

NOTICE OF MEETING
HILLSIDE REVIEW BOARD
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH

Public Notice

Notice is hereby given that the Hillside Review Board of the City of St. George, Washington County, Utah, will hold meetings at the referenced site on **Wednesday, December 14, 2022**, commencing on-site at approximately 9:00 a.m.

The estimated site times are in bold. The agenda for the meeting is as follows:

1. Consider a request for a hillside development permit to determine the ridgeline on lot 29 of South Rim at Formaster Ridge for the construction of an infinity pool. The property is currently zoned R-1-10 (Single Family Residential, minimum lot size 10,000sf). The site is located at 1682 E. Howard Lane. The applicant is Ryan Andrews and Tonya Shepard. Case No. 2022-HS-019. **Meeting time is approx. 9:00 am**
2. Approval of the meeting minutes from the November 2, 2022 meeting.

Carol Davidson, AICP, CFM, CPM
Senior Planner
Development Services

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

Meeting Location

Item #1 – 1682 E Howard Lane



HILLSIDE REVIEW BOARD AGENDA REPORT: 12/14/2022

1682 E. Howard Lane Hillside Development Permit (Case No. 2022-HS-019)		
Request:	A Hillside Development Permit to determine the ridgeline on lot 29 of South Rim at Formaster Ridge for the construction of an infinity pool.	
Applicant:	Ryan Andrews and Tonya Shepard	
Representative:	Lorin Orvin	
Location:	1682 E. Howard Lane	
General Plan:	Low Density Residential (LDR), Open Space (OS)	
Existing Zoning:	R-1-10 (Single Family Residential, minimum lot size 10,000 sf)	
Surrounding Zoning:	North	R-1-10
	South	R-1-10
	East	R-1-10
	West	R-1-10
Land Area:	Approximately 0.39 acres	



BACKGROUND

This is a request from the property owners of 1682 E. Howard Lane for the Hillside Review Board to determine the location of the ridgeline in the rear of their property. The owner is coming before the Hillside Review Board for the purpose of determining where they can place their infinity pool. Construction on the pool has already commenced but has not yet been completed.

This property is lot 29 of the South Rim at Formaster Ridge final plat. Note #10 on the final plat states:

10. There is a 30' foot ridge line setback along the rear of lots 29-34. No structures, pools, fences, or walls are allowed within the 30' foot ridge line setback. This area is to remain undisturbed.

APPLICABLE ORDINANCE(S) (Selected portions)

10-13A-6: Building Setbacks and Additional Design Standards:

- A. *Setbacks:* All setbacks shall conform to the underlying zone criteria except as provided herein. No structure or accessory structure shall be constructed within the setback area as defined below. However, a see-through wrought iron fence with at least fifty percent (50%) of the fence open, landscaping, and a nonvertical swimming pool are permitted in the setback area.
1. *Ridgelines:* All ridgelines as shown on the ridgeline map shall be subject to the setback provisions contained herein. Setbacks from ridgelines not identified on the ridgeline map shall be a minimum of thirty feet (30'), or greater if recommended in the geotechnical reports.
2. *Plateaus:* On plateaus, the setback from the ridgeline shall be a minimum of fifty feet (50') unless a greater setback is recommended in the geotechnical reports.
- C. *Cuesta:* Where a ridgeline occurs on a cuesta, the minimum setback shall be one hundred feet (100') measured normal (perpendicular) to the closest point of the ridge, unless a greater setback is recommended in the geotechnical report.
- D. *Additional Design Standards:*
1. Retaining walls shall be colored to blend into the surrounding natural geology.
2. Retaining wall height is limited to the heights set forth in chapter 18 of this title and the standards for rock wall construction.
3. Building exterior colors shall be earth tone and blend with the surrounding natural landscape.

4. In residential zones, “no disturbance” areas shall be held as the “common area” of a project. Common areas shall be owned and maintained by the homeowners’ association or may be deeded to the city when accepted by the city.
5. In nonresidential zones, any “no disturbance” area shall be identified on the final site plan or final plat.
6. Any required no disturbance area shall be identified on the ground with temporary fencing or other approved means to prevent accidental disturbance of the area during construction and such fencing shall be installed prior to issuance of a grading permit.
7. The building site shall be located on the flattest portion of the parcel.
8. No structure shall extend over any natural ridgeline. The structure shall be in contact with the ground at all edges. (Ord. 2019-10-002, 10-10-2019)

EXHIBITS PROVIDED

1. Exhibit A – South Rim at Foremaster Ridge Final Plat
“Exhibit A” in the packet shows Lot 29 of the South Rim at Foremaster Ridge final plat
2. Exhibit B – Photos of the applicant’s property
“Exhibit B” provides an aerial image of the lot
3. Exhibit C – Photos of the applicant’s property
“Exhibit C” provides photos of the pool and the rear of the property

RECOMMENDATION

The Hillside Committee determine the location of the ridgeline located in the rear of the property and whether the pool location meets the ridgeline setback requirement on the plat.

APPLICABLE ORDINANCE(S) (Selected portions)

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- B. Setbacks: All setbacks shall conform to the underlying zone criteria except as provided herein. No structure or accessory structure shall be constructed within the setback area as defined below. However, a see-through wrought iron fence with at least fifty percent (50%) of the fence open, landscaping, and a nonvertical swimming pool are permitted in the setback area.
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identified on the ridgeline map shall be a minimum of thirty feet (30'), or greater if recommended in the geotechnical reports.

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C. *Cuesta*: Where a ridgeline occurs on a cuesta, the minimum setback shall be one hundred feet (100') measured normal (perpendicular) to the closest point of the ridge, unless a greater setback is recommended in the geotechnical report.

D. *Additional Design Standards*:

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General Plan - COM



Zoning - R-1-10



Exhibit A

Valley View Heights Phase 2 Final Plat

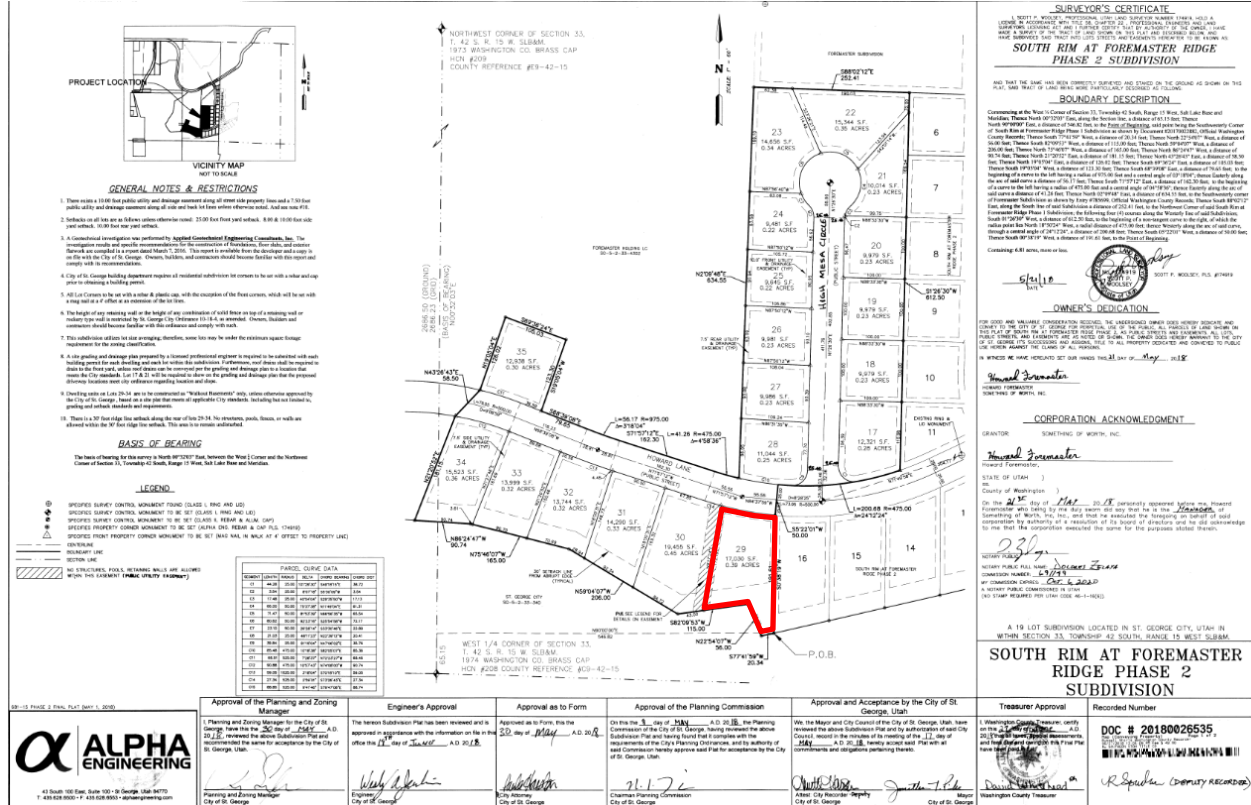


Exhibit B Aerial of Lot



Exhibit C

Photos of the Project









NOTICE OF MEETING
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Public Notice

Notice is hereby given that the Hillside Review Board of the City of St. George, Washington County, Utah, will hold meetings at the referenced site on **Wednesday, November 2, 2022**, commencing on-site at approximately 9:00 a.m.

PRESENT:

James Sullivan
Dave Black
Jeff Mathis
James Dotson
Russ Owens

EXCUSED:

CITY STAFF:

Assistant Public Works Director, Wes Jenkins
Planner III, Dan Boles
Development Office Supervisor, Brenda Hatch

The agenda for the meeting is as follows:

James Dotson called the meeting to order.

1. Consider a request for a hillside development permit for a commercial building. The applicant is requesting that the Hillside Review Board consider allowing disturbance of property over 20% on the site. The property is currently zoned C-3 (General Commercial). The site is located south-east of the intersection of Foremaster Dr. and Riverside Drive. The applicant is Scott Cervenak. Case No. 2022-HS-016.

Bronson Reed – Caliber Collision is one of the largest collision shops in the United States. They will be good neighbors to the residential area here, they are HVAC controlled so they will keep the doors closed at all times and it is nice and quiet. They have architectural features, stone veneer and a personal brand a very nice quality building.

Chris Bick – I know that we are not allowed to disturb any natural slopes over 40% so we have worked with the City on this. The slope shown here that is over 40% is that cut out. The areas that we are disturbing that are over 40% are the areas where the road was put in. Those are the only two areas where we are disturbing the over 40%. Everything is in the flatter area here and we have designed our walls so they can step up and we are not cutting back into the natural 40% slopes.

Dave Black – A lot of times we would have engineers come out and state the limits of the cut or the disturbance. Can you point out how far back you are going on these hills.

Chris Bick – Described how far back they would be going in reference to landmarks on the site.

Dave Black – These cuts right here, was that for the drill rig or is that part of what you are cutting?

Chris Bick – Those weren't there when our surveyor came out here. I don't know if these guys did that or not.

Dave Black – I was wondering if maybe PCI did it because they have some borings that are in that area.

Jeff Mathis – Is that water vac valve the edge of your property?

Chris Bick – Yes that is pretty close to the edge of the property there. I think you can see it on there. For the most part we are down in these plats. We would be going back to the property line with the construction of the walls. We have taken into account the construction of the walls, so we know we won't disturb the 40% behind that as well.

Wes Jenkins – You're going to disturb everything to your south property line, correct?

Chris Bick – Yeah to put in the wall. We have 3 walls on the south side. I think 4 ft was the top of the last wall.

Jeff Mathis – And they are staggered, so do you know the max heights on those 3 walls? You said 4ft was the top one, right?

Chris Bick – 8ft was the bottom one.

Jeff Mathis – And the middle?

Chris Bick – I think it went 8, 6, 4.

James Dotson – The total is 23ft.

Jeff Mathis – So is that what you are thinking Dave, this higher cut was from the boring machine?

Dave Black – Yes, I'm wondering if in the future we need to talk about that on Hillside. If we are trying to protect the hillside and they go in and bore there.

Jeff Mathis – Do you know how close this development plan goes to that cut? It's probably pretty close.

Chris Bick – The construction on the back side of it stays out of the 40%, we gave it a little buffer so we could make sure we weren't getting into that.

James Sullivan – I'm looking at the grading plan. The question is behind the wall, how do you deal with that?

Chris Bick – We are matching the grades on the backside of the wall. We have some pretty steep grades going down to the road so we would kind of just smooth that out a little bit more and make it a little less drastic.

Jeff Mathis – If it's a 4ft wall, it's a sloping 4ft wall. It's coming down off that grade.

James Sullivan – What are you doing with the water that is coming down behind this wall here?

Chris Bick – We are just trying to maintain the existing drainage path.

Discussion on drainage.

Dave Black – This clay in any cut situation it wants to ravel and come down. When they first built this road, they cut this slope close to your property and it fell initially and then it has continued to ravel and now the slope comes from here clear out to here. It is just filling in with this soft clay type stuff.

Chris Bick – So even if they had a wall up against this, that's 20ft from here to there. So, if they had walls.

Dave Black – I would just suggest that your Geotech stay involved in the design of the walls but also look at a global stability, not just the stability of the wall but of the slope because you are moving this material that is kind of a buttress right now and you want to make sure what you have behind it is going to stay there. They need to look at the global as well as the wall design. And if they do that and it works, then that is about all we can suggest. Also consider if there is a way to get the water off, so it's not coming over the walls. It's got to go around it.

James Dotson – It shouldn't be left as native or soil, it's just going to end up over there. Wherever the water runs. They need to rip rap.

Jeff Mathis – There still is probably going to be a maintenance issue. There really will be.

Dave Black – This purple stuff is just nasty.

Bronson Reed – The Geotech is calling for a 4ft over ex of the entire parking lot and the building and everything.

Dave Black – We are going to talk about that. PCI very good company, but I don't know that they have done a lot of work here in St. George with the blue clay type soil. Their recommendations don't meet the standard of practice for our area. The standard is currently between 15 to 20ft of over ex underneath the building. Parking lots, 4ft is probably standard, but the building over ex is that deep and they can still see some problems, there is still some risk. If you are familiar with the airport, the runway that was shutdown a couple years ago, they had done a 4ft over ex and they ended up with a 17 ft over ex. That 4 ft of over ex before, the runway swelled over a foot.

Bronson Reed – Do you have a company you would recommend?

Dave Black – I understand that AGEK drilled the borings for PCI, they are doing this development right here. Since they are already involved I would see if you could get those two guys talking. They could help them with the global stability and appropriate soil strengths to use in the analysis. I don't know that you would have to switch, they could probably consult together. You might have AGEK do your testing locally. However you work that, I'm trying to pull work away from PCI, but I think they need to talk.

Bronson Reed – I appreciate that.

James Sullivan – I don't know that any of that would have to do with our recommendation, I don't think we have concerns except for the Geotech, if somebody wants to make a motion.

Wes Jenkins - You will have to make a determination that this is manmade if that is what you think it is because he is getting into the 40% slope.

Dave Black – This is manmade, but the cut back there is the natural slope. The end result is that it's probably going to look better developed than it does now. We just want to make sure that the engineering and the stability is done right so it doesn't create problems. I think that some of the slopes on the side are definitely manmade. In fact, where we are standing and even some of this material is fill. The purple was brought in. This slope right here is a fill slope, it's manmade.

James Sullivan – Can we have a motion?

MOTION: Dave Black made a motion to recommend this project for Hillside approval with the following conditions: They revisit their geotechnical recommendations for their building pad over excavation requirements, that their retaining walls include a global stability analysis so the slopes and that they carefully consider site drainage above the slopes to minimize raveling and erosion and the negative impact to the stability, it is our opinion that the exposed steep slopes are manmade slopes.

SECOND: James Dotson

AYES (5)

James Sullivan

Dave Black

Jeff Mathis

James Dotson

Russ Owens

NAYS (0)

Motion carries

2. Consider approval of the meeting minutes from August 24, 2022.

MOTION: Russ Owens made a motion to accept the minutes from the August 24, 2022 meeting.

SECOND: Dave Black

AYES (5)
James Sullivan
Dave Black
Jeff Mathis
James Dotson
Russ Owens
NAYS (0)
Motion carries

3. Adjourn

MOTION: James Dotson motioned to Adjourn.