

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
NOVEMBER 18, 2021 5:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

**Mayor Pro Tem Jimmie Hughes
Councilmember Gregg McArthur
Councilmember Dannielle Larkin
Councilmember Vardell Curtis
City Manager Adam Lenhard
City Attorney Tani Pack Downing
City Recorder Christina Fernandez**

EXCUSED:

**Mayor Michele Randall
Councilmember Bryan Smethurst**

OPENING:

Mayor Pro Tem Hughes called the meeting to order and welcomed all in attendance. The invocation was offered by Pastor Jimi Kestin and The Pledge of Allegiance to the Flag was led by Councilmember McArthur.

Pastor Jimi Kestin thanked Councilmember Larkin for representing the City at this year's Crop Walk event. He then mentioned the Prayer Over the City event taking place in January.

CONSENT CALENDAR:

- a. Consider approval of an award of bid to Progressive Contracting, Inc. for the Fish Rock Park project.**
- b. Consider approval of an agreement for the conveyance of property for Mall Drive on Parcel SG-5-2-28-4381.**
- c. Consider approval of a Professional Services Agreement with Landmark Testing and Engineering for the geotechnical investigation, construction materials testing, and special inspections services for the Bloomington Hills Irrigation Tank.**
- d. Consider approval of a Professional Services Agreement with MRW Design Associates, Inc. for architecture and design services on the St. George Golf Clubhouse remodel.**
- e. Consider approval of an Airport Rescue Grant for St. George Regional Airport.**
- f. Consider approval of a Memorandum of Understanding between the City of St. George and the Drug Enforcement Administration (DEA) Denver Field Division for an extension of the lease of office space in the Drug Task Force office.**

- g. Consider approval of a request for fee reductions for the Menorah Lighting Celebration in Town Square organized by Chabad Lubavitch of Utah, from November 25, 2021 through January 3, 2022.**
- h. Consider approval of the minutes from the meetings held on October 21, 2021; October 28, 2021; November 4, 2021 (work meeting); and November 4, 2021 (regular meeting).**

MOTION: A motion was made by Councilmember Larkin to approve the consent calendar as presented.

SECOND: The motion was seconded by Councilmember Curtis.

VOTE: Mayor Pro Tem Hughes called for a vote, as follows:

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/AMENDMENT TO THE ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM:

Public hearing and consider approval of an amendment to the Program Year 2021 (Fiscal Year 2022) Annual Action Plan (AAP) for the Community Development Block Grant (CDBG) program.

Economic Vitality & Housing Director Shirlayne Quayle stated the 2021 AAP was approved by the Council on June 3, 2021. The proposed amendment to that plan is to remove projects that will not be pursued during the program year and to identify projects that can be pursued. There have been some changes since the agenda packet was posted to the additional labor and materials cost. Sections AP-15, AP-20, and AP-38 are the amended sections of the plan.

Mayor Pro Tem Hughes opened the public hearing. There being no comment, he closed the public hearing.

MOTION: A motion was made by Councilmember Curtis to approve the amendment to the to the Program Year 2021 (Fiscal Year 2022) Annual Action Plan (AAP) for the Community Development Block Grant (CDBG) program.

SECOND: The motion was seconded by Councilmember McArthur.

VOTE: Mayor Pro Tem Hughes called for a vote, as follows:

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

**PUBLIC HEARING/ROADWAY AND PUBLIC UTILITY AND DRAINAGE EASEMENT
VACATION/ROADWAY DEDICATION PLAT:**

Public hearing and consideration of a roadway and public utility and drainage easement vacation for 910 East Circle and a portion of Factory Circle which are located in the Fort Pierce Business Park. Also consider approval of the roadway dedication plat for Fort Pierce Area '6' Street Dedication plat, both of which are depicted and shown on the plat map.

Assistant Public Works Director Wes Jenkins presented the request to vacate 910 East Circle and a portion of Factory Circle, along with their associated public utility and drainage easements, both located in the Fort Pierce Business Park. He showed the roadway dedication plat for the Fort Pierce Area '6' Street Dedication and outlined the proposed vacations. The applicant will need to return with an amended roadway dedication plat as they are proposing a different road layout.

Mayor Pro Tem Hughes opened the public hearing. There being no comment, he closed the public hearing.

MOTION: A motion was made by Councilmember McArthur to approve the roadway and public utility and drainage easement vacation for 910 East Circle and a portion of Factory Circle which are located in the Fort Pierce Business Park.

SECOND: The motion was seconded by Councilmember McArthur.

VOTE: Mayor Pro Tem Hughes called for a vote, as follows:

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

PETITION TO DESIGNATE A LOCAL LANDMARK SITE:

Consider approval of a petition to designate a local landmark site for the Junius and Margaret Ann Barton Home on approximately 0.12 acres located at 179 West 200 North Street to be known as the Junius and Margaret Ann Barton Home. Case No. 2021-HPC-008

Planner Mike Hadley presented the request to designate a local landmark site for the Junius and Margaret Ann Barton Home located at 179 West 200 North. He provided a PowerPoint presentation covering the following topics: Aerial map; Photos of the home in 1950 and 2003; Current photos of the home; Requirements to become a local landmark; and Recommendations from Planning Commission and Historic Preservation Commission.

Councilmember McArthur noted that more homes have come in recently with this type of request. He asked if there is a benefit to making the home a local landmark.

Mr. Hadley explained benefits include to preserve the architecture and the history of the home.

Community Development Director John Willis added another benefit is that per City code, local landmarks can be granted limited commercial use if a conditional use permit is approved. Most of these applicants are requesting short term rentals.

City Manager Adam Lenhard noted staff feels this ordinance has served its purpose. The Council may want to revisit the ordinance in the future.

Councilmember McArthur stated he likes to preserve homes that should be preserved; however, it feels like the Council is approving a nightly rental. He commented that he would like to look at revising the ordinance.

Councilmember Larkin agreed and commented that she would like to look at the ordinance as well. She noted that these homes are expensive to renovate.

City Manager Adam Lenhard mentioned he would not like to amend the ordinance and then have the homes be torn down because of it. He commented just because a home is old, does not mean that it has historical value.

Community Development Director John Willis explained it important to look at and make sure the application meets the criteria.

Mayor Pro Tem Hughes, agreed with all comments.

Councilmember Curtis asked for clarification regarding the agenda as it states the application is for the Barton Home; however, the background for the item states the home is called the Frederick Blake Home. Mr. Hadley noted that was an error.

MOTION: A motion was made by Councilmember McArthur to approve the petition to designate a local landmark site for the Junius and Margaret Ann Barton Home on approximately 0.12 acres located at 179 West 200 North Street.

SECOND: The motion was seconded by Councilmember Larkin.

VOTE: Mayor Pro Tem Hughes called for a vote, as follows:

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

HILLSIDE DEVELOPMENT PERMIT:

Consider approval of a hillside development permit to allow disturbance of areas in the 20-30%, 30-40% and 40% and above slope areas on

approximately 16.47 acres generally located at the northwest corner of Blackridge Drive and 250 West Street to be known as Black Ridge Hotel. 2021-HS-008

Assistant Public Works Director Wes Jenkins presented the request for a hillside development permit to allow disturbance of areas in the 20-30%, 30-40% and 40% and above slope areas on approximately 16.47 acres generally located at the northwest corner of Blackridge Drive and 250 West Street to be known as Black Ridge Hotel. He reviewed the following from the staff report: Aerial map; and Original and proposed site maps. A slope analysis was done showing that there were portions exceeding the 20-30%, 30-40%, and exceeding the 40%; however, when the Hillside Review Board visited the site, they determined the site was already completely disturbed.

Councilmember Larkin asked about AGECE report. She noted it says that the fill slopes should be graded by overbuilding.

Mr. Jenkins replied he thinks that means the developer will need to provide additional fill. They will not go further into the slopes that have not been disturbed. He noted there is a large cut on an adjacent parcel to the west that even the hotel may not mitigate. He added there will be a cut at the south end of this property - the Hillside Review Board requested this cut be mitigated as much as possible. Another concern is with the rock line slope that the Board felt needed to be addressed aesthetically. He mentioned that the secant wall sits within the landslide area. The developer has done some additional research on developing and landslides and was required to obtain a third-party review of the landslide study. It was determined that a different factor of safety of 1.3 could be used if they meet certain parameters. Based on this study they can meet the factor of safety of 1.3; therefore, mitigation will not be required. The soil moisture will need to stay in a similar condition as it is currently. Landscaping is recommended to be desert landscaping with minimal watering. They will have a pool with a liner including a drain system. The Hillside Review Board put a condition on landscaping, that it have a monitor on meters showing the amount of water being used. It will have an alarm that will monitor water usage and notify the developer of a possible leak.

Councilmember Larkin noted the AGECE report recommended zero water in the landscaping.

Mr. Jenkins explained AGECE would like no water in the landscaping; however, doing that would not meet the ordinance. It is recommended that they have plants that require minimal water to get started and keeping them alive. AGECE agreed with this recommendation if the alarm is utilized for water usage. He noted that the original plans included lush landscaping.

Councilmember Curtis inquired if there were concerns with water coming from other sources.

Mr. Jenkins explained that one of the concerns is what happens upslope as they cannot control that. He then showed the future road alignment. The developer will

need to collect water from the road and get it off the site, not only to protect the road, but to protect any development downstream of any runoff.

Councilmember McArthur declared he has a conflict with this item because he was an agent involved in the sale of the property; however, he spoke with the City Attorney who indicated it is okay that he votes on the item. Although he has concerns about hillsides, because this property is already disturbed, he feels what is being proposing will benefit the property. He asked what will be disturbed that is not currently disturbed.

Mr. Jenkins replied not much more will be disturbed as the area is already cut pretty badly.

Councilmember McArthur commented this hotel with the mitigation will be costly. The developer will be concerned and do everything they can to mitigate what they can with how much they are spending.

Councilmember Larkin agreed the proposal will be a good addition to the area. She asked about landslides and the reports from AGECEC and the third-party review.

Mr. Jenkins explained that staff met with AGECEC who explained the parameters and stated why the 1.3 factor of safety is acceptable, after which staff felt comfortable with the request. He mentioned on the northeast corner, there was an asbestos pipe that was excavated. AGECEC has tested 12-15 pits and found ten fragments of asbestos pipe. The environmental expert on the site stated the site is not on the state's registry. They will be required to provide a letter from the state recognizing the property is not an asbestos cell. After being asked by Councilmember Lakin, Mr. Jenkins indicated the developer will be required to have construction observation. A final grading report will be required; this report will indicate compaction tests that were done and will also address any concerns.

Councilmember Larkin asked if staff's recommendation that the site is completely impermeable.

Mr. Jenkins explained they will need to keep the moisture the same as it is right now. The site will need to be monitored for moisture content.

Wayne Rogers with AGECEC explained the impermeability factor is already there with the clay soils anyway. He noted the problem with clay soils is that if there is water ponding, it sucks the water down; that is what they want to avoid. Currently, the site is such that it does not drain very well. All of the precautionary measures suggested keeps the risk low that there be an increase in moisture content significant enough to cause the slope to weaken. They will work with the City on the drainage.

**ZONE CHANGE/AMEND PLANNED DEVELOPMENT COMMERCIAL ZONE/ORDINANCE:
Consider approval of an ordinance amending the Blackridge Commercial
Center PD-C (Planned Development Commercial) zone to change the zone
from R-1-10 (Single Family Residential) to PD-C (Planned Development**

Commercial) zone on approximately 1.02 acres, and to amend the PD-C (Planned Development Commercial) zone on approximately 17.03 acres for the purpose of constructing a new hotel generally located on the northwest corner of Blackridge Drive and 250 West Street to be known as St. George Hotel Commercial Project. Case No. 2021-ZCA-078

Planner Dan Boles presented the request to amend the Blackridge Commercial Center PD-C zone to change the zone from R-1-10 to PD-C zone on approximately 1.02 acres, and to amend the PD-C zone on approximately 17.03 acres for the purpose of constructing a new hotel generally located on the northwest corner of Blackridge Drive and 250 West Street to be known as St. George Hotel Commercial Project. She provided a PowerPoint presentation covering the following topics: Aerial map; General plan map; Zoning map; Site plan; Parking plan; Pedestrian access; Landscape & buffer plan; Elevations; Renderings; Materials and colors; and Recommendation from the Planning Commission, with conditions. A restaurant is proposed in the hotel; parking will need to include the restaurant.

Councilmember Larkin asked how the developer will get the roadway to tie into the parking and if there will be a southern access.

Assistant Public Works Director Wes Jenkins explained there is only the one access off 250 West. There is a road that could possibly be on the south when the adjacent property to the south is developed.

MOTION: A motion was made by Councilmember Curtis to approve the hillside development permit to allow disturbance of areas in the 20-30%, 30-40% and 40% and above slope areas on approximately 16.47 acres generally located at the northwest corner of Blackridge Drive and 250 West Street to be known as Black Ridge Hotel including all of the mitigation recommendations from the AGEC report.

SECOND: The motion was seconded by Councilmember Larkin.

VOTE: Mayor Pro Tem Hughes called for a vote, as follows:

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

MOTION: A motion was made by Councilmember Larkin to approve the ordinance amending the Blackridge Commercial Center PD-C zone to change the zone from R-1-10 to PD-C zone on approximately 1.02 acres, and to amend the PD-C zone on approximately 17.03 acres for the purpose of constructing a new hotel generally located on the northwest corner of Blackridge Drive and 250 West Street to be known as St. George Hotel Commercial Project adopting all of the recommendations as presented.

SECOND: The motion was seconded by Councilmember Curtis.

VOTE: Mayor Pro Tem Hughes called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

AMEND PLANNED DEVELOPMENT COMMERCIAL ZONE/ORDINANCE:

Consider approval of an ordinance amending the Tonaquint Center PD-C (Planned Development Commercial) zone for an office building to be known as Onset Financial Building on approximately 3.11 acres located at southeast corner of Dixie Drive and Silicon Way. Case No. 2021-ZCA-079

Planner Mike Hadley presented the request to amend the Tonaquint Center PD-C zone for an office building to be known as Onset Financial Building on approximately 3.11 acres located at southeast corner of Dixie Drive and Silicon Way. He provided a PowerPoint presentation covering the following topics: Aerial map; General plan map; Zoning map; Site plan; Elevations; and Materials board. He noted that staff has discussed access to the trail; he suggested a condition of approval be that access is granted to the City on the north end on lot 2 to access the trail.

MOTION: A motion was made by Councilmember McArthur to approve the ordinance amending the Tonaquint Center PD-C zone for an office building to be known as Onset Financial Building on approximately 3.11 acres located at southeast corner of Dixie Drive and Silicon Way with the condition that the applicant provide an access for the City's trail system.

SECOND: The motion was seconded by Councilmember Curtis.

VOTE: Mayor Pro Tem Hughes called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

ZONE CHANGE/ORDINANCE:

Consider approval of an ordinance changing 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 approximately 1,200 feet southwest of Gap Canyon Parkway to be known as Divario Planning Area 4. Case No. 2021-ZC-077

Planner Dan Boles presented the request to change the zone from R-1-10 to R-1-8 on approximately 35.65 acres located approximately 1,200 feet southwest of Gap Canyon Parkway to be known as Divario Planning Area 4. He provided a PowerPoint

presentation covering the following topics: Aerial map; Land use map; Zoning map; and Divario master plan. The Planning Commission recommended approval.

After being asked by Councilmember McArthur, Mr. Boles explained this is the lowest density they can have per the development agreement. There is not a unit count guaranteed on this site; just on the overall Divario Master Plan.

MOTION: A motion was made by Councilmember Curtis to approve the ordinance changing the zone from R-1-10 to R-1-8 on approximately 35.65 acres located approximately 1,200 feet southwest of Gap Canyon Parkway to be known as Divario Planning Area 4.

Mayor Pro Tem Hughes asked the Council what their concerns are.

Councilmember McArthur commented he is concerned that the developer can choose between R-1-10 and R-1-8; however, if there is so much density in this area. If a unit count is not required on this project, he would like to see something less dense.

Councilmember Larkin, agreed.

Mr. Boles stated the density is less than four units per acre which complies with the Divario Master Plan.

City Manager Adam Lenhard explained, based on the approved Divario Master Plan and the approved planning areas, the proposal would comply with what has already been approved.

SECOND: The motion was seconded by Councilmember Hughes.
VOTE: Mayor Pro Tem Hughes called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Consider approval of the preliminary plat for Velino Crossing at Divario (PA-5), a 67-lot residential subdivision located along the extension of Divario Canyon Drive, south of the future intersection of Divario Canyon Drive and Alienta Drive within the Divario development.

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Velino Crossing at Divario (PA-5), a 67-lot residential subdivision located along the extension of Divario Canyon Drive, south of the future intersection of Divario Canyon Drive and Alienta Drive within the Divario development. He showed the property on an aerial map and outlined the preliminary plat. There is an agreement between the City and Divario regarding setbacks. In reviewing the property, it appears to be

closer than 50' to the ridgeline. He talked to Mark Teeppen who asked the preliminary plat be approved with the condition he works with staff to establish the 50' setback. If necessary, he can shrink some of the lots to meet the setback. Staff will require Mr. Teeppen to stake what he considers to be the cliff line setback so staff can review. He showed the future trails on the map and noted he will speak with Parks staff to discuss the pedestrian crossing.

Mark Teeppen with Divario noted he spoke with Cimmaron Chacon regarding the trail. They will eliminate portions of the Zen Trail; however, their intention is to keep access to the trail. After being asked by Councilmember McArthur, Mr. Teeppen explained why one side has the 100' setback while the other has a 50' setback.

MOTION: A motion was made by Councilmember Curtis to approve the preliminary plat for Velino Crossing at Divario a 67-lot residential subdivision located along the extension of Divario Canyon Drive, south of the future intersection of Divario Canyon Drive and Alienta Drive within the Divario development with the condition that the Zen Trail is continued along the setback and to have the developer work with staff to establish the 50' setback.

SECOND: The motion was seconded by Councilmember Larkin.

Mr. Jenkins added staff will make the Zen Trail improvements a requirement a part of the subdivision improvements.

VOTE: Mayor Pro Tem Hughes called for a vote, as follows:

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Consider approval of the preliminary plat for Rim Rock Commercial Center Office Condominium, a 3-lot commercial subdivision located at 234 South 1470 East.

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Rim Rock Commercial Center Office Condominium, a 3-lot commercial subdivision located at 234 South 1470 East. He showed the property on an aerial map and outlined the preliminary plat.

MOTION: A motion was made by Councilmember McArthur to approve preliminary plat for Rim Rock Commercial Center Office Condominium, a 3-lot commercial subdivision located at 234 South 1470 East.

SECOND: The motion was seconded by Councilmember Larkin.

VOTE: Mayor Pro Tem Hughes called for a vote, as follows:

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Consider approval of the preliminary plat for River Crossing phase 1, an 8-lot subdivision located at the southeast intersection of 1450 South and River Road.

Assistant Public Works Director Wes Jenkins presented the preliminary plat for River Crossing phase 1, an 8-lot subdivision located at the southeast intersection of 1450 South and River Road. He showed the property on an aerial map and outlined the preliminary plat. There is a 27" sewer main line on the site that they will need to relocate and put through their site. The Wastewater Department will work with the developer to make sure the line stays in the parking area. As the property is located within the erosion hazard boundary, a study will be required. Additionally, the property is located within the 100-year floodplain; therefore, each lot will be required to provide an elevation certificate. A traffic study was performed some years ago, establishing the access locations. The original traffic study indicated a traffic signal may be warranted at this location. The developer will need to work with staff to determine how much of the cost of the traffic signal they will be responsible to participate in. After being asked by Councilmember Larkin, Mr. Jenkins outlined the access points. Councilmember Larkin noted the plat does not coincide with what Mr. Jenkins is outlining. Mr. Jenkins agreed and suggested a condition of approval be to make sure the access points meet the requirements of the traffic study that was done.

City Manager Adam Lenhard left the meeting during Mr. Jenkins' presentation.

After being asked by Mayor Pro Tem Hughes, Planner Dan Boles noted there was a drive thru approved on pad F.

MOTION: A motion was made by Councilmember Larkin to approve the preliminary plat for River Crossing phase 1, an 8-lot subdivision located at the southeast intersection of 1450 South and River Road with the condition that the traffic study be reviewed for the first exit off 1450 South to decide whether it should be a right in, right out.

SECOND: The motion was seconded by Councilmember Curtis.

VOTE: Mayor Pro Tem Hughes called for a vote, as follows:

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Consider approval of the preliminary plat for South Desert PD, a 142-lot residential subdivision located within the Southern Hills East development north of White Dome Drive and west of the future extension of Southern Hills Parkway (3000 East).

Assistant Public Works Director Wes Jenkins presented the preliminary plat for South Desert PD, a 142-lot residential subdivision located within the Southern Hills East development north of White Dome Drive and west of the future extension of Southern Hills Parkway (3000 East). He showed the property on an aerial map and outlined the preliminary plat. A condition of approval should include a second access to the site be provided prior to the final phase being recorded. He mentioned a change to the preliminary plat from the one provided in the original packet, there is not a road connecting the two developments at the south end of this parcel; however, staff has requested they provide a road in that area. He spoke about the width of the road on the east side of the subdivision. After being asked by Councilmember McArthur, Mr. Jenkins spoke about the length of the driveways, driveway setbacks, and internal roads. He then spoke about the proposed curb and gutter for this project.

Councilmember McArthur commented that attainable housing is needed; however, when the developer came in about a year ago, a discussion took place regarding density. To him, the plat feels like the same as before – too dense; no changes are being made, just getting as much density as a development can.

Community Development Director John Willis noted the Council saw this item and tabled the request and then discussed the proposal at work meeting. One of the items staff is working on is the general plan, creating policies that would support modifying ordinances to require different product types not only within a development, but on the same community. This request is for the subdivision; the Council has already approved a Planned Development for this project.

Mr. Jenkins outlined the adjacent zones and noted what types of units he anticipates for this area in the future.

MOTION: A motion was made by Councilmember Larkin the preliminary plat for South Desert PD, a 142-lot residential subdivision located within the Southern Hills East development north of White Dome Drive and west of the future extension of Southern Hills Parkway (3000 East) incorporating the second access that was presented.

SECOND: The motion was seconded by Councilmember Curtis.

VOTE: Mayor Pro Tem Hughes called for a vote, as follows:

Councilmember Hughes – aye
Councilmember McArthur – nay
Councilmember Larkin – aye
Councilmember Curtis – aye

The motion carried.

PRELIMINARY PLAT:

Consider approval of the preliminary plat for The Cove at Desert Color Lot 501, a 16-lot residential subdivision located within the Desert Color planned development along Lagoon Parkway.

Assistant Public Works Director Wes Jenkins presented the preliminary plat for The Cove at Desert Color Lot 501, a 16-lot residential subdivision located within the Desert Color planned development along Lagoon Parkway. He showed and outlined the preliminary plat.

MOTION: A motion was made by Councilmember Curtis to approve the preliminary plat for The Cove at Desert Color Lot 501, a 16-lot residential subdivision located within the Desert Color planned development along Lagoon Parkway.

SECOND: The motion was seconded by Councilmember Larkin.
VOTE: Mayor Pro Tem Hughes called for a vote, as follows:

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Consider approval of the preliminary plat for The Park at Temple View, a 14-lot residential subdivision located at the southeast corner of the intersection of 1450 South and 3000 East.

Assistant Public Works Director Wes Jenkins presented the preliminary plat for The Park at Temple View, a 14-lot residential subdivision located at the southeast corner of the intersection of 1450 South and 3000 East. He noted the name of the development may change as it is similar to a development to the north. He then showed the property on an aerial map and outlined the preliminary plat. The development will have double fronting lots that will require a privacy wall and landscape strip. They will be required to create an HOA to maintain the landscape strips or will need to request the City to take them. He spoke about the road to the far east and driveway access in the middle of the subdivision.

Applicant Rollin Johnson spoke about what they are calling the boulevard (the driveway access in the middle), it will be maintained by the Temple group. They are working on an MOU with the City.

MOTION: A motion was made by Councilmember McArthur to approve the preliminary plat for The Park at Temple View, a 14-lot residential subdivision located at the southeast corner of the intersection of 1450 South and 3000 East.

SECOND: The motion was seconded by Councilmember Larkin.
VOTE: Mayor Pro Tem Hughes called for a vote, as follows:

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

AMEND TITLE 10, CHAPTER 13A OF CITY CODE/ORDINANCE:

Consider approval of an ordinance amending Title 10, Chapter 13A of City code as it pertains to certain public streets in the hillside overlay zone.

Planner Dan Boles presented the request to amend Title 10, Chapter 13A of City code as it pertains to certain public streets in the hillside overlay zone. He provided a PowerPoint presentation covering the following topics: Proposed language; and Planning Commission recommendation – they recommended #3 be stricken. Staff recommends #3 remains in the ordinance.

After being asked by Mayor Pro Tem Hughes and Councilmembers Larkin and McArthur, Community Development Director John Willis explained that the Council works within a certain window and staff has to make sure the ordinance is in line with what the Council is able to do. This amendment would give the Council the ability to review certain public streets as part of a hillside permit.

Councilmember McArthur commented he thinks the ordinance is being changed to be able to reroute Tech Ridge Drive.

Mr. Willis noted that there are some applications and Tech Ridge could be one of them.

Councilmember McArthur stated he would like to discuss the topic in detail before changing the ordinance.

Mayor Pro Tem Hughes agreed. He asked if the ordinance passes, would the Council no longer see some requests.

Community Development Director John Willis explained the Council would still review the requests as part of a hillside permit request.

Councilmember McArthur commented that he feels like this amendment is being done in reverse. He is surprised it is coming before the Council without the details.

Mr. Willis explained the language would allow the Council to look at and apply the proposed standards when considering a hillside permit. If the proposed language is not in the ordinance and a request violates the ordinance, an applicant could not come if for approval as it does not meet the current code.

Councilmember Larkin commented if roads are currently failing, this is an opportunity for the Council to review these roads and find a solution.

Mayor Pro Tem Hughes commented that the Council typically discusses this type of item in a work meeting before a request to approve. He would like to see this discussed further.

Councilmember McArthur agreed.

Mayor Pro Tem Hughes recommended a motion to table the item; however, there are options for the Council to approve or deny the request also.

Councilmember Larkin noted staff understands there are failing roads. This amendment gives the Council to discuss these roads, currently, there is nothing in code to allow the Council to do that.

The Council briefly discussed their options for this item.

Mr. Willis stated staff does not look at specific properties or project when drafting ordinances, it is intended to apply to all projects.

MOTION: A motion was made by Councilmember McArthur to table the item.

SECOND: The motion was seconded by Councilmember Curtis.

VOTE: Mayor Pro Tem Hughes called for a vote, as follows:

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – nay
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

REPORTS FROM MAYOR, COUNCILMEMBERS, AND CITY MANAGER:

Councilmember Larkin reported on the mural unveiling taking place this weekend.

ADJOURN:

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

SECOND: The motion was seconded by Councilmember McArthur.

VOTE: Mayor Pro Tem Hughes called for a vote, as follows:

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.