitigating the scaring on the property. The scaring behind is not their property so they can't do anything with that. The building will hide most of it. There will be some new scarring, they will have to mitigate that. The hillside had the following conditions: 1. Through their design they can obtain and meet an acceptable factor of safety in terms of overall landslide and slope stability.

1. They comply with the requirements of moisture protection and drainage and that there be some type of compliance report or letter at the completion of construction to indicate that they met the drainage recommendations in design.
2. They look specifically at the front of the project, the existing slope on the southwest corner slope behind the building where they are creating a graded slope and that they try to hide and mitigate as much as possible the scar on the back of the slope and that they take to the Planning Commission a detail showing their mitigation plans in those areas.
3. Address landscape issues, especially the watering.

Oscar Covarrubias – The Hillside Board asked us to put liners under the landscape. It will be on a drip system, we will have a meter on the system that will tell us what is coming out, if more water is coming out than should be it will be automatically shut off by the meter. Those were the recommendations for the other site which was more compromised with this site. With regard to the scar in the back the owners are not ready to do anything with that. On our side we will have about a 7 ft wall with landscaping. I don't think you will be able to see it from the street at all. We want to have steps with stone, landscape, stone landscape. Your concerns are our concerns. We want to make sure that area looks good. Wayne said the improvements we put in will actually help the site.

Wayne Rogers – What Oscar said is correct. There are several items to address, one is the stability of the slope. When we did the initial site a few years ago we gained a lot of information from the inclinometers, we monitored those for about 11-12 years. We got really good data, that's better than we have anywhere else in town, on any landslide that we've ever had. This site we did a thorough deep investigation of the landslide on this site. We hired a private 3<sup>rd</sup> party consultant. Sandra Houston is the person on partially saturated soils, a PHD retired from Arizona University. We got some information back from her that she thought what we are doing is great and it allowed us to use what we call residual strength a lower strength to evaluate it with and then it allowed us to take the factor of safety from a 1.5 to a 1.3 which is industry standard. That is what allowed us to be able to use this site and still be able to meet the factor of safety through the more intense, thorough evaluation. There was a group that bought this property in the early 2000's when they started grading it they ran into a sewer pipe with asbestos in it. It was not handled right, the job was shut down, I'm not sure of how the delineation of where to put it happened, I tried to contact the owners to find out, but we played a bit of phone tag. I don't know if that's really critical, we know where it's at. We actually have a survey, it's in the appendix of our report of right where it's at. We have hired an asbestos expert, Wasatch Environmental out of Salt Lake. They come very highly recommended; the state actually recommends them to any asbestos sites like this that have deposits. We will be out there tomorrow investigating to get a better understanding, there is no actual record of what got buried. We know the survey of where it's at and that's about it. We don't know how much pipe is there. Their recommendation so far is to leave it place and to cap it to make sure it's not disturbed. It may be that it is only in a small pile, and we may be able to remove it and take it to the landfill in Cedar City. The plan is to leave it there and it is under the amenity area. Our plan is to make an environmental easement which is what should have been done. Thank goodness we have a

survey. The slope behind is off the property, it's what we call King's Dominion and so far that property owner has not been really congruent with everything we want to do. We haven't had any direct contact with them but as far as that property goes on the backside, we will do everything we can within our property to hide that portion of the slope. As we go into the south we will be scarring a little more as mentioned, that scar is already a scar, but we will be cutting in that area. Everything else will be filling. We will probably put the building on piers, and it will be designed for the landslide.

Commissioner Fisher – As far as the scar that will be created, have you proposed any mitigation?

Wayne Rogers – We will be able to stack some rock or block to hide that. The majority will be able to be dressed up with some rock.

Commissioner Kemp – I have concerns about the asbestos. I know you have Marc Brown's survey, have you talked to him?

Wayne Rogers – I have talked to him; he didn't remember exactly what happened except that they did a survey to show where it is from.

Discussion continued regarding the asbestos pipe.

Commissioner Kemp – Will your caissons go through the landslide?

Wayne Rogers – No they will not they will sit on top.

Osar Covarrubias – We want to do the best we can. I just want you to know how much effort we have put into it.

Commissioner Anderson – It is a tough site, I'm confident with Wayne on the job. I think they have done their due diligence and I'm excited to see this get developed.

Commissioner Kemp – I think most of the site has been disturbed

**MOTION:** Commissioner Anderson made a motion to recommend approval of the hillside permit on the northwest corner of Blackridge Drive including all of staff comments.

**SECOND:** Commissioner Fisher

**ROLL CALL VOTE:**

**AYES (6)**

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Natalie Larsen

Commissioner Elise West

Commissioner Nathan Fisher

Commissioner Austin Anderson

**NAYS (0)**

Motion Carries unanimous recommend approval

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

Consider a request for a conditional use permit to operate a short-term rental within the Sevy House which has been designated as a local landmark. The project is located at 274 S. 200 W. (Please see map on back). The applicant is Cimarron Chacon. The project will be known as Sevy House Short-term Rental. Case No. 2021-CUP-012. (Staff – Carol Davidson)

Carol Davidson presented the following:

Carol Davidson – You might remember this case when we brought it before you to make it a landmark. There are a few conditions that need to be met to get a conditional use permit to run a short-term rental. The applicant has stated that the maximum number of people allowed to rent this house is 4 and the maximum number of vehicles they can have at the house is 2. They must have minimal traffic and parking demand. The off-street parking for this site is gravel. It is deep enough to fit two cars tandem. We require 2 spaces, one covered. If the parking is in the front of the house like this it would be required to be paved or they can use pavers. Staff wants to make sure the concrete gets put on the parking in the front setback and the covered parking gets put in as well.

Chair Draper – It is a City ordinance that the parking needs to be paved? I know we got a letter that said they didn't want it paved but it doesn't sound like they have a choice.

Carol Davidson – That's correct, we actually received another letter that wanted it paved also.

Cimarron Chacon – I have a few comments on the two requirements. I did look up City code. 10-22 refers to C all driveways, it does say that it needs to be paved concrete/asphalt, it can use pavers it may substitute 6-inch depth, which the house already originally had 6-inch depth gravel in  $\frac{3}{4}$  minus with a minimum of  $\frac{1}{2}$  inch diameter for another 3 inches. We exceed that now; we've got 6 inches of road base 3 inches of gravel and about 2 inches of crushed gravel. We don't have the issues of mud and dust because we have gravel. The hydrology, we have always had bad hydrology in the City Center. As more surfaces are paved and with more hard surfaces it is getting worse. I designed my landscape to specifically do water hosting, to collect the water and shed it off into the street. We do not have flooding and I've helped our neighbor do the same thing, part of that is keeping our hardscape to a minimum. We have flagstone. We have 2 concerns about adding additional hardscape, the water pushing off into my neighbor's property. The other concern is that we have very mature trees. We have a very lush landscape with very little water. We don't do any watering in the back of the house. I am afraid with more hardscape it will damage the percolation of the water. I do think we meet the code, but if not we would consider a paver option but not concrete. As far as the covered parking I have concerns that it will look out of character with the historic home. Covered parking is not the norm in the downtown. I do plan to live in this house part time. As a person who lives in a historic home, it is hard to get your investment back without short term renting. We have created these patio spaces outdoor. As a person in the bike industry, we want to market this as a bike cottage. I personally don't think that covered parking is important to them, but I think the outdoor spaces are.

Chair Draper – Are they required to have a garage? Or is it a tent? What is it that is required?

John Willis – There are places in the code that allow for parking and accommodate in the downtown area. It does require covered parking; it can be a car port. The section she read from in the code that allowed the variation with gravel is acceptable in the RE-20, RE-37.5 and A-1, not in the RCC zone that she is in.

Planning Commission Minutes

October 26, 2021

Page 13 of 17

Commissioner West – I am just curious as to the reason of the covered parking?

John Willis – It is in the code; I think it became code in the 1960's.

Discussion continued on parking.

Cimmaron Chacon – I asked staff if we could be grandfathered or if we could get some type of variance. The tree that is on this side is large and if we had to put covered parking there we would have to cut the tree.

Commissioner Larsen – I have concerns, I used to live in that area. Those homes do tend to flood because they use to use irrigation water. Because it is such a narrow frontage I do think there needs to be off street parking in a driveway.

Commissioner Kemp – It looks like the neighbor to the south is flooding is where the block wall on her south boundary ends. I wonder if it would make sense to extend that block wall? As far as covered parking every single short-term rental that is historical we have required covered parking. Personally, I would like to see it happen behind the house. I think per code we have to have an option for someone who rents this to be able to park under covered parking.

Commissioner Fisher – She wants to change the use, it won't be grandfathered in. If she wants to change the use she needs to meet code. We aren't going to design that for her, she will need to figure that out if she wants to change the use.

Commissioner Kemp – I think there is a place where you could put the covered parking where it would not interfere with the landscape in the front.

**MOTION:** Commissioner Andrus made a motion to recommend approval of the conditional use permit for the Sevy home with the two staff conditions that the parking must be paved and that they must provide one covered parking space.

**SECOND:** Commissioner Anderson

**ROLL CALL VOTE:**

**AYES (7)**

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Natalie Larsen

Commissioner Elise West

Commissioner Nathan Fisher

Commissioner Austin Anderson

**NAYS (0)**

Motion Carries unanimous recommend approval

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

A. Consider a request for a sixteen (16) lot residential subdivision known as The Cove at Desert Color Lot 501 located along Lagoon Parkway in the Desert Color Development. The property is .47 acres and is zoned PD-R. The applicant is Cole West Development, representative Eric Day. Case No. 2021-PP-055. (Staff – Wes Jenkins)

Carolyn Prickett presented the following:

Carolyn Prickett – This will have the 4 buildings with 4 units in each. We are looking to amend the access because it doesn't meet the access management policy being that close to the neighboring property.

Eric Day – We are working with staff to overcome the access, hopefully we can find a solution before we go to the council.

Bob Hermandson – Wes and I have discussed this; the layout may have some slight tweaks. We will work it out prior to City Council.

Discussion continued on access.

Commissioner Larsen – I just wonder if we are setting a precedent that the Planning Commission lets things pass along without being satisfied.

Chair Draper – They have been talking to staff about this, is staff comfortable with satisfying the staff?

Carolyn Prickett – They have been working with Wes and Cathy, Cathy is the Desert Color Engineer. I think they are comfortable with working with Desert Color to get a resolution.

Bob Hermandson – One of the scenarios is to come through the existing parking lot and then move the extra stalls to here, we just need to make sure that those stalls will still be able to go with the clubhouse, will our residents be comfortable doing that. The other option is to turn the building but then we wouldn't meet the zoning for fronting a civic space.

John Willis – With the preliminary plat you are really looking at the box and ownership. This probably should have been addressed with the PD zone change but it was not. If they are going to change something in that way they will need to come back through with a zone change amendment.

Bob Hermandson – This is also a good reason to see the zone changes and preliminary plats together and then we would have seen it.

Discussion continued on the way the access should be handled.

**MOTION:** Commissioner Kemp made a motion to recommend approval of item 6A a 16-lot residential subdivision The Cove at Desert Color lot 501 with a condition of approval that the applicant work with staff to satisfy the access requirements of the City Code.

**SECOND:** Commissioner Larsen

**ROLL CALL VOTE:**

**AYES (7)**

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Planning Commission Minutes

October 26, 2021

Page 15 of 17

Commissioner Natalie Larsen  
Commissioner Elise West  
Commissioner Nathan Fisher  
Commissioner Austin Anderson  
NAYS (0)  
Motion Carries unanimous recommend approval

B. Consider a request for a twenty (20) lot residential subdivision known as The Cove at Desert Color Lot 514-515 located along Lagoon Parkway in the Desert Color Development. The property is .61 acres and is zoned PD-R. The applicant is Cole West Development, representative Eric Day. Case No. 2021-PP-056. (Staff – Wes Jenkins)

Carolyn Prickett presented the following:

Carolyn Prickett – This is right next to the one we just discussed. There will be two buildings on each side of the access.

Commissioner Kemp – It looks like there is an access across the street from this, is this the same situation with 501?

Bob Hermandson – It just goes straight across the way to the alley access component that is already built.

MOTION: Commissioner Anderson made a motion to give a favorable recommendation for a preliminary plat Item 6B.

SECOND: Commissioner Andrus

ROLL CALL VOTE:

AYES (7)

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

NAYS (0)

Motion Carries unanimous recommend approval

## 7. MINUTES

Consider a request to approve the meeting minutes from the August 26, 2021, joint work meeting and the October 7, 2021, October 12, 2021, and October 14, 2021, meetings.

MOTION: Commissioner West made a motion to approve the minutes from the August 26, 2021, joint work meeting and the October 7, 2021, October 12, 2021, and October 14, 2021, meetings

SECOND: Commissioner Andrus

Planning Commission Minutes

October 26, 2021

Page 16 of 17

ROLL CALL VOTE:

AYES (7)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Natalie Larsen

Commissioner Elise West

Commissioner Nathan Fisher

Commissioner Austin Anderson

NAYS (0)

Motion Carries unanimous recommend approval

## **8. CITY COUNCIL ACTIONS**

*John Willis the Community Development Director will report on the items heard at City Council from the October 21, 2021, meeting.*

1. 2021-ZRA-009 10-17A-3 ADU
2. 2021-ZC-065 Hope Pregnancy Care Center
3. 2021-ZC-066 900 South Properties
4. 2021-ZCA-067 Quench IT
5. 2021-ZC-068 Open Space
6. 2021-ZC-069 The Fields at Mall Dr ph3 Fat Cats
7. 2021-ZC-070 SLR Fields
8. 2021-ZC-071 The Park at Temple View
9. 2021-PP-045 The Fields at Mall Dr ph3
10. 2021-PP-051 Patio Furniture at SunRiver
11. 2021-PP-050 The Flats at Grand Views
12. 2021-PP-052 Desert Providence
13. 2021-PP-053 Desert Reserve Ph 3
14. 2021-PP-054 Desert Solace Ph 4

## **9. ADJOURN**

MOTION: Commissioner Fisher made a motion to adjourn at 7:40 pm

SECOND: Commissioner Larsen

ROLL CALL VOTE:

AYES (7)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Natalie Larsen

Commissioner Elise West

Commissioner Nathan Fisher

Commissioner Austin Anderson

NAYS (0)

Planning Commission Minutes

October 26, 2021

Page 17 of 17

Motion Carries unanimous recommend approval
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