

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, April 11, 2023**, commencing at **5:00 p.m.**

**PRESENT:** Chair Steve Kemp  
Commissioner Lori Chapman  
Commissioner Emily Andrus  
Commissioner Ben Rogers  
Commissioner Nathan Fisher

**CITY STAFF:**  
Public Works Assistant Director Wes Jenkins  
Deputy City Attorney Jami Bracken  
Planner III Carol Davidson  
Planner III Mike Hadley  
Planner III Dan Boles  
Development Office Supervisor Brenda Hatch

**EXCUSED:** Commissioner Austin Anderson

Chair Kemp called the meeting to order. Commissioner Andrus led us in the Pledge of Allegiance.

**1. CONTINUED ITEMS**

- A. Consider a request to amend the Desert Color Planned Development (PD). This PD amendment would adjust the boundary of the TNZ Resort Overlay to the south of the existing boundary line including approximately 1.9 acres. This would place the entire subject parcel into the resort overlay. Additionally, the city has received a request for a PD amendment to allow a hotel resort on an approximately 17.49-acre site. The site is located just south of the Lagoon Parkway and Painted Ridge Parkway intersection on the east side of Painted Ridge Parkway at approximately 5560 South. The applicant is Desert Color and the representative is Craig Coats, Alliance Consulting. The project will be known as Atara Resort at Desert Color. Case No. 2023-PDA-002. (Staff – Dan Boles)

Dan Boles presented the following:

Dan Boles – We spent a lot of time on this last time so I will go through it fairly quickly. Stop me if you have questions. Then we will go over the new material submitted. If you remember they are asking to extend the resort overlay because of how the road went through there. Dan went through the layout with the slides included in the agenda packet. He showed the elevations included in the packet. I think the best thing is to let the applicant run through the height section. We met with the applicant and went through the booklet. There was a conflicting passage in the booklet. It was in the zone plan. The zone plan said 55 ft was the max height in the commercial area, but 50 ft was the max height in the resort area. We are holding them to the 50 ft. Dan showed a slide on how height

is measured in the building code. There will be some mechanical on the roof. That is not counted as part of the measurement according to code.

Mickey Mazerac – As we were doing these studies we dove deeper into the code. I don't know if you have had a chance to read it but the way that we interpreted it and understand it is that this is a flat roof type of building. We are taking the tallest portion which is outlined in the previous slide and establishing the adjacent grade which is measured 6 ft from the edge of the building if a property is more than 6 ft away from a road. Establishing the grade at the two highest elevations, we established a low point at 26.09 and 26.21. The average of those two grades is where we came up with the 26.15 which starts our midway point and then from that point we measure 50 ft to the roofline to the top of the coping. The top of the parapet is the max height of 50 ft.

Commissioner Chapman – Just so I'm clear, looking at these illustrations, it says the height is measured from the adjacent grade, so it's not from the street, it's 6 ft out from the adjacent grade? It's what you said.

Matt Mazerac – Yes.

Commissioner Rogers – Is there something in the development agreement that talks about what is inside the 50 ft? Is there an allowance for mechanical space for a penthouse elevator core to be outside of that 50 ft as described in the zoning ordinance?

Dan Boles – It's not specifically outlined. Not for mechanical equipment, elevator shafts and whatnot. We have never counted those as part of the overall height. It has always been to the coping of the flat parapet wall.

Commissioner Fisher – And when you say we've never counted it, do you mean just in Desert Color or city wide?

Dan Boles – City wide.

Discussion continued on whether the mechanical equipment is included in the measurements.

Commissioner Rogers – Is the adjacent grade existing or proposed?

Dan Boles – It doesn't say, but in all the communities I have worked in we used the proposed grade.

Commissioner Chapman – How tall is the elevator shaft?

Mikey Mazerac – 8 ft 6 inches. Any equipment we would have would be located in the center of the building.

Chair Kemp – Do you plan on screening those at all?

Mickey Mazerac – The top priority is to not see any of the mechanical.

Commissioner Rogers – Again, does that screening come into play with the height of the building? Is that included?

Chair Kemp – The coping is only 8 inches higher than the roof; they are not going to fit mechanical inside 8 inches.

Commissioner Rogers – There is a lot of room for maneuvering around the code and the way that the code is read. And that is my point.

Commissioner Fisher – And I think that Commissioner Rogers and his experience recognizes things we have never seen before and this is where it could be abused and it could be where we want to go back and look at the problem and see if there are some things, maybe it hasn't been abused yet, so it hasn't been brought to staff's attention, but clearly it can be.

Commissioner Chapman – By adding the screening for the mechanical and then the screening is basically aesthetic.

Dan Boles – You are within your rights to place conditions on this applications that it remains under 50 ft. with the mechanical or that it is all screened.

Commissioner Chapman – So this only shows one building.

Dan Boles – That is just the tallest portion. The others are around 44 ft.

Discussion of what buildings are in the project and the height of the buildings.

Dan Boles – Just a reminder, whatever motion you make tonight there are 3 separate approvals, extend the resort overlay, approve the PD amendment and the preliminary plat.

Jami Brackin – The overlay approval will go first then the hotel approval and then you will do 1B.

Chair Kemp – It looks like there will be between a 5 and a 6 ft wall along that road, is that right?

Craig Coats – Yes, that's on the backside of the road in the wash and that has to do with the grades between the wash and the site.

Chair Kemp – And how wide is that road?

Craig Coats – It's a 26 ft wide asphalt road to meet the fire code.

Chair Kemp – That building closest to the southwest corner of the road would be another what 5 ft off the road?

Craig Coats – Yes, give or take.

Discussion on what the height of the buildings are compared to the road.

Commissioner Rogers – My concerns are not with the project but with consistency in the zoning. I would like to see us provide further clarification on what is included in our 50 ft or 55 ft height limit. It is not consistent with what this commission has approved of with buildings.

Commissioner Fisher – To me it makes sense to include the parking area in this project, that is the best use. As far as the height goes, if we deviate from what it has been then we risk a challenge from the developer. I do agree that we define what it is in the future, so there should be clarification on what is done with ancillary items on the rooftops. I don't think the 8 ft here does anything to this project, adding the 8 ft of mechanical. It won't solve the neighbor's issues. The reality is that they could have taller buildings around the perimeter. I think it's a nice project. I think the problem is that the neighbors didn't know what the possibilities were for this area, not the project. This is not the arena to address that. This is a good project overall. I think what the developer has presented to us is a good-looking project.

Chair Kemp – I know that in our downtown plan, what we recently approved we talked about how stepping in and then go up I like that so that it doesn't look like a skyscraper. I don't know if it was intentional or not. I went out and looked at this project. It is a nice project. I do have the same concerns as commissioner Rogers, we need to be consistent with our code.

Commissioner Rogers – As we have seen the project presented, there is some adjustment I can make in my mind. I would like to see some adjustments in our code.

MOTION: Commissioner Fisher made a motion to recommend approval of an extension of the resort overlay zone to 1.9 acres to the south the current resort overlay zone.

SECOND: Commissioner Andrus

ROLL CALL VOTE:

AYES (5)

Chair Kemp

Commissioner Chapman

Commissioner Rogers

Commissioner Nathan Fisher

Commissioner Andrus

NAYS (0)

Motion Carries unanimous vote

MOTION: Commissioner Fisher made a motion to recommend approval Item 1A the PD amendment including the hotel and the other 17.49 acre as it is designed in the renderings we received.

SECOND: Commissioner Andrus

Chair Kemp – Would you amend the motion that all the equipment must be screened?

Commissioner Fisher – Yes.

Chair Kemp – Still Second?

Commissioner Andrus – Yes.

ROLL CALL VOTE:

AYES (5)

Chair Kemp

Commissioner Chapman

Commissioner Rogers

Commissioner Nathan Fisher

Commissioner Andrus

NAYS (0)

Motion Carries unanimous vote

- B. Consider a request for a preliminary plat to create seven pads for a hotel resort to be known as Atara Resort At Desert Color located south of the Lagoon Pkwy and Painted Ridge Pkwy intersection on the east side of Painted Ridge Pkwy at approximately 5560 South. The property is 76.04 acres and is zoned PD-R TNZ Resort. The applicant is Desert Color St. George, LLC, and the representative is Craig Coats. Case No. 2023-PP-008 (Staff – Dan Boles)

Dan Boles presented the following:

Dan Boles – This creates the pads and the common area.

MOTION: Commissioner Andrus made a motion to recommend approval of Item 1B a preliminary plat for Atara at Desert Color.

SECOND: Commissioner Fisher

ROLL CALL VOTE:

AYES (5)

Chair Kemp

Commissioner Chapman

Commissioner Rogers

Commissioner Nathan Fisher

Commissioner Andrus

NAYS (0)

Motion Carries unanimous vote

- C. Consider a request to change the zone from R-1-8 (Single Family Residential minimum 8,000 sq ft lot size), R-1-10 (Single Family Residential minimum 10,000 sq ft lot size) to PD-R (Planned Development Residential). The applicant is seeking approval to change the zone on 14.99 acres to build a townhome development consisting of 134 units. The property is generally located at 1100 W Curley Hollow Dr. The applicant is Tonaquint Inc, and the representative is Tim Stewart. The project will be known as Rosewood Townhomes. Case No. 2023-ZC-001. (Staff – Mike Hadley)

Mike Hadley presented the following:

Commissioner Rogers – Chairman I will recuse myself for this item.

Mike Hadley – The applicant worked with a landscape architect and submitted a new landscape plan. The General Plan designation is MDR. This updated landscape plan shows landscaping between the buildings.

Commissioner Chapman – The concern we had last time is that we had is that this is on clay. With this density it is tough to meet the green space. Does staff feel like this meets the green space?

Tim Stewart – The last time we were here Austin brought up the challenges with clay and landscaping. We met with Wayne Rogers and the advice he had for those challenges. We will be

doing a 17 ft. over excavation. He has approved some types of plants that can be close to buildings with a minimal drip system.

Jared Bates – We had written approval from Wayne saying the landscape plan shown meets the requirements for his report.

Chair Kemp – I remember reading about the membrane.

Tim explained what they replace the 17 ft over excavation with.

Discussion continued regarding excavation.

Tim Stewart – This is MDR, we started out with 8 units per acre MDR allows 9 per acre. They have never brought up that this was too dense. This is not very dense. To provide more affordable housing we have to be more dense. This is the least dense townhome project I have done.

MOTION: Commissioner Chapman made a motion to approve Item 1C.

SECOND: Commissioner Fisher

ROLL CALL VOTE:

AYES (5)

Chair Kemp

Commissioner Chapman

Commissioner Nathan Fisher

Commissioner Andrus

NAYS (0)

Motion Carries unanimous vote

- D. Consider a request for a hillside development permit to build a new townhome development on the property that is generally located at 1100 W Curly Hollow Dr. The applicant is Tim Stewart, and the representative is Jared Bates. Case No. 2023-HS-001 (Staff – Mike Hadley)

Mike Hadley presented the following:

Mike Hadley – This is the related hillside permit for the townhomes above. You can see there are a few areas to the north that they are staying out of.

MOTION: Commissioner Andrus made a motion to recommend approval of Item 1D a hillside permit for 1100 W Curley Hollow Dr.

SECOND: Commissioner Fisher

ROLL CALL VOTE:

AYES (5)

Chair Kemp

Commissioner Chapman

Commissioner Nathan Fisher

Commissioner Andrus

NAYS (0)

Motion Carries unanimous vote

- E. Consider a request for a one hundred thirty-four (134) lot residential subdivision known as Rosewood Townhomes located at approximately 1100 Curly Hollow Dr. The property is 14.99 acres and is zoned R-1-8 and R-1-10. The applicant is Tim Stewart, and the representative is Jared Bates. Case No. 2023-PP-006 (Staff – Mike Hadley)

Mike Hadley presented the following:

Mike Hadley – This is the layout of the townhomes discussed in the two previous items.

MOTION: Commissioner Fisher made a motion to recommend approval of item 1E a 134-lot residential subdivision known as Rosewood Townhomes.

SECOND: Commissioner Andrus

ROLL CALL VOTE:

AYES (5)

Chair Kemp

Commissioner Chapman

Commissioner Nathan Fisher

Commissioner Andrus

NAYS (0)

Motion Carries unanimous vote

Commissioner Chapman - 1:03:20

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

- A. Consider a request for a general plan amendment to change the land-use map from LDR (Low Density Residential) to MDR (Medium Density Residential) on approximately 4.51 acres generally located on West Canyon View Drive, west of Dixie Drive. The applicants are Robert and Roseann Campbell. The project will be known as GV-5 GPA Case No. 2022-GPA-011. (Staff – Carol Davidson)

Carol Davidson presented the following:

Carol Davidson – The zoning map shows this as R-1-10. It does have MDR near it. We have 10 lots on Canyon View Drive. 6 of the lots have homes, 4 are vacant. The applicants are just trying to get this to match the area to the west and south. Staff does recommend approval. We did receive comments yesterday that were emailed to you.

Commissioner Fisher – Did we do a zone change for those twin homes on the other side?

Carol Davidson – I don't remember.

Commissioner Fisher – I remember something with the buildings, but I didn't remember if it was low density before.

Commissioner Chapman – There are more lots there that are built on that are single family so rezoning that is a problem. Yes, the lots that are above that is higher density but the other homes in that project are single family.

Carol Davidson – This is just a general plan amendment; you can still have single family in MDR.

Discussion on the zoning surrounding the properties in question.

Chair Kemp – Did every property owner sign off on this application?

Carol Davidson – Yes.

Commissioner Chapman – Is this part of a project?

Carol Davidson – Yes, it's part of Green Valley Phase 5.

Roseanne Campbell – At this point and time we felt like our section of the Green Valley subdivision is really isolated. There is thick landscaping and 30 ft trees. We can't interact with the houses behind us. We have people going to Las Palmas, Trend West, and Sports Village. They are putting a convenience store on the corner. If we were to try and sell our home as a single-family home we would not get a single buyer. We built it 15 years ago. We have a lot on that street we have marketed several times. We will not build a single-family home on that lot the street is too busy. We cannot keep pace with the Green Valley subdivision. If we build on the lots we will make sure that it is lovely and nicely done.

Commissioner Fisher – You made a comment that you should not be part of that subdivision. Please make sure that you are aware that no matter what happens with the City you will still be a part of the subdivision.

Anja Perkins – I am an applicant. I concur with everything Roseanne has just mentioned. The back of our yard, we have 20 units from Las Palmas staring in our backyard. There is also a walkway back there where people are staring into our backyard. I feel like we should be annexed into that.

Chair Kemp opened the public hearing.

Tyler Lake – There are 4 lots that are vacant. The rest of the area has homes on it. There is a reason there are not homes there. That is evidence these are not compatible.

Kirk Ehlers – I live on Ostler Way. Ostler way is where everyone goes from those other projects, I can't get out of my driveway. How does increasing that density in any way make this a better neighborhood?

Chair Kemp closed the public hearing.

Commissioner Chapman – That area is not in the resort overlay area; it is single family. The general plan that they are asking for would allow for duplex. That medium density is just what Tim Stewart got. I have extreme concern with putting this to medium because of what that could allow.



Chair Kemp – With the ADU any of these applicants could rent their basement?

Jami Brackin – Yes, as long as it is owner occupied.

Commissioner Fisher – This is a general plan amendment. So, what we need to consider is does it make sense in this area to have MDR in this area. If they come in for a zone change and you don't like the zone then that is something different.

Chair Kemp – Comments were made by the applicants about a lot of traffic in front of the homes but I don't understand how having duplexes here will make that better.

Commissioner Andrus – I have a comment on the traffic, this is a drop in the bucket. I think from a general plan standpoint, Canyon View Drive is conveying traffic, it makes sense that these don't remain single family homes with what is around them.

Discussion on soils in the area.

Commissioner Fisher – This area does seem mismatched in the zoning. If you look at it both sides of that street are surrounded by higher densities. The contours of the property create a natural buffer. There is already more density around them. They really are isolated. To me it only makes sense to mirror what's adjacent to it and not to what is north of it.

Commissioner Andrus – I agree.

Commissioner Rogers – For me it is making a precedent. Aesthetically that is bad taste to me. In hindsight it would've been great if these were MDR. I also don't think the extra traffic will make a difference, but again my concern is precedence.

Commissioner Fisher – If you look just down the street there are triplexes. R-3 is going to allow something similar. That is why to me it makes sense. The natural line to me is here. To me it makes sense.

MOTION: Commissioner Fisher made a motion to recommend approval of the general plan amendment of MDR 4.51 acres on these 10 lots.

SECOND: Commissioner Andrus

ROLL CALL VOTE:

AYES (3)

Commissioner Rogers

Commissioner Nathan Fisher

Commissioner Andrus

NAYS (2)

Chair Kemp

Commissioner Chapman

Motion Failed

- B. Consider a request to change the General Plan from OS (Open Space) to Low Density Residential (LDR) on approximately 74.098 acres generally located south of Tonaquint Terrace and west of

Tonaquint Heights subdivisions. The proposal is for Low Density Single Family Residential lots. The applicant is Utah State Trust Lands Quality development LLC and representative is Logan Blake. The project will be known as Tonaquint Heights General Plan Amendment. Case No. 2023-GPA-001. (Staff – Mike Hadley)

Mike Hadley presented the following:

Mike Hadley – This is near Tonaquint Terrace and Tonaquint Heights. The current zoning is R-1-40. The General Plan is OS. When Tonaquint Heights' first 3 phases came in they should've come in with a General Plan amendment. I'm not sure what happened at that time. We are having them go through this now.

Commissioner Chapman – On Chandler Drive is that just dirt, will it come through?

Logan Blake – This property has a long history. The original application goes back about 20 years. The zoning that is zoned R-1-40 has a hillside permit from 2006. The first 3 phases are in the Open Space, I'm not sure why it was never changed.

Commissioner Chapman – Do hillside permits never expire?

Mike Hadley – It doesn't expire, it only allows them to change the slopes that are within the projects.

Logan Blake – Our intent is to keep the same density, 1 unit per acre with clustering. The ordinance just doesn't allow that anymore with R-1-40, that is why we were asking for a zone change to R-1-20 and then we noticed that it was general planned open space.

Chair Kemp opened the public hearing.

Steve Darke – I am a resident in Tonaquint. I adamantly oppose changing this from open space to low density residential. The open space is used by many people up there. I am adamantly against changing this. There are petroglyphs up there. There are trails that people can use. I would like it to stay that way.

Chad Anderson – We have been here about 10 years now. If you haven't been up there to look at the property, the property is unique. If it stays R-1-40, that is one thing, but if it changes to 1-4 acres a lot that will change things.

Gary Green – I am totally against this. I worry about the safety when they start digging in this. What about the mountain coming down on our house?

Brett Wayne – I am conflicted, I can appreciate the need to want to continue to build homes. I will make a comment about the stubbed-out road here. None of these homes existed. All of these trails are trails we use every day. I think something that is a little bit missing in the context here is that this land was BLM land then it was swapped to SITLA, then it was swapped to Turtle land. Then open space but it's zoned R-1-40. When you take a look at Chandler Drive now, they have left unfinished construction, stubbed out utilities, pipes sticking out. Did they do that before they had permission to change the zoning? When we bought the home representatives from Quality Construction said everything south of the power lines was going to be open space. Our home has

been completely enveloped by the homes behind us. There is a concrete wall that goes up 12 ft behind the berm that is behind our house.

Lauren Bishop – I live against the mesa in Bloomington. There are petroglyphs up there. Why are we eliminating some of these places that are indigenous in culture to the area? I don't think that I would be opposed to a partial to finish off their subdivision. I adamantly oppose to develop all that acreage.

Noelle Willhelmsen – We paid a premium for our lot to get unobstructed views. This is zoned for a park we were told. We didn't want to be hedged in. The rocks here are beautiful. This is such a beautiful part of our community. Any open land is great but when we are destroying natural artifacts and natural recreation areas for money. We understand people need to make money to live.

Wyn Beebe – We were told the open space between us would always be there. This idea that we would always have it, that's why I'm here.

Kevin Lyngle – I live on Escalante. I have giant rocks in the front yard. Is the red line above me the ridge? That ridge is fractured, it is hanging by a thread. I heard that there is a 100 ft setback from the ridge. Any construction will bring that down in various places. There is tons of earthwork, and it is a very delicate area. I am opposed to anything in that area at least that close to the ridge. My concern is it is too close to the ridge. I spend a lot of time up there, it's fabulous.

Randy Harper – Moved here 6 years ago. Came here because of the natural beauty. I wanted to talk about the park. We have been hearing about a park we are supposed to get by Blackhawk.

Curt Gordon – I was the area manager for SITLA for 5 years and worked on the zoning for this property, I am not sure why the general plan was never changed. It became SITLA ground a long time ago probably in the 30's or 40's.

Chair Kemp – What does SITLA do?

Curt Gordon – SITLA was tasked with making money from land given to them for school children. This land was not in the City of St. George. When it was annexed, it came into the City as an Open Space as a holding zone. That is why it was zoned open space. I'm not sure why it has never changed.

Michael Alexander – Has this already been approved to proceed forward?

Commissioner Fisher – The zoning has already been approved. In this case the General Plan wasn't changed. Right now, we are just trying to clean up the general plan to match the zoning.

Michael Alexander – Do we know where the road intends to come out?

Steve Darke – Has this already been approved?

Chair Kemp – This property already has zoning on it.

Noelle Willhelmsen – Who owns this land right now?

Chair Kemp closed the public hearing.

Mike Hadley – It is zoned for residential property. This application is just a cleanup item to make the general plan match the zone.

Chair Kemp clarified questions that were asked during the public hearing.

Commissioner Andrus – Does the zone map include the Hillside overlay?

Mike Hadley – Yes, it is a hatched layer on that map.

Commissioner Chapman – You see where the line goes up, I assume that is a boundary of where the mesa would go up?

Logan Blake – This is the boundary with SITLA. The zoning was a lot larger because it was encompassing open space.

Commissioner Chapman – Is there a section of that where the petroglyphs are and where the trails go to that can be not developed, that can be left natural?

Logan Blake – My understanding is that with the Hillside permit they did a lot of those field investigations walking and they designated a lot of those areas to stay open space inside of the development. Similar to what we have over here in this area behind these lots. There is open space that exists here that is zoned R-1-40 and zoned R-1-30, that's how the process has gone thus far. The 100 ft ridge setback is open space, and the City owns this property.

Chair Kemp – Is the intention to deed the open space to the City?

Logan Blake – Yes. And our plan is to develop one unit per acre.

Discussion on where the lots will be located.

Commissioner Andrus – Are we including in the motion that we move that eastern boundary all the way to Tonaquint?

Chair Kemp – We can make that recommendation, yes.

Commissioner Andrus – Where the homes are.

**MOTION:** Commissioner Fisher made a motion to recommend approval of this application with the change that the expanded include general plan to include the property to the east of this property in what is now a subdivision Tonaquint Heights.

**SECOND:** Commissioner Andrus

Commissioner Rogers – They will have to come back for a zone change and a plat, can we control the density at that point?

Commissioner Kemp – Yes.

Commissioner Fisher – Understand that they can do R-1-40 right now.

Discussion on what might happen if/when they come back with a zone change and plat.

ROLL CALL VOTE:

AYES (5)

Chair Kemp

Commissioner Chapman

Commissioner Rogers

Commissioner Nathan Fisher

Commissioner Andrus

NAYS (0)

Motion Carries unanimous vote

Chair Kemp called a 10-minute recess.

- C. Consider a request to change the General Plan from RES (Residential), COM (Commercial), & PK (Park) to M-1 (Manufacturing) on approximately 51.97 acres generally located north of exit 7 off Southern Parkway. The applicant is Desert Canyons Development LC and representative is Curt Gordon. The project will be known as Desert Canyons Business Park General Plan Amendment. Case No. 2023-GPA-002. (Staff – Mike Hadley)

Mike Hadley presented the following:

Mike Hadley – We are working out some issues with our GIS departments, so our maps aren't showing this correctly.

Commissioner Chapman – What is developed out there?

Chair Kemp – Nothing. That's out by the airport. Eventually it will be accessed by the Airport Parkway.

Commissioner Chapman – Is this in the Airport overlay?

Mike Hadley – No it isn't.

Chair Kemp – I know there is a proposal in Washington City to take those 20 parcels for an industrial project.

Chair Kemp opened the public hearing.

Chair Kemp closed the public hearing.

MOTION: Commissioner Rogers made a motion to recommend approval of Item 2C as presented.

SECOND: Commissioner Chapman

ROLL CALL VOTE:

AYES (5)

Chair Kemp

Commissioner Chapman

Commissioner Rogers

Commissioner Nathan Fisher

Commissioner Andrus NAYS (0) Motion Carries unanimous vote
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**3. DEVELOPMENT AGREEMENT (DA) (Public Hearing) Legislative**

Consider a request to adopt a development agreement for the purpose of redesigning the layout and elevations of an approved but not yet developed storage rental unit facility which is generally located at approximately 3425 S. River Road. The applicant is Devin Sullivan – Pioneer Boys LLC, and the representative is Adam Allen. The project name will be known as STG Storage Facility. Case No. 2022-2023-DA-002. (Staff – Carol Davidson)

Carol Davidson presented the following:

Carol Davidson – Carol went through the sections that were addressed in the development agreement specific to this project that are shown in the presentation in the agenda packet.

Chair Kemp – Has the road dedication been approved by the property to the south?

Matt Loo – Yes, we have talked to Sunroc, and they have approved the road dedication.

Chair Kemp opened the public hearing.

Chair Kemp closed the public hearing.

MOTION: Commissioner Rogers made a motion to recommend approval of Item 3 as presented. SECOND: Commissioner Fisher ROLL CALL VOTE: AYES (5) Chair Kemp Commissioner Chapman Commissioner Rogers Commissioner Nathan Fisher Commissioner Andrus NAYS (0) Motion Carries unanimous vote
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**4. PLANNED DEVELOPMENT AMENDMENT (PD-A) (Public Hearing) Legislative**

A. Consider a request to amend the PD-C (Planned Development Commercial) zone for the purpose of redesigning the layout and elevations of an approved but not yet developed storage rental unit facility which is generally located at approximately 3425 S. River Road. The applicant is Devin Sullivan – Pioneer Boys LLC, and the representative is Adam Allen. The project name will be known as STG Storage Facility. Case No. 2022-PDA-052 (Staff – Carol Davidson)

Carol Davidson presented the following.

Carol Davidson – It was one of your recommendations that a development agreement would accompany this item. We talked about the buffers, the buildings and all the same things.

Commissioner Chapman – So nothing is changing that we approved? Why do we need to have a development agreement?

Jami Brackin – If a project comes in and wants to do something that doesn't meet code then you have to adopt a land use ordinance so that the project can move forward. Because this project doesn't have the building out front it will need the development agreement to move forward.

Chair Kemp opened the public hearing.

Chair Kemp closed the public hearing.

MOTION: Commissioner Fisher made a motion to recommend approval of Item 4A on the agenda with the conditions that were set forth in numbers 3, 5 and 6 on the recommendations that were set forth by staff.

SECOND: Commissioner Chapman

ROLL CALL VOTE:

AYES (5)

Chair Kemp

Commissioner Chapman

Commissioner Rogers

Commissioner Nathan Fisher

Commissioner Andrus

NAYS (0)

Motion Carries unanimous vote

- B. Consider a request to amend the Fields at Mall Drive Phase 2 Planned Development Commercial (PD-C) zone. The applicant is seeking approval in order to build a new office building on approximately 1.17 acres. This property is located at 2939 E Mall Drive. The applicant/representative is Tucker Nipko. The project will be known as Mall Drive Professional Office. Case No. 2023-PDA-005. (Staff – Dan Boles)

Dan Boles presented the following:

Dan Boles – This is near the new temple and Lins. This PD-C was approved in 2017. The uses are already approved in the zoning. They are providing 68 stalls; they are required to have 65 stalls. They are over parked by 3. They will share access with the bank to the east. They will also be connected to Revere. The building is 32 ft high to the top parapet. Staff recommends approval.

Commissioner Chapman – It is professional space, not retail, correct?

Dan Boles – Yes.

Chair Kemp opened the public hearing.

Chair Kemp closed the public hearing.

MOTION: Commissioner Chapman made a motion to recommend approval of item 4B as presented.  
SECOND: Commissioner Rogers  
ROLL CALL VOTE:  
AYES (5)  
Chair Kemp  
Commissioner Chapman  
Commissioner Rogers  
Commissioner Nathan Fisher  
Commissioner Andrus  
NAYS (0)  
Motion Carries unanimous vote

## 5. **MINUTES**

Consider a request to approve the meeting minutes from the March 28, 2023, meeting.

MOTION: Commissioner Chapman made a motion to approve the minutes.  
SECOND: Commissioner Rogers  
ROLL CALL VOTE:  
AYES (5)  
Chair Kemp  
Commissioner Chapman  
Commissioner Rogers  
Commissioner Nathan Fisher  
Commissioner Andrus  
NAYS (0)  
Motion Carries unanimous vote

## 6. **CITY COUNCIL ACTIONS**

*Report on items heard at the April 6, 2023, City Council meeting.*

1. 2023-PP-005 Old Farm
2. 2023-HS-004 Flowers Way
3. 2023-PP-009 Smith's Marketplace Sun River
4. 2023-PP-010 Leslie Dunbar Trust
5. 2023-PP-007 White Trails Ph 4-6



**7. ADJOURN**

MOTION: Commissioner Fisher

SECOND: Chair Kemp

ROLL CALL VOTE:

AYES (5)

Chair Kemp

Commissioner Chapman

Commissioner Rogers

Commissioner Nathan Fisher

Commissioner Andrus

NAYS (0)

Motion Carries unanimous vote