

NOTICE OF MEETING

PLANNING COMMISSION CITY OF ST. GEORGE WASHINGTON COUNTY, UTAH

Public Notice

Notice is hereby given that the Planning Commission of the City of St. George, Washington County, Utah, will hold a **Planning Commission** meeting in the City Council Chambers, 175 East 200 North, St George, Utah, on **Tuesday, January 11, 2022**, commencing at **5:00 p.m.**

PRESENT: Chairman Ray Draper
Commissioner Emily Andrus
Commissioner Steve Kemp
Commissioner Nathan Fisher
Commissioner Austin Anderson
Commissioner Lori Chapman

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

EXCUSED: Commissioner Elise West

Chairman Ray Draper opened the meeting, Commissioner Nathan Fisher lead us in the pledge of allegiance. Chair Draper welcomed Lori Chapman as a new commissioner.

1. SELECTION OF CHIAR PERSON AND VICE CHAIR DRAPERPERSON

The Planning Commission will nominate a Chairperson and a Vice Chairperson for the 2022 calendar year.

MOTION: Commissioner Anderson made a motion to nominate Ray Draper as Chair Draper.

SECOND: Commissioner Fisher

ROLL CALL VOTE:

AYES (5)

Commissioner Steve Kemp
Commissioner Emily Andrus
Commissioner Nathan Fisher
Commissioner Austin Anderson
Commissioner Lori Chapman

NAYS (0)

Motion Carries unanimous recommend approval

MOTION: Commissioner Andrus made a motion to nominate Steve Kemp as Vice Chair Draper.

SECOND: Commissioner Draper

ROLL CALL VOTE:

AYES (5)

Chairman Ray Draper

Commissioner Emily Andrus

Commissioner Nathan Fisher

Commissioner Austin Anderson

Commissioner Lori Chapman

NAYS (0)

Motion Carries unanimous recommend approval

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

A. Consider a request to change the general plan from LDR (Low Density Residential) and MDR (Medium Density Residential) to COM (Commercial) on approximately 7.36 acres generally located on the southeast corner of 1450 South Street and River Road. The applicant is RCSG, LLC, and the representative is Richie Webb. The project will be known as River Crossing Case No. 2022-GPA-001. (Staff – Carol Davidson)

Carol Davidson presented the following:

Carol Davidson – The property has mostly the medium density residential and a little of the low density residential. Carol showed actual pictures of the property that are in the agenda packet, showing the existing houses that are near the property. You are just determining whether it makes sense for that area to be switched to commercial.

Richie Webb – I represent the ownership group that owns this property. We were just in front of you for the north side of this property. The south side makes sense for it to be commercial so we have a cohesive project, it will allow us to develop much better commercial choices for the community. The General plan talks about where neighborhood centers could be built. In many cases it's quite a drive to get to goods and services from the south to the north. We feel like this fits nicely, we feel like it's a good example for what is trying to be accomplished. Where it is currently residential you would have to wall it off and then the project wouldn't be contiguous. It opens the door for us to put in some offices and maybe restaurants. We feel like the highest and best use would be to make it commercial to go with the north.

Chair Draper – What do you think you will put on that south side?

Richie Webb – We have talked to companies that need office space, it's probably going to be office and retail maybe some sit down restaurants, not the drive thru type.

Commissioner Kemp – Last time you were here working on the north we had a protracted conversation about access and flow. I'm glad to see this is proposed commercial. Is that the plan to tie this together?

Richie Webb – It is. If we are able to get this done by the time we are developing we can put that entire road in.

Commissioner Kemp – Do you have any idea what the elevation change is from this property to the residential to the south?

Richie Webb – I'm not sure, but at least 20 feet.

Commissioner Chapman – Will there be another access off of River Road?

Richie Webb – No, just the two that were proposed. One of the things that have been important to us is to reach out to the neighbors. I know a few of them are here tonight. I want to let the commission know that we have reached out to the neighbors, and it is important to us that we hear them. We understand that we are adjacent to them, and we want to be good neighbors.

Chair Draper opened the public hearing.

Ken Butchlig – I live in the Boulders; I was also on the Hillside Review Board for the City. Let me welcome the new members to the board. For the people who are in back of me I want to review what the general plan is. Ken described what the general plan is. In this case the Planning Commission is making a decision which could abandon and overturn this time honored and proven best practice use of land. Ken from section 6.3 of the general plan. The transition is used to prevent conflicts between commercial and established low density housing. We are low density housing in the Boulders, we want to see this medium density designation stay and work successfully in the area like as it has for the Boulder Villages over on the east side there. So, you have a buffer between commercial and low density. We have to have a pretty compelling reason to change the general plan here. I would ask that the Planning Commission uphold the general plan as it is and the time-honored agreement of best practices for transitional zoning.

Ron Reber – Changing from low density housing to commercial does that change the possible height of the buildings? Could it change how tall those buildings could be below us? Is the developer required to do different kinds of fencing or structures around that property? Does it come back here? The increased height of 10 feet would block the view of most of the homes on that north end of the Boulders. The commercial property that is due west across the street, that's a pretty significant interruption to the residential area right above it. I don't think it was intended to be but because of the traffic with the car wash and the other office building that is there, I am kind of with the gentleman in front of me, I would rather stay with low density or medium density housing.

Harold Hickman – My house is one of those that you saw in the picture sitting out on the edge. I have spent about 15 years with this property below. I have never worked with a builder and developer like this company. They have told us everything they are wanting to do, and they come to us before they come to you. I don't have the concerns that Mr. Reber had. They are going to do single story buildings. I support this development. I think it will work not only for the developers but also for the Boulders. The only concern I have is traffic and the traffic on this corner is bad. We need to do something about that first. Harold spoke of when Mr. Sheffield spoke about this area before. We need to draw more commercial development from downtown, it is getting impossible to travel the roads. I do support this development.

Jinx Dabney – I live in the Boulders, like Hal I'm fairly familiar with it. What he said was pretty much true. The concern that we have seen every time that we have been here is not new, that's the traffic. The traffic on 2450 and River Road is horrendous. I remember fighting for the light just down from

there. The traffic has not gotten any better. It's too bad the planning hasn't addressed the traffic. Every time you approve one of these traffic is going to get worse. The question you have is if you adopt what they are proposing you are not solving the traffic problem, you are adding a little more to it. Is that a fair exchange to change the zone and increase the traffic? I live up there and I don't like the traffic problems. A project of this size is going to make it a little bit worse. The Planning Commission is way out front taking all the heat and you have to ask how this is going to affect traffic. I think if you approve it you need to be very careful, but it is going to affect traffic to change the zone from what it is now to commercial. Is it worth it? It's your call. I really just don't want the traffic.

Laurie Kowzinsky – I spent 3 years of my life working on the St. George Blvd expansion. I learned a lot about traffic. I too was part of the group meeting as a neighborhood group meeting for the last 14 years on the development here. I am pro development. I am grateful the developers made themselves available today. I am going to get really specific about traffic. When we consider a general plan amendment it should be context sensitive. River Road major arterial with an average daily count of 45,000. It will also impact 1450 South. The traffic on River Road is projected to double on River Road by 2030. It's not very far away. Laurie gave specific information about the traffic study done by Horrocks which is available on the recording. There are line of site issues. One of my biggest concerns is left hand turning and medians. The current general plan use of medium density housing is 196 trips per day. About 40 single family homes would generate the same trips as one drive thru restaurant. Laurie quoted more numbers for various traffic counts. We already have a significant impact with the commercial that has already been approved. Commuting times is a quality-of-life issue. We currently have an affordable housing issue. Any land use we convert in the general plan from residential to commercial contributes to the scarcity and it drives up prices and it leaves our young people without the dream of home ownership. We are saying that our quality of life is changing, the commute times and the traffic and housing affordability. I like the fact that we have neighborhood commercial, and I like what they are doing below. There is a lot of commercial there now it is side by side with that residential. I would respectfully request that the Planning Commission deny or table this request until a traffic analysis, or an impact study can be done to determine the safety and impact on River Road and 1450 South. I have a real concern that if you don't, I don't see how you're going to address that left hand turn into that access that he is talking about safely. Additionally, you will need a left-hand turn signal at The Boulders and St. James because right now one car can get through the light to make a left-hand turn onto River Road. I would ask that you maintain it as it is, that you deny this request, it's been denied once before. I submit that we have adequate commercial, that it's wonderful and amazing and I support that.

Neil Walter – I've been working with the applicant for a little over a year with the developer. My first comment is specifically related to low density residential. The closer you get to River Road the less desirable low density residential is in this particular location. The traffic that has been mentioned, the noise that comes from that traffic and the issues that have been describe make it a place that is not a highly desirable residential residence. As you move into your medium density there isn't a tremendous amount of desire for low density or even patio homes with this type of a format. If you are talking about affordable housing then you are talking about much more dense housing to allow you to drive the land price down so that you can make those units affordable. As soon as you start increasing density then you start to go up in height and we start to impact the view corridors that have been really a big issue in this particular site for many years. One of the things that I'll comment on is I think the question was raised is this an appropriate and good residential use, and I think for many of the reasons we have been hearing today it is actually not a great piece of property for the type of land use that has historically been

planned as the community has continued to grow, the traffic patterns have changed, and the access is in an area that has high traffic impact already.

Walt Baker – I haven't been a long-time resident of St. George, but I have to say we absolutely love it here. I live in the medium density; our ox really gets gored if there is a traffic problem. We only have two accesses that go out to 1450. Summit Athletic Club is a happening place, their parking lot is full at 10:00 at night when they close. Independent of what is going to occur there, residential or commercial, a traffic light would be paramount. I would dispute or a differing view from the gentleman who just spoke that it isn't desirable for housing. Any housing you would put in there similar to the medium density housing that we have in The Villas, would be highly desirable. I haven't seen the traffic studies about commercial vs residential, but I suspect it will be much greater relative to the commercial. If I had my preference it would be to maintain a residential atmosphere there. Let the commercial develop where it has been developing.

Chair Draper closed the public hearing.

Commissioner Kemp – We have this conversation that goes back and forth about traffic and widening roads and how do we make room for more traffic. Originally I felt like Laurie that we need to make River Road as wide as we can to accommodate traffic. But the question that wasn't addressed tonight was how do we stop the trips?

Chair Draper – The other thing is there is probably no more room to put commercial on River Road until you get quite far south.

Discussion continued on wanting to have commercial on River Road.

Commissioner Anderson – I think the commercial does make sense there but the concern I have is that we are removing the buffer from low density residential that is in the general plan to buffer the low density residential. I would like to know if it is going to be single story.

Commissioner Fisher – It doesn't even matter if they say that it would be. One of the things we need to keep in mind that we are looking to decide does commercial make more sense than residential. A lot of the property was zoned R-1-10 as a placeholder, not because they actually wanted it to be that. I feel like one of our mistakes in the past was short sidedness in commercial in residential areas. I think we need to be really careful; I understand that the neighbors are concerned about traffic but if we focus on trying to limit that traffic there, all we are doing is pushing it into town. We're causing those people that are south to travel all the way into to get a service they might be able to get in this area. The traffic is going to be there, the question is how far do we make everybody travel? When you talk about accidents the more people are on the road the more accidents there will be. I think at the end of the day we are afraid of what can come in here. There is going to be something. If we leave this residential, and the developer thinks the only thing that will fit there would be Medium High Density Residential the developer will be back here and so will you speaking against that. It can be planned smartly; the question is does commercial make sense here.

Commissioner Andrus – I think that commercial does make sense here. We heard in the last meeting that 1450 South is budgeted and will be going through soon. 1450 South and River Road will be one of the biggest intersections in town. I think it would be short sighted to not put commercial on property.

To put residential here you would have to put in block walls, and I don't think that makes sense. I think the reality is this is going to be a huge intersection and we need to plan for that.

Commissioner Kemp – Do you have to have the specific uses to get a traffic study?

Wes Jenkins – Yes, there was a traffic study done in 2011 or 2012, that is why the accesses are where they are. I think this area was studied at commercial.

Commissioner Anderson – Is it an ordinance that the developer would have to bring a traffic study to develop this property?

Wes Jenkins – It depends on the number of trips you would generate and the uses.

Commissioner Anderson – So if we see this back in the future we are not necessarily going to see a traffic study.

Wes Jenkins – Right, it would depend on what it would be developed as.

Commissioner Chapman – So they will be using 10-year-old data to make the decision on traffic?

Wes Jenkins – It probably hasn't changed much on the uses that they used in the study.

Commissioner Chapman – Do they consider the auxiliary traffic that is coming from the residential that was developed from 2011 to now?

Wes Jenkins – We would have to look at that.

Commissioner Andrus – In a traffic study you count the trips then project with a 5% increase per year. My concern is I would like to see a new traffic study if it is 12 years old. What they are saying if the land uses are the same they wouldn't necessarily need to be done.

Wes Jenkins – You wouldn't necessarily see the traffic study; it would tell us what the mitigation is. Then the City and developer would work together to see who would pay for what to mitigate it. We would have to look at the specifics.

Commissioner Kemp – Would you recommend that they look at the turning section into the Boulders?

Wes Jenkins – Yes, that is normally what they do, they look at intersections that would be impacted.

MOTION: Commissioner Fisher made a motion to recommend approval to City Council of Item 2A, a general plan amendment to this 7.36 acres from LDR and MDR to Commercial.

SECOND: Commissioner Kemp

ROLL CALL VOTE:

AYES (6)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Nathan Fisher

Commissioner Austin Anderson

Commissioner Lori Chapman

NAYS (0)

Motion Carries unanimous recommend approval

B. Consider a request to change the General Plan from Medium Density Residential (MDR 4.1-9 dwelling units per acre) to Commercial (COM) on approximately 13.7 acres generally located on the west ridge of the City of St George in the Tonaquint Area. The applicant and representative is Ryan Thomas. The project will be known as Tonaquint Ridge Commercial General Plan Amendment. Case No. 2022-GPA-003. (Staff – Michael Hadley)

Mike Hadley presented the following:

Mike Hadley – You can see that the majority of the Tonaquint residential are R-1-10 lots. The zoning is currently mining and grazing.

Commissioner Fisher – I appreciate the foresight for commercial there.

Commissioner Chapman – You mentioned it's near the bike trails, is it your responsibility to mark what trails are not fit for motorized vehicles?

Ryan Thomas – It isn't, I have heard from SITLA that they want to work with the City and also the HCP who runs the Red Hills Desert Reserve, that they want to incorporate that, or they are in the process of incorporating that into the HCP. Which they will start signing the trails, closing off some of those double track trails to keep motorized vehicles off and keep the uses of just climbing and mountain biking available.

Commissioner Chapman – So this does not back up to where the reserve has been expanded to?

Ryan Thomas – Ryan described where the boundary is.

Chair Draper opened the public hearing.

Chair Draper closed the public hearing.

Commissioner Andrus – My concern is that it's kind of on the edge of town right now, it seems unusual to me to have to drive through the neighborhoods to get to the commercial. It seems unusual that you would take RVs through the neighborhood to get to this.

Wes Jenkins – In the future they will have access from the Burgess piece later.

Commissioner Fisher – I think if people know about it before they move in, and it's convenient to some degree to the people that need it, I can see the attractive nature of parking RVs. It could be other things as well, obviously.

Chair Draper – I think it looks like a great place for what they are planning on doing out there.

Commissioner Kemp – I agree with Emily that it does look odd that it's sitting out there on the edge of the world by itself. If I look at other places where I'm seeing these hobby garages or man caves or

whatever you want to call them, there is only a couple of places in town where we have them. They are by commercial. I think those would be utilized by people that live in the residential that eventually shows up next to them.

Commissioner Andrus – I think it's a cool idea, but it looked weird to me on the map.

MOTION: Commissioner Anderson made a motion to recommend approval of the General Plan change for Item 2B from medium density residential to commercial.

SECOND: Commissioner Fisher

ROLL CALL VOTE:

AYES (6)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Nathan Fisher

Commissioner Austin Anderson

Commissioner Lori Chapman

NAYS (0)

Motion Carries unanimous recommend approval

C. Consider a request to change the general plan from MHDR (Medium-High Density Residential) to COM (Commercial) on approximately 5 acres generally located on Canyon View Drive, west of Dixie Drive. The applicant is Cross L Holdings, and the representative is Kent Garrett. The project will be known as Rize Up Health Case No. 2022-GPA-002. (Staff – Carol Davidson)

Carol Davidson presented the following:

Carol Davidson – We have Commercial right next to it and MHDR right next to it. To the north is low density residential. If this is approved staff would want to add the extra piece between this one and the commercial next to it, because that doesn't make sense to stay high density residential. The zone on this property is split into two, 2.1 acres is R-1-10 and then 2.9 acres is PD-C. We have a little land here that has a commercial zoning designation but has a residential land use designation underneath it. We have a big stretch of PD-C that covers a big corner here. There is a PD-R down below, the Grand Views at Green Valley and then Grand Views at Green Valley Townhomes is actually a case you'll be hearing today. I do want to mention that you did receive one comment prior to the meeting, I received another one right before the meeting which you should have before you, they did want this to apply to the ZCA that you will hear later on the Grand View townhomes.

Commissioner Kemp – Can we make a recommendation that the entire parcel, I looked up the ownership and it is owned by the same entity, can we make recommendation that the entire piece is commercial if they didn't make application for that parcel?

Jami Brackin – Yes, you can. The short answer is you can modify the change any way you think is appropriate because it is a general plan amendment and what you think is appropriate for the designation can be modified in any way you want in terms of recommendation.

Kent Garrett – I've lived in St. George since 1969. There have been a lot of changes made. There is a really great need for this, on this particular map I was told it was all already approved for everything but the 2 acres.

Carol Davidson – He is referring to the zoning. What they are asking is if you have a problem with us stretching the bubble to that piece.

Kent Garrett – I don't think so, I think we would welcome it. I wanted to mention that the applicant is Rize Up, but it will actually be called Alta Via, or Never Give Up which is going to be an adolescent center for psychologically impaired people who are actually going to stay there and be helped. The need is great for this kind of help in St. George, right now you have to send kids to Provo or down to Las Vegas. The people developing have a place in Las Vegas and they are amazingly successful. There seems to be a stigma with Rize Up Health, and this has nothing to do with Rize Up Health. We're just hoping we can get something here. We are just a couple of blocks away from the new assisted living facility. It won't be as big as that.

Commissioner Kemp – The clarification needs to be made and the question I asked Kent, was I knew that exit 13 on the state property north there was a medical facility being built there and I asked if he was part of that same group, and his answer was no.

Commissioner Chapman – Canyon View Drive is a nightmare for traffic and access and visibility. What is the traffic and what is the in and out created by this facility?

Kent Garrett – Very little, in fact, Dan can you help a little with this? Dan is actually the one operating it.

Commissioner Fisher – Let's limit this so we don't waste our time, what we are really looking at is does commercial make sense. What it will be should not impact our decision tonight.

Commissioner Chapman – What I'm asking is will the difference between residential and commercial that it should be a consideration of whether we would approve this commercial. There is a substantial amount of commercial already there which is going to generate traffic. That needs to be a consideration on whether you approve commercial.

Wes Jenkins – And again we wouldn't know at this time, just because we wouldn't know what the commercial uses are. It is difficult to say at this stage whether or not there would be an impact. One thing I can tell you that this is a 60 ft. road, which is a minor residential collector and a minor commercial, and this a minor arterial which is one of the biggest roads in the city. The City does have an anticipated traffic light there assuming some commercial would be built there.

Chair Draper – High Density Residential would bring a lot more traffic than a lot of commercial.

Chair Draper opened the public hearing.

Roger Dutson – I have a home in Pelican Hills Condominiums there. I did a lot of research when I was getting ready to buy in that area. I thought the commercial parcel that was zoned along Dixie Drive, you planned that, and I have no problems with that. But, to throw another commercial now, completely in

and this other commercial that is proposed for this site has not been zoned commercial as I understand, is that correct? Has actually part of this been rezoned?

Commissioner Kemp – The property has been rezoned PD Commercial. This is cleaning up the general plan for the most part, there is a small part that is residential but most of the property around this is already zoned PD Commercial.

Roger Dutson – My understanding is that part of this property will be heard tonight that will be residential, this piece they are asking to be rezoned is at least partially residential. This is adjacent to the Pelican Hills which is low density residential. Rezoning even a small portion of this area as commercial along the road adjacent to our property does have a substantial impact. It could affect the value of our property and the quality of life. It seems like the commercial that is along Dixie Drive would be plenty to build what they are proposing for this site. A lot of the residents of Pelican Hills do not agree with changing this to commercial especially where there is plenty of commercial area that is not developed.

Commissioner Fisher – And just to clarify, this is a general plan, not a zone. The zone issue will come later, it's already zoned mostly PD Commercial. The issue is just the general plan and whether it makes sense to have commercial here, focus your attention to that.

Kelly Wall – There was a comment earlier, he mentioned Dixie Drive is not a major artery, but it is going to be a River Road in a few years. You have to remember what you've allowed to be built, the 10-building apartment complex with 3 stories. This is high density, this is St. George's experiment, you've got tiny homes and all sorts of residential stuff going in here. It's a blank canvas right now, you have to look a little bit farther ahead than a year or two, what's this going to look like? It looks to me that its piecemeal. You've got a small neighborhood to the west on Canyon View Drive and of course there will be some homes put in there but you're putting commercial in this spot you're talking about right now. I assume this is the spot the BLM was talking about, the BLM fire station, that was a year ago they brought that up. Just have future vision on your decisions. I'll have more things to say at the next go around.

Chair Draper closed the public hearing.

Commissioner Fisher – I think the last gentleman demonstrated that there will be a lot of roof tops going in and I think it makes sense to have commercial here so that they are not having to travel in.

Commissioner Kemp – This feels like a clean up to me. We have mis matching zones.

Chair Draper – There are a lot of pockets that we need to clean up and maybe this is one of them. We need commercial in other areas, not just downtown. I cannot imagine it would be more impacting than high density for sure, it's probably going to be a lot less if this project actually goes in.

Commissioner Andrus – Are we also including that little piece for clean up?

Commissioner Kemp – Yes, I think that should be part of the motion.

MOTION: Commissioner Andrus made a motion to recommend approval of this general plan change from medium high density residential to commercial on Canyon View Drive with the addition that this piece is just to the southeast of the project we are looking at is also included in that general plan change.

SECOND: Commissioner Fisher

ROLL CALL VOTE:

AYES (6)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Nathan Fisher

Commissioner Austin Anderson

Commissioner Lori Chapman

NAYS (0)

Motion Carries unanimous recommend approval

Commissioner Fisher – For the record page 41, at least in our packet, is a good illustration of the area that Commissioner Andrus has included in her motion to make a part of it.

3. ZONE CHANGE (ZC) (Public Hearing) Legislative

Consider a request to change the zone from R-1-7 (Residential Single Family, 7,000 sq ft minimum lot size) to R-1-6 (Residential Single Family 6,000 sq ft minimum lot size) on approximately 0.012 acres located at 215 N 2830 E. The applicant is Jared & Toni Shober and the representative is Steve Kamrowsky. The project will be known as Lot 25 Riverside Heights. Case No. 2022-ZC-002. (Staff – Mike Hadley)

Mike Hadley presented the following:

Mike Hadley – This is essentially a cleanup item this lot has split zoning with R-1-7 and R-1-6, so they just want to change the small portion to R-1-6 to match the rest of the lot.

Steve Kamrowsky – The original intent was to adjust the lot line to follow the existing fence. In that process it would leave this lot in split zoning so this will clean that up.

Chair Draper opened the public hearing.

Chair Draper closed the public hearing.

MOTION: Commissioner Anderson made a motion to recommend approval for the zone change from R-1-7 to R-1-6 for Item 3.

SECOND: Commissioner Andrus

ROLL CALL VOTE:

AYES (6)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Nathan Fisher

Commissioner Austin Anderson

Commissioner Lori Chapman

NAYS (0)

Motion Carries unanimous recommend approval

4. ZONING CHANGE AMENDMENT (ZCA) (Public Hearing) Legislative

A. Consider a request to amend the Grand View zone plan. The reason for this amendment is to shift where different previously approved housing types would be located on the site. If approved, this would result in 42 additional units. In addition, the city has received a request for a zone change amendment to approve the townhome portion of the site. This includes 112 townhome units situated on the western edge of the property. The site is located just west and south of the intersection of Dixie Drive and Sky Rocket Road. The townhome area is located on the far western portion of the property. The applicant is Western States Lodging and Management and the representative is Cole Smith/Adam Allen. The project will be known as Grand Views Townhomes. Case No. 2022-ZCA-006 (Staff – Dan Boles)

Dan Boles presented the following:

Dan Boles – The overall PD was approved last year; it was amended once to approve the tiny homes. You can see the majority of the property is MDR. You can see the zoning is PD-R. The apartments and tiny homes have been approved. The applicant is proposing to amend the booklet because originally there was a mix of townhomes, duplexes and small lot single family. They are asking to amend the booklet to make the entire area townhomes. They are leaving it at the 112 units, but they would all be townhomes. They are proposing to add to the overall units to 42 in the area closer to Dixie Drive and they will be single family and duplexes. That area was larger lot single family. They are proposing their amenities in the middle. They are proposing to keep the area with the bike park in the natural state. Dan showed the elevations which are included in the packet.

Chair Draper – So you are saying the overall count is not going to change?

Dan Boles – Not in this area, but they are asking to add 42 units to the south where it was slated to be large lot single family.

Commissioner Fisher – So the 20 acres you are talking about are just the townhomes?

Dan Boles – Yes

Commissioner Fisher – So it looks like they are increasing by about 1 unit per acre.

Wes Jenkins – When we looked at the area that we felt the traffic signal should be moved to the south away from Canyon View and really the road should come up to where the traffic signal should be located. So right now, we're working with the property owners in the area about another road coming up through this property and over to Gap Canyon, it will be a 66-foot road. With the road going through there it kind of lost the feel for single family and that is what kind of initiated the ask for more units there.

Commissioner Fisher – Is there still going to be a road at Sky Rocket?

Wes Jenkins – Yes, Sky Rocket will come around and still tie in over here.

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Commissioner Chapman – So you are saying they are proposing not putting the stop light at Canyon View Drive and putting it there?

Wes Jenkins – No, Canyon View stays where it's at.

Adam Allen – As far as the townhome portion goes we are keeping the unit number the same. With the new 66-foot road coming in on the south and cutting right through the middle of the single family we thought that would be hard to sell so we are proposing the smaller lot single family for graduation housing.

Commissioner Chapman – So there will not be any R-1-10

Adam Allen - No

Chair Draper opened the public hearing.

Kelly Wall – Last year I thought it had a pretty good mix. If you look at the proposed map, the panhandle section is on a slope which you haven't talked about. I would propose that you amend the proposal and have single family homes on that slope. I think it should blend in with what is across the street. I think it will look ugly. It would be better to have single family homes in that pan handle.

Chair Draper closed the public hearing.

Commissioner Kemp – I applaud the developer for what they are doing realigning their street and keeping the consistent product. To the last comment across the street is zoned R-3. I am not happy about adding units to the count. I think we have maxed out how many units you can put on this property in the last round.

Commissioner Anderson – How many units per acre?

Dan Boles – 8.01, if you take out the apartments it's around 5.

Commissioner Anderson – So originally it was general planned medium density residential.

Dan Boles – Yes, they are in line with the density for the general plan.

MOTION: Commissioner Fisher made a motion to recommend for approval Item 4A a zone change amendment as to both items increasing the units by 42 and the townhomes.

SECOND: Commissioner Andrus

ROLL CALL VOTE:

AYES (4)

Chairman Ray Draper

Commissioner Emily Andrus

Commissioner Nathan Fisher

Commissioner Austin Anderson

NAYS (2)

Commissioner Steve Kemp

Commissioner Lori Chapman

Motion Carries recommend approval

B. Consider a request to the Desert Color zone plan. This zone change amendment would adjust the boundary of the Horizontal Mixed-Use Overlay to the south of the existing boundary line. Additionally, the city has received a request for a zone change amendment to allow the addition of 315 apartment units and 44 townhomes on an approximately 16.38-acre site. The site is located just south of the Black Mountain Drive and Desert Color Parkway intersection. The applicant is PEG Companies and the representative is McCall Judd. The project will be known as PEG Townhomes and Apartments. Case No. 2022-ZCA-003 (Staff – Dan Boles)

Dan Boles presented the following:

Dan Boles – Currently this is PD-C, they are proposing to change the overlay that is a mixed-use horizontal overlay. In that mixed use overlay it allows residential to stand on its own. You could have a residential complex right next to a commercial complex. That is what they are proposing. The reason they have done that is to create a larger area for the residential.

Commissioner Kemp – What is the purpose of doing this?

Dan Boles – It is the ability to put this type of product in.

Commissioner Andrus – So this is a commercial zone, but the overlay allows you to put residential there?

Dan Boles – Yes, and they already had that, but they want to move a portion of it here. This will all be long term for rent product. There will be 300 apartments and 44 townhome units. They have proposed amenities that will stand on its own. It is outside of the resort area, and they don't have the option of the lagoon area as an amenity. This one will have its own because it is outside of the resort area, they have a club house, a pool, a BBQ area, benches and scattered seating area. They are meeting the parking standards, two per unit, and the townhomes have garages with 2 parking spaces. They have sufficient guest parking.

Commissioner Kemp – What is the total acreage that we are adding to the horizontal mix use?

Dan Boles – The total will be 16.38, but some of it is already zoned that way.

Commissioner Fisher – So does that mean the total will be the same after you move it?

Dan Boles – Yes.

Bob Hermandson – We are super excited about this; we will be submitting several projects in the commercial area in the coming months.

Commissioner Fisher – Do you intend to change the commercial or have as much as before?

Bob Hermandson – For sure we will have as much as before. We are putting these together so they can have a really nice amenity area because they don't have access to the lagoon, to have enough units to have a good amenity area.

Commissioner Fisher – So we won't erode the commercial?

Bob Hermandson – No.

Discussion continued on what is being moved and where and whether or not we are taking away the commercial.

Chair Draper opened the public hearing.

Chair Draper closed the public hearing.

Commissioner Anderson – I think it's a pretty good-looking layout, we need this kind of housing and it's nice to get it in ahead of time, so people know what is there.

Commissioner Kemp – What about the commercial development, though? Are we gonna end up with none?

Commissioner Anderson – I think it's the same issue we keep having, right, the commercial comes after the rooftops. The good thing with Desert Color is that they have 3500 acres, and they can put that commercial all over the place.

Commissioner Kemp – But if it was right there in between those two residential nodes, people wouldn't have to get into their car to go to it. I understand it's a relatively small area, the reason for asking my rhetorical question about how many pages are in development agreement is that there is a lot of work that went into that and we're kind of chucking some of it out the window as we start packing the residential against itself again in a traditional fashion instead of mixed use.

Commissioner Anderson – I think it's just the cart before the horse, it's hard to put all that way in the beginning.

Commissioner Kemp – So really we're not going to have a mixed use out here, we're going to have.

Commissioner Andrus – He's saying that there will be mixed use, just not this piece.

Commissioner Kemp – They are worried about more housing and that housing is going to have to provide its own residential amenity on top of commercial. Where is it going to go? Are they going to put a pool on the roof? They still have the requirement to have the residential amenity.

John Willis – When you do mixed use, you don't have to have an amenity. The reason being is the amenity is you are living in a downtown environment. It is stated in the horizontal mixed use that it can be completely residential. We do have stop gaps in there for PD-C that help guide and address those issues.

Commissioner Fisher – Is this also different where we would see a block wall between residential and commercial traditionally?

John Wills – There is not a separation of uses in Desert Color, in fact it's encouraged to have all the commercial and the residential facing the street up against the back of the sidewalk. They are more of an integrated type design and development, it's not a separate uses and zone. They are intended to complement each other and not segregate each other.

Commissioner Kemp – So it's a bit similar to what we looked at for Tech Ridge, only maybe not as intense. We always run into this issue because you have the economics of we can build and rent or build and sell houses as fast or apartments as fast as we can get them, as fast as they are built they will be gone and then we end up with no commercial.

John Willis – That is why when they first approached staff we said that we wouldn't support an increase of the horizontal overlay, knowing that it could be primarily residential, just moving it around.

MOTION: Commissioner Anderson made a motion to recommend approval to City Council for a zone change amendment for Item 4B.

SECOND: Commissioner Fisher

ROLL CALL VOTE:

AYES (6)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Nathan Fisher

Commissioner Austin Anderson

Commissioner Lori Chapman

NAYS (0)

Motion Carries unanimous recommend approval

Chair Draper announced a 10-minute break.

Chair Draper called the meeting to order at 7:58 pm.

C. Consider a request to amend the Desert Color PD (Planned Development). The zone change amendment would allow the applicant to construct forty-four (44) residential townhome units on the site. The site is approximately 5.40 acres and is located generally north-west of the Desert Color Parkway and Lagoon Parkway intersection roundabout. The applicant is Cole West Development and the representative is Eric Day. The project is known as Desert Color Atkinville. Case No. 2022-ZCA-001 (Staff – Dan Boles)

Dan Boles presented the following:

Dan Boles – This is actually a part of that resort, there is no overlay. The zoning is PD-R so it is residential. These will be platted, and they can be overnight rentals, it is part of the resort at Desert Color. They can count the lagoon and clubhouse as amenities. They are two and single car garages. The bulk of the parking will be met through garages. They are meeting their parking requirements. It is fairly well landscaped all throughout.

Bob Hermandson – This is in the resort area, and these are nightly rentals.

Chair Draper opened the public hearing.

Chair Draper closed the public hearing.

Commissioner Chapman – Is the parking requirement the same for nightly rentals as it is for regular parking?

Bob Hermanson – Yes it is the same.

Commissioner Kemp – How many bedrooms and bathrooms do the units have?

Eric Day – The bedrooms are 4 to 6 bedrooms.

Commissioner Kemp – That's too many bedrooms for the required parking.

MOTION: Commissioner Kemp made a motion to recommend approval of Item 4C to the City Council as present by staff.

SECOND: Commissioner Fisher

ROLL CALL VOTE:

AYES (6)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Nathan Fisher

Commissioner Austin Anderson

Commissioner Lori Chapman

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 Junius and Margaret Ann Barton House which has been designated as a local landmark. The project is located at 179 West 200 North Street. The applicant is Tyler Wittwer. The project will be known as Junius & Margaret Ann Barton Home Case No. 2022-CUP-001. (Staff – Carol Davidson)

Carol Davidson presented the following:

Carol Davidson – I think most of you remember this, it is the last house that we just designated as a local landmark. They must meet 5 conditions to be a short-term rental. They must be low impact. On this block it's mostly commercial. They must have a substantial investment. They have remodeled the entire inside of the building. New fixtures in all of the rooms. There is a basement unit that has its own kitchen. The renovations must maintain any historic features. The only noticeable changes are the windows added in the attic, on the other side they removed one of the windows. They have to have minimal traffic and parking. There is a possibility of 4 bedrooms in the upper unit, the basement unit has 2 bedrooms. The requirement would be 4 parking spaces 2 covered and 2 uncovered. They have plenty of space for the 4 parking spaces. I did want to mention that the carport is only 12 feet deep so

they would need to extend it to 18 ft so it will meet our covered parking requirement. It does seem it would be appropriate to have short term rentals at this site, but we do want to make sure the carport gets extended to the 18 feet.

Commissioner Kemp – What is the carport attached to? What is the west wall of the carport supported by?

Discussion continued on what the car port was supported by.

John Willis – They will need a building permit so they will need to comply with the zoning code.

MOTION: Commissioner Anderson made a motion that we approve the conditional use permit to operate a short-term rental within the Junius and Margaret Ann Barton House with the condition that they meet the City ordinance with the two covered parking spaces at least 18 ft. deep.

SECOND: Commissioner Kemp

ROLL CALL VOTE:

AYES (6)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Nathan Fisher

Commissioner Austin Anderson

Commissioner Lori Chapman

NAYS (0)

Motion Carries unanimous recommend approval

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6. PRELIMINARY PLAT (PP) Administrative

- A. Consider a request for a one hundred and twelve (112) lot residential subdivision known as Grandview Townhomes located west of Dixie Drive. The property is 20.61 acres and is zoned PD-R. The applicant is American Land Consulting, representative Austin Chappell. Case No. 2021-PP-062. (Staff – Wes Jenkins)

Wes Jenkins presented the following:

Wes Jenkins – This is the one for the zone change you just saw tonight, it's the site that looks like the stretched Utah. As we looked at the apartment project we requested they provide an additional access so that they can get out to a road to get out to Canyon View.

Commissioner Kemp – The one that will go through the neighbor's property?

Wes Jenkins – Yes, Lonnie Gubler owns it, and they would like to use it to get out as well. It should be conditioned on them providing an access out to Canyon View, whichever one works. Right now they have a secondary access for their gravel operation from an easement they already own, but it doesn't give them any benefit, the other would give them the benefit of getting around to Canyon View Drive.

Commissioner Chapman – So the only access from Dixie Drive is up the Sky Rocket Road and then up through?

Wes Jenkins – No, they will have access out to Canyon View.

Commissioner Kemp – There is a conflict between the proposed site plan and the landscape plan that we approved, which were all approved together as a PD-R on the previous Item 4A.

Wes Jenkins – I'll have to look at that and make sure that they comply when I take it to Council.

MOTION: Commissioner Fisher made a motion to recommend to City Council approval of Item 6A a preliminary plat with the condition that they provide some access as designed and that they reconcile the access selection with the landscape plan.

SECOND: Commissioner Kemp

ROLL CALL VOTE:

AYES (6)

Chairman Ray Draper

Commissioner Steve Kemp

Commissioner Emily Andrus

Commissioner Nathan Fisher

Commissioner Austin Anderson

Commissioner Lori Chapman

NAYS (0)

Motion Carries unanimous recommend approval

B. Consider a request for a twenty (20) lot residential subdivision known as Desert Canyon Townhomes located at approximately 2800 East Skywalker Drive. The property is 5.17 acres and is zoned PD-R. The applicant is DSG Engineering, representative Ken Miller. Case No. 2022-PP-002. (Staff – Wes Jenkins)

Wes Jenkins presented the following:

Wes Jenkins – This is in the Desert Canyon Development; we recently saw this as a PD zone change. There will be public road, common area and private pads.

Commissioner Andrus – I just noticed that the area northwest corner of Desert Canyons Parkway and Southern Parkway, is it residential?

Wes Jenkins – No, it's a 5-lot commercial subdivision. They are mass grading it right now.

MOTION: Commissioner Andrus made a notion to recommend approval of Item 6B for the Desert Canyon Townhomes at 2800 East Skywalker Drive.

SECOND: Commissioner Anderson

ROLL CALL VOTE:

AYES (6)

Chairman Ray Draper

Commissioner Steve Kemp

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Commissioner Emily Andrus
Commissioner Nathan Fisher
Commissioner Austin Anderson
Commissioner Lori Chapman
NAYS (0)
Motion Carries unanimous recommend approval

C. Consider a request for a forty-four (44) lot residential subdivision known as Atkinville at Desert Color located at the northwest corner of the intersection of Desert Color Parkway and Lagoon Parkway. The property is 5.4 acres and is zoned PD-R. The applicant is Cole West, representative Eric Day. Case No. 2021-PP-065. (Staff – Wes Jenkins)

Wes Jenkins presented the following:

Wes Jenkins – Dan presented this tonight; the units are privately owned the driveways and so forth will be common area. There was a change from what was in your packet. The improvements along Desert Color parkway must be improved, they must improve the trail and increase the drive aisles to meet the 25-foot city standards.

MOTION: Commissioner Fisher made a motion to recommend approval of Item 6C a preliminary plat for a 44-lot residential subdivision Atkinville at Desert Color with the changes that staff mentioned.
SECOND: Commissioner Andrus
ROLL CALL VOTE:
AYES (6)
Chairman Ray Draper
Commissioner Steve Kemp
Commissioner Emily Andrus
Commissioner Nathan Fisher
Commissioner Austin Anderson
Commissioner Lori Chapman
NAYS (0)
Motion Carries unanimous recommend approval

7. MINUTES

Consider a request to approve the meeting minutes from the December 14, 2021, meeting.

MOTION: Commissioner Andrus made a motion to approve the minutes from the December 14, 2021, meeting.
SECOND: Commissioner Anderson
ROLL CALL VOTE:
AYES (6)
Chairman Ray Draper

Commissioner Steve Kemp
Commissioner Emily Andrus
Commissioner Nathan Fisher
Commissioner Austin Anderson
Commissioner Lori Chapman
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 December 16, 2021, and January 6, 2022, meetings.

1. 2021-ZC-084 The Fields at Mall Drive Residential PD
2. 2021-ZCA-082 White Dome Commercial
3. 2021-ZCA-083 White Dome Apartments
4. 2021-ZC-057 Tech Ridge
5. Tech Ridge Development Agreement
6. 2021-ZC-086 Tonaquint Ridge
7. 2021-ZCA-087 Quarry Ridge Road
8. 2021-ZCA-088 Boulder Creek Crossing Ph2 lot 10 & a portion of lot 12
9. 2021-ZCA-089 Boulder Creek Crossing lot 5
10. 2021-PP-064 Bloomington Country Club lot 29

9. ADJOURN

MOTION: Commissioner Andrus moved to adjourn at 8:27 pm
SECOND: Commissioner Anderson
ROLL CALL VOTE:
AYES (6)
Chairman Ray Draper
Commissioner Steve Kemp
Commissioner Emily Andrus
Commissioner Nathan Fisher
Commissioner Austin Anderson
Commissioner Lori Chapman
NAYS (0)
Motion Carries unanimous recommend approval