

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
MAY 5, 2022, 3:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

**Mayor Pro Tem Jimmie Hughes
Councilmember Gregg McArthur
Councilmember Dannielle Larkin
Councilmember Natalie Larsen
Councilmember Michelle Tanner**

EXCUSED:

Mayor Michele Randall

STAFF MEMBERS PRESENT:

**City Manager Adam Lenhard
City Attorney Tani Pack Downing
City Recorder Christina Fernandez
Budget and Financial Planning Manager Robert Myers
Leisure Services Director Shane Moore
Community Development Director John Willis
Assistant Public Works Director Wes Jenkins
Planner Dan Boles
Planner Carol Davidson**

CALL TO ORDER, INVOCATION, AND FLAG SALUTE:

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

Link to call to order, invocation, and flag salute: [00:00:00](#)

Link to Police Chief Kyle Whitehead speaking about the Utah Chapter of National Emergency Number Association (NENA) awards recently awarded to Dispatcher Supervisor Annalee Stoker, Communications Manager Cindy Flowers, and the entire St. George Communications Center as part of National Public Safety Telecommunicator Week, including comments from the Mayor Pro Tem Hughes and City Council: [00:02:22](#)

Link to Mayor Pro Tem Hughes proclaiming the week of May 11-17, 2022 as National Police Week: [00:13:33](#)

Link to Councilmember Tanner proclaiming the month of May, 2022 as Ehlers-Danlos Syndromes and Hypermobility Spectrum Disorders Awareness Month, including Kristen Anderson's acceptance of the proclamation: [00:17:50](#)

Link to Councilmember Larsen proclaiming May 1-7, 2022 as National Small Business Week, including Jackie Hobson's acceptance of the proclamation: [00:20:47](#)

COMMENTS FROM THE PUBLIC:

Link to Mayor Pro Tem Hughes outlining the rules for speaking: [00:24:10](#)

Link to comment from resident Thayne Wilson, including discussion with the Mayor Pro Tem, the Council, and staff: [00:24:45](#)

CONSENT CALENDAR:

- a. Consider approval of a Purchase and Sale Agreement between the City of St. George and The Church of Jesus Christ of Latter-day Saints for property located at 85 South 400 East.**

BACKGROUND and RECOMMENDATION: This item is for the purchase of a former The Church of Jesus Christ chapel on the corner of 100 South and 400 East for a new Fire Station to replace the current station on 1000 East. Staff recommends approval.

- b. Consider approval of a Real Property transfer and Road Cost Sharing Agreement between the City of St. George and The Dixie Foundation.**

BACKGROUND and RECOMMENDATION: The City of St. George and the Dixie Foundation currently own (as tenants-in-common) approximately 12.61 acres of land located near the hospital facilities, which was granted to them jointly by the Foremaster family. The Foundation now seeks to monetize a 1.89-acre parcel known as Lot 4 and is asking the City to quitclaim their interest in that parcel to the Foundation. The City is seeking reimbursement from the Foundation for a portion of the extension of 1450 East to its connection with 900 South. This agreement sets forth the terms and conditions of the property exchange and road reimbursement. Staff recommends approval.

- c. Consider approval of a Purchase Agreement with Big T Recreation to purchase nine (9) shade structures for the tennis courts at Tonaquint Park.**

BACKGROUND and RECOMMENDATION: This agreement is for replacement shade structures for the tennis courts at Tonaquint Park. These structures are being purchased through State Contract ID MA3408. Staff recommends approval in the amount of \$53,500.

- d. Consider approval of a professional services agreement renewal with Avenue Consulting for traffic signal troubleshooting and consulting services in the amount of \$90,000.**

BACKGROUND and RECOMMENDATION: This professional services agreement with Avenue Consulting covers traffic signal troubleshooting and consulting services throughout the City. Staff recommends approval.

- e. Consider approval of a reimbursement agreement with David Adams for the extension of a sewer line located at 1140 North 1100 West.**

BACKGROUND and RECOMMENDATION: This agreement sets forth the terms and conditions for property located at 1140 North 1100 West to discontinue use of a

private septic tank and connect to the City's sewer system. Staff recommends approval.

f. Consider approval of a Car Rental Concession & Lease Agreement between the City of St. George and Amplificare, LLC dba Vroom.Me for space at the St George Regional Airport.

BACKGROUND and RECOMMENDATION: The airport is currently serviced by rental car companies Enterprise, Avis/Budget, Hertz and Rabbit Rentals. This is a request to add Vroom.Me Car Rentals to the rental car options. Vroom Me will utilize Unit #4 leasehold area shared with Rabbit Rentals and will occupy five (5) parking stalls. Staff recommends approval.

g. Consider approval of Amendment No. 1 to the Professional Services Agreement between the City of St George and Jviation, A Woolpert Company for the design of the "Reconstruct and Expand Terminal Apron Project" - AIP-43.

BACKGROUND and RECOMMENDATION: The City of St George and Jviation, A Woolpert Company entered into a Professional Services Agreement on September 23, 2021 for engineering services at the St George Regional Airport. This is the 1st Amendment to this agreement for the design of the "Reconstruct and Expand Terminal Apron Project" - AIP-43. This project will be paid for with federal airport grant revenues. An application was submitted on February 24, 2022 and is still pending. Staff recommends approval.

h. Consider approval of a deed of dedication for public right-of-way for Snow Canyon Parkway, north of the intersection of Snow Canyon Parkway and Dixie Downs Road.

BACKGROUND and RECOMMENDATION: The deceleration lane from Snow Canyon Parkway to Dixie Downs Road was constructed a number of years ago but the dedication of the deceleration lane as public right-of-way did not occur when the lane was constructed. With the development of the proposed Maverik at the northwest corner of the intersection of Dixie Downs Road and Snow Canyon Parkway, Staff requests that the deceleration lane be dedicated as public right-of-way. Maverik has agreed to dedicate the right-of-way and has prepared the deed of dedication. Staff recommends approval.

i. Consider acceptance of a municipal utility easement for a culinary water booster pump station in the Divario development.

BACKGROUND and RECOMMENDATION: In order to develop a portion of the Divario development, a culinary water booster pump is required to provide the necessary water pressure. The booster pump was constructed by the developer and turned over to the City to own, operate, and maintain. The parcel of land that the booster pump occupies was not included in the final plat of the subdivision where the site is located. The pump station site will be included in the final plat of an adjacent and subsequent phase of the development. Until

then, we have asked the developer to provide a municipal utility easement of the pump station site. In the near future, the site will be included in a final plat and deeded to the City. Staff recommends approval.

j. Consider approval of a quitclaim deed quitclaiming 50% of City ownership of a portion of 3000 East to Washington County.

BACKGROUND and RECOMMENDATION: The Council of Governments (COG) is made up of local elected officials and is managed by the Washington County Commission. The COG manages funds appropriated by the State of Utah to purchase right-of-way for major future roads within the city. When funds are approved by the COG to purchase right-of-way, their rules require that the ownership be placed 50% in Washington County's name and 50% in the City until construction is complete. The simplest way to accomplish this is for the city to purchase the property in the city's name using appropriated COG funds, and then quitclaim 50% interest back to Washington County. Staff recommends approval.

k. Consider approval of a Memorandum of Understanding between the City of St. George and G-Six Investments, LLC (the Glendenning family) regarding property located at 76 Tabernacle Street.

BACKGROUND and RECOMMENDATION: G-Six Investments, LLC is seeking to remodel and rehabilitate a building next to the City-owned Electric Theater on Tabernacle Street. In so doing, repairs and changes to the City's building(s) regarding eave overhangs and water drainage are required. G-Six has agreed to make those repairs at their cost. G-Six also seeks to bury the current overhead powerlines to that building and seeks to work with the Energy Services department to contribute to the costs associated with burying those lines. In addition, the Theater was expanded across a pedestrian easement granted to the former owner and the City has agreed to relocate that easement on the west side of the Theater building. The applicant has also asked for a temporary construction easement on City owned property while they remodel. Staff recommends approval.

l. Consider approval of a hangar lease with the Division of Facilities Construction and Management and Department of Public Safety.

BACKGROUND and RECOMMENDATION: The State, through the Department of Public Safety and the Division of Facilities Construction and Management, desires to lease hangar space to house and operate a helicopter to be used for emergency transport. Because this is a benefit to the City, the agreement requires only a nominal rent. In addition to the lease, the State desires to construct improvements to the hangar to include office space. The City is agreeing to hire and pay the contractor to be reimbursed by the State in the amount of \$198,500. Staff recommends approval subject to review and approval of the agreement by the Legal Department.

Link to presentation from City Manager Adam Lenhard: [00:27:10](#)

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Link to discussion, including comments from the Council, staff, and City Manager Adam Lenhard clarifying item I is subject to approval by the Legal Department:

[00:27:40](#)

Link to motion: [00:28:50](#)

MOTION:

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

SECOND:

The motion was seconded by Councilmember Larsen.

VOTE:

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

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

RESOLUTION/ACCEPT AND ADOPT PRELIMINARY FISCAL YEAR 2022-2023 BUDGET AND SET DATES FOR PUBLIC HEARINGS:

Consider approval of a resolution accepting and adopting the Preliminary Fiscal Year 2022-2023 Budget of the City of St. George and to set the dates for the required public hearings.

BACKGROUND and RECOMMENDATION: State Law requires the recommended budget to be presented to the Mayor & City Council on or before the first regular meeting in May of each year and to adopt the final budget on or before June 30th of each year. Staff recommends approval of the resolution to accept and adopt the Preliminary Fiscal Year 2022-2023 Budget and to set the public hearing dates for the final budget as June 2nd and June 16th, 2022.

Link to presentation from Budget and Financial Planning Manager Robert Myers, including discussion with comments from the Mayor Pro Tem, Council, and staff:

[00:29:37](#)

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Link to motion: [00:34:45](#)

MOTION:

A motion was made by Councilmember McArthur to approve the resolution accepting and adopting the Preliminary Fiscal Year 2022-2023 Budget of the City of St. George and to set the dates for the required public hearings.

SECOND:

The motion was seconded by Councilmember Larkin.

VOTE:

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

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

INTERLOCAL AGREEMENT/RESOLUTION:

Consider approval of a resolution entering into an Interlocal Agreement with Washington County for the Little Valley Soccer Artificial Turf Fields project.

BACKGROUND and RECOMMENDATION: This interlocal agreement is for funding of the artificial turf fields at the Little Valley Soccer complex. This project will replace the existing turf grass fields with artificial turf grass. Washington County has agreed to help fund this project by contributing \$1.5 million from Transient Room Tax (TRT) funds. Staff recommends approval.

Link to presentation from Leisure Services Director Shane Moore, including discussion with comments from the Mayor Pro Tem, Council, and staff: [00:35:40](#)

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Link to motion: [00:42:04](#)

MOTION:

A motion was made by Councilmember Larkin to approve the resolution entering into an Interlocal Agreement with Washington County for the Little Valley Soccer Artificial Turf Fields project.

SECOND:

The motion was seconded by Councilmember Larsen.

VOTE:

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

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

INTERLOCAL AGREEMENT/RESOLUTION:

Consider approval of a resolution entering into an Interlocal Agreement with Washington County for the Little Valley Pickleball expansion project.

BACKGROUND and RECOMMENDATION: This interlocal agreement is for funding nine (9) additional courts at the Little Valley Pickleball Complex. The County has agreed to contribute \$1 million of Transient Room Tax (TRT) funds to the project. Staff recommends approval.

Link to presentation from Leisure Services Director Shane Moore, including discussion with comments from the Mayor Pro Tem, Council, and staff: [00:43:05](#)

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Link to motion: [00:49:16](#)

MOTION:

A motion was made by Councilmember Larsen to approve the resolution entering into an Interlocal Agreement with Washington County for the Little Valley Pickleball expansion project.

SECOND:

The motion was seconded by Councilmember McArthur.

VOTE:

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

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

AMEND CITY CODE/ORDINANCE:

Consider approval of an ordinance amending Section 10-13E-4 of City Code for designating a landmark site and to amend the allowed conditional uses for landmarks. The proposed amendments would extend the required age of the structure to 100 years old and remove the option to use the landmark site as a short-term rental. Reference No. 2022-ZRA-001

BACKGROUND and RECOMMENDATION: The landmark criterion was first established in 2006. At that time, the structure was required to be a minimum of 50 years old. In 2019 that qualification was changed to being built before 1970. This current proposal changes the age of the structure to be at least 100 years old. The last time a change was made to the conditional use portion of this chapter was in 2006 when the second, third, and fourth conditions were created. This proposal will remove the option to use the landmark site as a short-term rental. At their meeting held on April 12, 2022, the Planning Commission held a public hearing and recommended approval.

Link to presentation from Planner Carol Davidson, including discussion with comments from the Mayor Pro Tem, Council, and staff: [00:49:49](#)

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Link to motion: [01:01:58](#)

MOTION:

A motion was made by Councilmember McArthur to approve the ordinance amending Section 10-13E-4 of City Code for designating a landmark site and to amend the allowed conditional uses for landmarks. The proposed amendments would extend the required age of the structure to 100 years old and remove the option to use the landmark site as a short-term rental, with the caveat that staff look at the code further and update the code to make sure that the homes that should be preserved are.

SECOND:

The motion was seconded by Councilmember Larsen.

Link to additional discussion between the Mayor Pro Tem, Council, and staff: [01:02:50](#)

Link to vote: [01:05:19](#)

VOTE:

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

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – nay
Councilmember Larsen – aye
Councilmember Tanner – nay

The motion carried.

Further discussion, including comments from the Mayor Pro Tem, Council, and staff: [01:06:00](#)

AMEND AND EXTEND THE HILLSIDE OVERLAY ZONE/ORDINANCE:

Consider approval of an ordinance amending and extending the hillside overlay zone in order to include additional approximately 24 acres located generally north and west of the Red Hills Parkway and Middleton Drive intersection known as Hillside Overlay Amendment. Reference No. 2022-ZC-013

BACKGROUND and RECOMMENDATION: These properties meet the criteria for inclusion in the hillside overlay zone. The Hillside Review Board met on site and held a meeting ultimately forwarding a positive recommendation for the application. At their meeting held on April 12, 2022, the Planning Commission then held a public hearing on the proposed change and recommended approval.

Link to presentation from Assistant Public Works Director Wes Jenkins, including discussion with comments from the Mayor Pro Tem, Council, and staff: [01:08:35](#)

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Link to motion: [01:12:11](#)

MOTION:

A motion was made by Councilmember Larkin to approve the ordinance amending and extending the hillside overlay zone in order to include additional approximately 24 acres located generally north and west of the Red Hills Parkway and Middleton Drive intersection known as Hillside Overlay Amendment.

SECOND:

The motion was seconded by Councilmember Larsen.

VOTE:

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

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

AMEND PLANNED DEVELOPMENT ZONE/ORDINANCE:

Consider approval of an ordinance amending the Desert Color Planned Development Residential (PD-R) zone in order to construct 100 units to be known as Sage Haven Plat C Phase 12 on approximately 4.90 acres located on the northeast corner of Silver Birch Drive and Emerald Point Drive. Reference No. 2022-ZCA-017

BACKGROUND and RECOMMENDATION: Surrounding phases of Sage Haven were reviewed and approved in 2021. At their meeting held on April 12, 2022, the Planning Commission held a public hearing and recommended approval.

Link to presentation from Planner Dan Boles, including discussion with comments from the Mayor Pro Tem, Council, staff, and applicant Bob Hermandson: [01:13:04](#)

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Link to motion: [01:17:05](#)

MOTION:

A motion was made by Councilmember McArthur to approve the ordinance amending the Desert Color Planned Development Residential (PD-R) zone in order to construct 100 units to be known as Sage Haven Plat C Phase 12 on approximately 4.90 acres located on the northeast corner of Silver Birch Drive and Emerald Point Drive.

SECOND:

The motion was seconded by Councilmember Tanner.

VOTE:

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

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

AMEND PLANNED DEVELOPMENT ZONE/ORDINANCE:

Consider approval of an ordinance amending the Desert Color Planned Development zone to allow the addition of pickleball and bocce ball courts and gathering areas to the amenities to be known as Desert Color Recreation Area on approximately 1.49 acres located generally between Akoya Pearl Road and Lagoon Parkway at approximately 800 West. Reference No. 2022-ZCA-016

BACKGROUND and RECOMMENDATION: The Resort area was part of the initial approval when Desert Color was approved in 2018. As part of that initial approval, the developer constructed the clubhouse, swimming pool, and lagoon amenities which are up and usable to most residents of Desert Color. Part of the plan was to add additional amenities in the general clubhouse area. This application will fulfil that desire to add more amenities. No residential units are under review with this application. At their meeting held on March 22, 2022, the Planning Commission held a public hearing and recommended approval.

Link to presentation from Planner Dan Boles, including discussion with comments from the Mayor Pro Tem, Council, and staff: [01:18:00](#)

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Link to motion: [01:20:53](#)

MOTION:

A motion was made by Councilmember Larsen to approve the ordinance amending the Desert Color Planned Development zone to allow an amenity area for Regency at Desert Color to be known as Regency at Desert Color Amenity Area on approximately 7.85 acres located generally at the northeast corner of the future Canyon Wash Drive and Alder Grove Drive intersection.

SECOND:

The motion was seconded by Councilmember Larkin

VOTE:

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

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

City Recorder Christina Fernandez pointed out that the incorrect item was approved.

Link to motion: [01:22:31](#)

MOTION:

A motion was made by Councilmember Larsen to approve the ordinance amending the Desert Color Planned Development zone to allow the addition of pickleball and bocce ball courts and gathering areas to the amenities to be known as Desert Color Recreation Area on approximately 1.49 acres located generally between Akoya Pearl Road and Lagoon Parkway at approximately 800 West.

SECOND:

The motion was seconded by Councilmember Larkin

VOTE:

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

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

AMEND PLANNED DEVELOPMENT ZONE/ORDINANCE:

Consider approval of an ordinance amending the Desert Color Planned Development zone to allow an amenity area for Regency at Desert Color to be known as Regency at Desert Color Amenity Area on approximately 7.85 acres located generally at the northeast corner of the future Canyon Wash Drive and Alder Grove Drive intersection. Reference No. 2022-ZCA-015

BACKGROUND and RECOMMENDATION: Regency Plat 'A' was approved by City Council in August of 2021 and included 175 single and two-family units and is part of the overall Desert Color association which entitled them to use of the existing (and future) amenities such as the lagoon, clubhouse, swimming pool, pickleball and bocce ball courts, etc. At their meeting held on March 22, 2022, the Planning Commission held a public hearing and recommended approval.

Link to presentation from Planner Dan Boles: [01:23:11](#)

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Link to motion: [01:26:30](#)

MOTION:

A motion was made by Councilmember Larkin to approve the ordinance amending the Desert Color Planned Development zone to allow an amenity

area for Regency at Desert Color to be known as Regency at Desert Color Amenity Area on approximately 7.85 acres located generally at the northeast corner of the future Canyon Wash Drive and Alder Grove Drive intersection.

SECOND:

The motion was seconded by Councilmember Tanner.

VOTE:

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

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

AMEND PLANNED DEVELOPMENT ZONE/ORDINANCE:

Consider approval of an ordinance amending the Humane Society Planned Development Commercial (PD-C) zone to allow construction of a medical clinic and pet resource center on approximately 2.35 acres located on the northwest corner of 2860 East and 850 North Street. Reference No. 2022-ZCA-018

BACKGROUND and RECOMMENDATION: The Humane Society Planned Development Commercial zone was approved on July 15, 2021. This proposal is to allow for construction of a medical clinic and pet resource center. This project may be completed in two phases. The underlying general plan land use map is Commercial (COM). At their meeting held on April 12, 2022, the Planning Commission held a public hearing and recommended approval.

Link to presentation from Planner Carol Davidson, including discussion with comments from the Mayor Pro Tem, Council, staff, and applicant Craig Cook: [01:27:37](#)

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Link to motion: [01:44:40](#)

MOTION:

A motion was made by Councilmember McArthur to approve the ordinance amending the Humane Society Planned Development Commercial (PD-C) zone to allow construction of a medical clinic and pet resource center on approximately 2.35 acres located on the northwest corner of 2860 East and 850 North Street, with the follow through wrought iron fence surrounding the property.

SECOND:

The motion was seconded by Councilmember Larkin.

VOTE:

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

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

AMEND PLANNED DEVELOPMENT ZONE/ORDINANCE:

Consider approval of an ordinance amending the Atkinville Planned Development Commercial (PD-C) zone to allow construction of two new commercial buildings on approximately 9.41 acres located at 4400 South Desert Color Parkway. Reference No. 2022-ZCA-012

BACKGROUND and RECOMMENDATION: The Atkinville Interchange Area Zone Plan was approved in 2007 and at this location allows uses that are permitted in the C-2 zone. This proposal is to allow for two new commercial buildings. The underlying general plan is Visitor Commerce Commercial (VC2) and Employment (E). At their meeting held on March 8, 2022, the Planning Commission held a public hearing and recommended approval with conditions.

Link to presentation from Planner Carol Davidson, including discussion with comments from the Mayor Pro Tem, Council, and staff: [01:45:40](#)

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Link to motion: [01:55:10](#)

MOTION:

A motion was made by Councilmember Larkin to approve the ordinance amending the Atkinville Planned Development Commercial (PD-C) zone to allow construction of two new commercial buildings on approximately 9.41 acres located at 4400 South Desert Color Parkway, noting that there will be landscaping all the way around the test track with the conditions of the Planning Commission.

SECOND:

The motion was seconded by Councilmember Tanner.

VOTE:

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

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

AMEND PLANNED DEVELOPMENT ZONE/ORDINANCE:

Consider approval of an ordinance amending the Rim Rock Commercial Planned Development Commercial (PD-C) zone to allow the extension of drive-up parking stalls including covered stalls for Target on approximately 8.71 acres located at 275 South River Road for a project to be known as Target Drive Up. Reference No. 2022-ZCA-014

BACKGROUND and RECOMMENDATION: The applicant is requesting to amend the Rim Rock Commercial (Target/Lowes) Planned Development Commercial (PD-C) zone for the purpose of converting 16 parking stalls to drive-up parking stalls designated for online shoppers only. In addition to the new designated parking, the applicant would also like to add a covering for 12 of the stalls. There are currently eight drive-up parking stalls designated for online shoppers, and the applicant would like to add four more stalls to the west of the existing ones and then put a shade structure over those stalls. They would also like to add 12 additional stalls in the parking row to the north of the existing ones. Please refer to the exhibit provided by the applicant for the location of the rows. At their meeting on March 22, 2022, the Planning Commission held a public hearing and recommended approval with the condition that all drive-up parking stalls, including the existing ones, be moved and added to the north side of the store.

Link to presentation from Planner Carol Davidson, including discussion with comments from the Mayor Pro Tem, Council, staff, and applicant Joanna Graham: [01:56:15](#)

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Link to motion: [02:06:01](#)

MOTION:

A motion was made by Councilmember McArthur to approve the ordinance amending the Rim Rock Commercial Planned Development Commercial (PD-C) zone to allow the extension of drive-up parking stalls including covered stalls for Target on approximately 8.71 acres located at 275 South River Road for a project to be known as Target Drive Up, with the recommendation on the location from the Planning Commission.

SECOND:

The motion was seconded by Councilmember Larsen.

VOTE:

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

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

Link to Mayor Pro Tem Hughes recognizing Scouts from Troup 1830 and having them introduce themselves: [02:07:07](#)

Councilmember Tanner stepped out.

PRELIMINARY PLAT:

Consider approval of the preliminary plat for Divario (PA-18), a 1-lot residential subdivision located within the Divario development.

BACKGROUND and RECOMMENDATION: As part of the development agreement between the City and Divario, the developer is required to plat each planning area prior to selling the property to a third party. At their meeting held on April 26, 2022, the Planning Commission recommended approval.

Link to presentation from Assistant Public Works Director Wes Jenkins, including discussion with comments from the Mayor Pro Tem, Council, and staff: [02:09:40](#)

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Link to motion: [02:10:45](#)

MOTION:

A motion was made by Councilmember Larkin to approve the preliminary plat for Divario (PA-18), a 1-lot residential subdivision located within the Divario development.

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 Larsen – aye
Councilmember Tanner – not in the room for vote

The motion carried.

PRELIMINARY PLAT:

Consider approval of the preliminary plat for Divario Open Space, which is to create eight (8) open space parcels located at the intersection of Sunbrook Drive and Gap Canyon Drive within the Divario development.

BACKGROUND and RECOMMENDATION: As part of the development agreement between the City and Divario, the developer is to dedicate certain areas as shown on the master plan for the project as open space parcels, which are to remain as natural areas. The preliminary plat shows the 8 open space parcels which will be created with the recording of the final plat. At their meeting held on April 26, 2022, the Planning Commission recommended approval.

Link to presentation from Assistant Public Works Director Wes Jenkins, including discussion with comments from the Mayor Pro Tem, Council, and staff: [02:11:15](#)

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Councilmember Tanner returned during Mr. Jenkins' presentation.

Link to motion: [02:16:07](#)

MOTION:

A motion was made by Councilmember Larkin to approve the preliminary plat for Divario Open Space, which is to create eight (8) open space parcels located at the intersection of Sunbrook Drive and Gap Canyon Drive within the Divario development.

SECOND:

The motion was seconded by Councilmember Larsen.

Link to further discussion: [02:16:22](#)

Link to vote: [02:17:00](#)

VOTE:

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

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Consider approval of the preliminary plat for Glenview, a 4-lot residential subdivision located at 2262 South and 2100 East.

BACKGROUND and RECOMMENDATION: The subject property is zoned R-1-10 and the General Plan is LDR which matches the proposed preliminary plat. At their meeting held on April 26, 2022, the Planning Commission recommended approval. The developer will be required to dedicate right-of-way for a future roadway that will provide access to the properties to the west.

Link to presentation from Assistant Public Works Director Wes Jenkins, including discussion with comments from the Mayor Pro Tem, Council, and staff: [02:17:18](#)

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The developer will not be required to pave the roadway at the time of this development for the following reasons: 1) The south side of the roadway would not be constructed with this development as the developer is only required to install 25 feet of pavement, curb and gutter on the north side of the roadway. Paving the roadway would increase the amount of runoff that drains to the properties to the west and south as this roadway will slope to the west and this would have a negative effect on these properties; 2) The property to the south is lower in elevation by approximately 8 feet than the proposed development and would require a substantial retaining wall to support the roadway improvements; 3) The developer will pay the City the cost of the asphalt pavement for which the developer is not installing so that these funds can be used in the future when property to the south or west develops and extends the roadway; 4) There are two existing homes that currently use the location of the future roadway to access their lots to the west; 5) By not paving this roadway until future development occurs to the west and south, the cost to the city to maintain this access to the two existing homes will be minimal compared to maintaining a paved surface.

Link to motion: [02:26:15](#)

MOTION:

A motion was made by Councilmember Larsen to approve the preliminary plat for Glenview, a 4-lot residential subdivision located at 2262 South and 2100 East, including remarks made by City Manager Adam Lenhard regarding why and how this was permitted in the location.

SECOND:

The motion was seconded by Councilmember Tanner.

VOTE:

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

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Consider approval of the preliminary plat for Staybridge, a 2-lot commercial subdivision located at approximately 1301 South Sunland Drive.

BACKGROUND and RECOMMENDATION: The General Plan land use designation for this property is commercial and the zoning is C-3, which matches what is shown on the preliminary plat. When the Staybridge Hotel was constructed, the owner left a portion of the property undeveloped for a possible future commercial building. At their meeting held on April 26, 2022, the Planning Commission recommended approval. The owner will be required to provide cross utility and access easement with the final plat between the two parcels for utility and vehicle access at the two existing

driveway locations to Sunland Drive and the private drive between Staybridge Hotel and the hotel to the northeast.

Link to presentation from Assistant Public Works Director Wes Jenkins, including discussion with comments from the Mayor Pro Tem, Council, and staff: [02:27:00](#)

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Link to motion: [02:28:35](#)

MOTION:

A motion was made by Councilmember McArthur to approve the preliminary plat for Staybridge, a 2-lot commercial subdivision located at approximately 1301 South Sunland Drive.

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 Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

APPOINTMENTS:

Appointments to Boards and Commissions of the City.

No appointments were made.

REPORTS FROM MAYOR, COUNCILMEBER, AND CITY MANAGER:

Link to reports from Councilmember Larkin: [02:29:03](#)

REQUEST A CLOSED SESSION:

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

A closed session was not needed.

ADJOURN:

Link to motion to adjourn: [02:30:50](#)

MOTION:

A motion was made by Councilmember Larsen to adjourn.

SECOND:

The motion was seconded by Councilmember Tanner.

VOTE:

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

Councilmember Hughes – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

/s/ Christina Fernandez

Christina Fernandez, City Recorder