

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, May 9, 2023**, commencing at **5:00 p.m.**

The agenda for the meeting is as follows:

Call to Order

Flag Salute

1. PLANNED DEVELOPMENT AMENDMENT (PDA) (Public Hearing) Legislative

- A. Consider a request for a Planned Development (PD) amendment to the existing PA-1 Multi-Family PD-R (Planned Development Residential) zone. The applicant is seeking to adjust the previously approved building layout, architecture, and unit count. The proposal would reduce the number of units from 500 approved multi-family units to 464 multi-family units. The property is approximately 34.27 acres located south-east of the Gap Canyon Pkwy and 1790 West intersection. The applicant is RDG, LLC and the representative is Grey Garza. The project will be known as Circolo Villas. Case No. 2023-PDA-004 (Staff – Dan Boles)

THIS ITEM WILL NOT BE HEARD AT THIS MEETING, IT WILL BE NOTICED AT A LATER DATE.

- B. Consider a request for a PD (Planned Development) amendment and extension to the Desert Canyons Planned Development Residential (PD-R) zone and a portion of Desert Canyons Development that was annexed not yet zoned. The applicant is seeking approval to build 142 homes on 25.06 acres. This property is located approximately at the eastward extension of Desert Canyons Pkwy. The applicant is Desert Canyons Development LLC, and the representative is Curt Gordon. The project will be known as Desert Reflections at Desert Canyons.. Case No. 2023-PDA-007. (Staff – Mike Hadley)

2. PRELIMINARY PLAT (PP) Administrative

- A. Consider a request to consider a request for a one hundred forty-two (142) lot preliminary plat known as Desert Reflections at Desert Canyons. The property is located easterly along Desert Canyons Parkway. The property is 25.06 acres and is zoned PD-R and R-1-12. The applicant is Desert Canyons Development LLC, and the representative is Curt Gordon. Case No. 2023-PP-017. (Staff – Mike Hadley).
- B. Consider a request for a four (4) lot preliminary plat known Townsite Estates. The property is located at the northeast corner of 200 W and 400 S Street. The property is approximately 0.60 acres and is zoned RCC. The applicant is Davis Anderson, and the representative is Brandee Walker. Case No. 2023-PP-016. (Staff – Carol Winner)

3. ZONING REGULATION AMENDMENT (ZRA) (Public Hearing) Legislative

Consider a request to amend portions of the City Code, to add Food Truck Park as a use and to allow this use as permitted with standards use in the C-2, C-3 and/or C-4 zone. The applicant is Yori Ludvigson. Case No. 2023-ZRA-002. (Staff – Carol Winner)

4. MINUTES

Consider a request to approve the meeting minutes from the April 25, 2023, meeting.

5. CITY COUNCIL ACTIONS

Jim Bolser the Community Development Director will report on items heard at the May 4, 2023, City Council meeting.

1. 2023-PDA-002 Atara Resort at Desert Color
2. 2023-PP-008 Atara Resort at Desert Color
3. 2023-PDA-003 Cascade Collision and Tire Store
4. 2023-ZC-001 Rosewood Townhomes
5. 2023-PP-006 Rosewood Townhomes
6. 2023-HS-001 Rosewood Townhomes
7. 2022-GPA-011 GV-5
8. 2023-GPA-001 Tonaquint Heights Ph 4-7
9. 2023-GPA-002 Desert Canyons Business Park
10. 2023-PDA-005 Mall Drive Professional Office
11. 2023-DA-002 St. George Storage Facility
12. 2022-PDA-052 STG Storage Facility
13. 2023-CUP-001 160 N Bluff St
14. 2022-HS-005 Commerce Point West
15. 2022-HS-018 150 N Don Lee Drive

Brenda Hatch – Development Office Supervisor

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.

PLANNING COMMISSION AGENDA REPORT: **05/09/2023**

ZONE CHANGE

Desert Reflection at Desert Canyons

Case No. 2023-PDA-007

Request: This proposal is to consider changing the zoning from PD-R (Planned Development Residential), and R-1-12 (Single Family Residential 12,000 sq. ft. minimum lot size) to PD-R (Planned Development Residential) on a 25.06-acre site located in Desert Canyons easterly along Desert Canyons Parkway.

APN: SG-6745-N-1

Representative(s): Curt Gordon.

Location: The property is located east along Desert Canyons Pkwy.

Total Acreage: 25.06 acres

Existing Zoning: PD-R (Planned Development Residential), R-1-12 (Single Family Residential 12,000 sq. ft. minimum lot size).

General Plan: RES (Residential), MDR (Medium Density Residential).

Adjacent zones: North = PD-R, West = PD-R, East = R-1-12
South = R-1-12.

Background: The property is in the Desert Canyons Master Plan. The original master plan was approved in 2007 and has several approved amendments. The current approved development plan includes several areas of residential and commercial.

A portion of this proposal (9.26 ac) is already zoned PD-R (Planned Development Residential) the remaining 15.79 acres is being proposed to rezone as PD-R (Planned Development Residential).

There is a portion of the proposal that is in the floodway and 100 yr. floodplain. The applicant has been through the LOMAR process and has been approved through FEMA.

Density: Density shall conform to the density limitations of the Master Development Plan & General Plan. The proposed density for Desert Reflections is 5.6 du/ac which falls between the allowed 5 to 9 du/ac.

Landscaping/Amenities: This development will be required to provide 3 amenities from the table listed in city code 10-7F-6-C. Required amenities will be fully constructed by 50% of total project units.

Noticing: Notice letters were sent to property owners within a 500 ft. radius and notice were posted in four (4) public places [on the City website, State website, and on two (2) bulletin boards in the City].

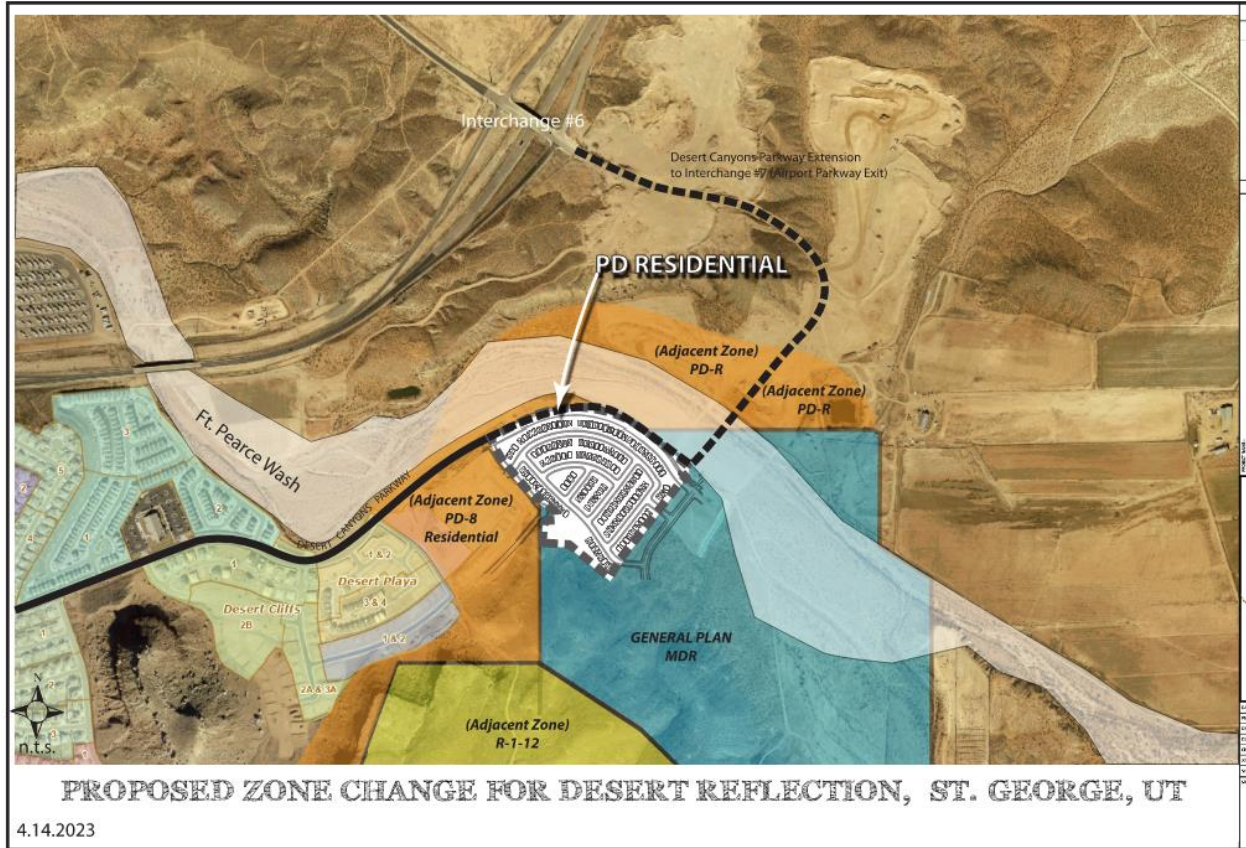
Recommendation: Staff recommends approval of this Zone Change based on findings of fact the proposal is compatible to the existing surrounding development.

Alternatives:

1. Recommend approval as presented.
2. Recommend approval with conditions.
3. Recommend denial.
4. Table the proposed zone change to specific date.

Possible Motion:
The Planning Commission recommends approval to the City Council for the Zone Change for Desert Reflections at Desert Canyons from PD-R (Planned development Residential), and R-1-12 (Single Family Residential 12,000 sq. ft. minimum lot size) to PD-R (Planned Development Residential) with no conditions.

Proposed Desert Reflections



DESERT REFLECTION SINGLE FAMILY HOMES

NARRATIVE

The purpose of this Zone Change Amendment application is to request approval for a residential project with single family homes, including all related improvements to be constructed within the Desert Reflection project. Desert Reflection is a portion of property that was annexed into the City several years ago. The property has a General Plan Designation of Medium Density Residential with densities from 4 to 9 units per acre. This zone change application seeks approval for Planned Development Residential (PDR) zone designation. The requested PDR zone is consistent with the surrounding PDR zoning designations proposed development may contain a variety of single-family unit types planned to support a total of 142 homes. Each unit can have up to 4 bedrooms, 2 ½ bathrooms, and a 2-car garage. The architecture of the homes could be described as Desert Modern and Traditional Townhomes (see attached elevations). The exterior will include stucco, stone, stained wood, metal, and composite shingles (see sample board for colors). Desert Reflection will have three amenities to meet St. George Code requirements.

The proposed development will be accessed by three entrances: One off Desert Canyons Parkway, and two off the future Foothill Ridge Drive. All utilities will be located within the roadways and will connect to existing utilities.

The development will meet all standards as follows:

- A. Noise: No noise other than typical motor vehicle traffic and recreational noise is planned.
- B. Dust: All roads will be paved, and disturbed areas will be rocked or landscaped to eliminate dust issues.
- C. Odors: Each home will have individual trash receptacles for trash collection.
- D. Aesthetics: All City of St. George Landscape standards will be followed.
- E. Safety: No unusual traffic is planned which would create unsafe conditions.
- F. Traffic: The Desert Canyons Master Plan traffic study contemplates and accommodates the level of development shown on the attached plan.
- G. Density: Current zoning for the site is C-2, R1-10, and R1-12. There is a total of 142 planned homes resulting in an overall density of 5.67 dwelling units per acre for the proposed development.
- H. Height: Not to exceed 35 feet.
- I. Hours of Operation: Hours of operation will be similar to others surrounding residential uses.
- J. Character and purpose of Zone: The development will be consistent with the purpose of a PD residential zone.
- K. Public Health: All sanitation and solid waste disposal measures will follow applicable codes.
- L. Phasing: The current phasing plan consists of 5 phases as indicated.

The proposed development will conform to all City of St. George standards and zoning provisions.

Desert
Reflections at
Desert
Canyons
2023-PDA-007

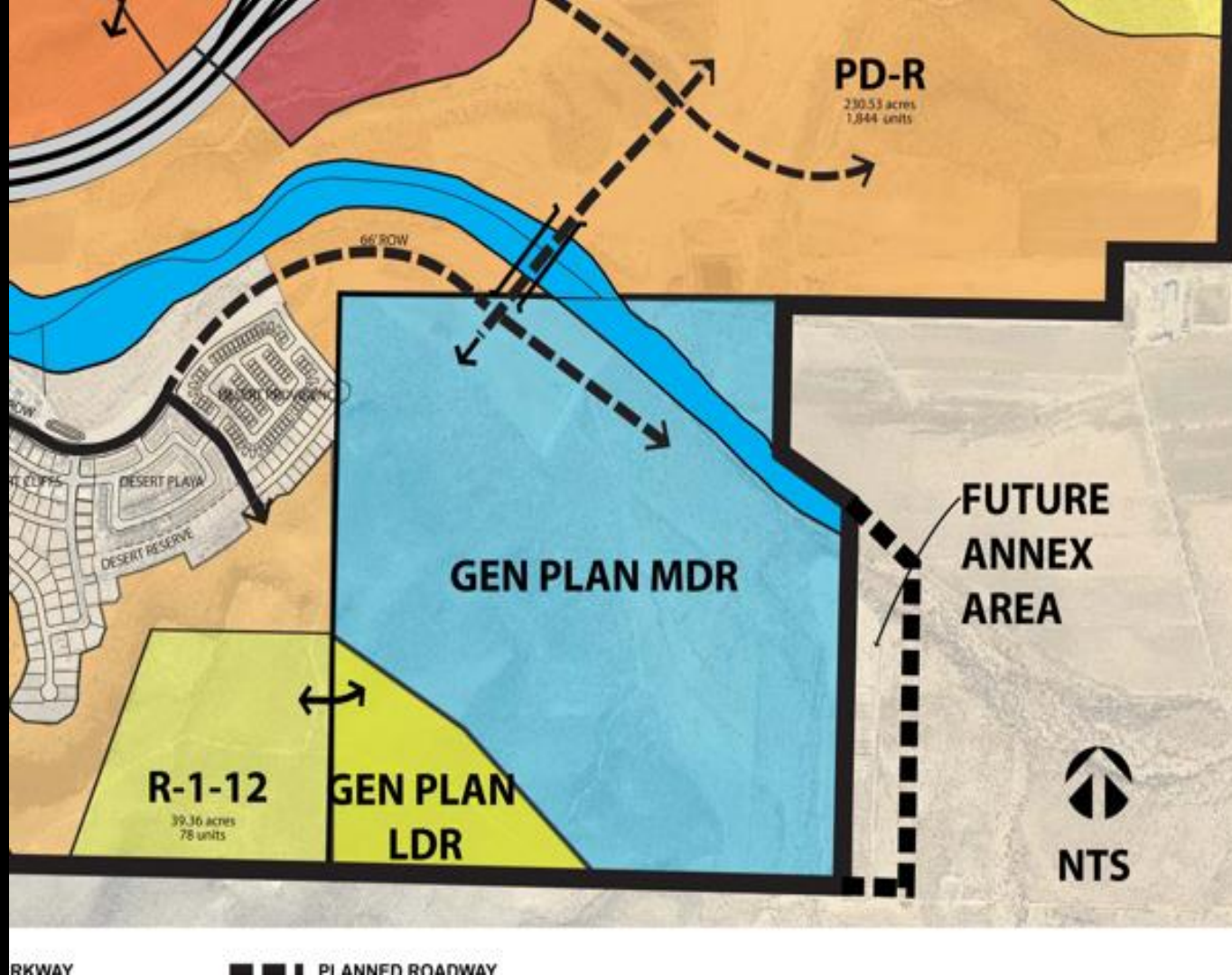


Aerial Map

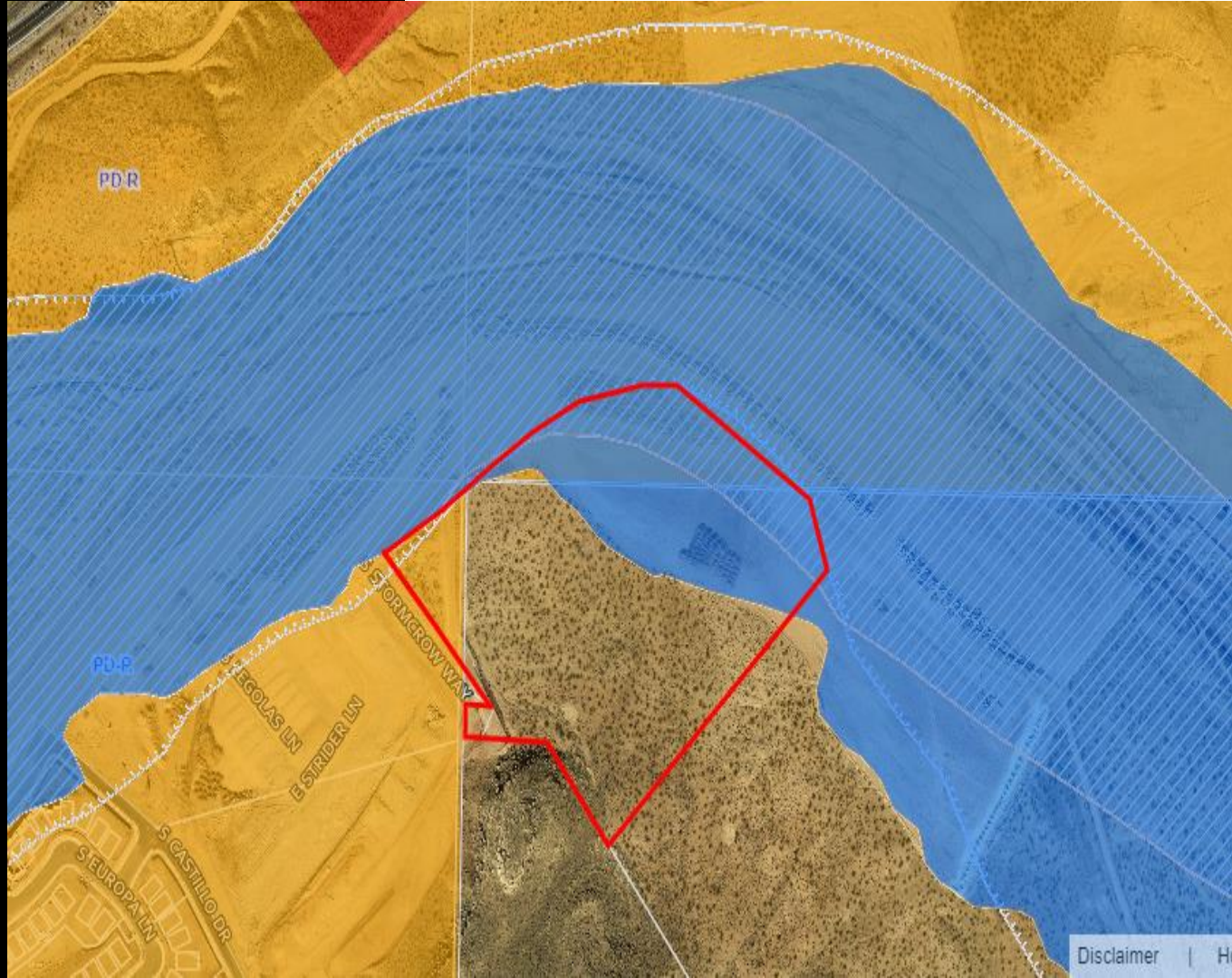


Disclaimer

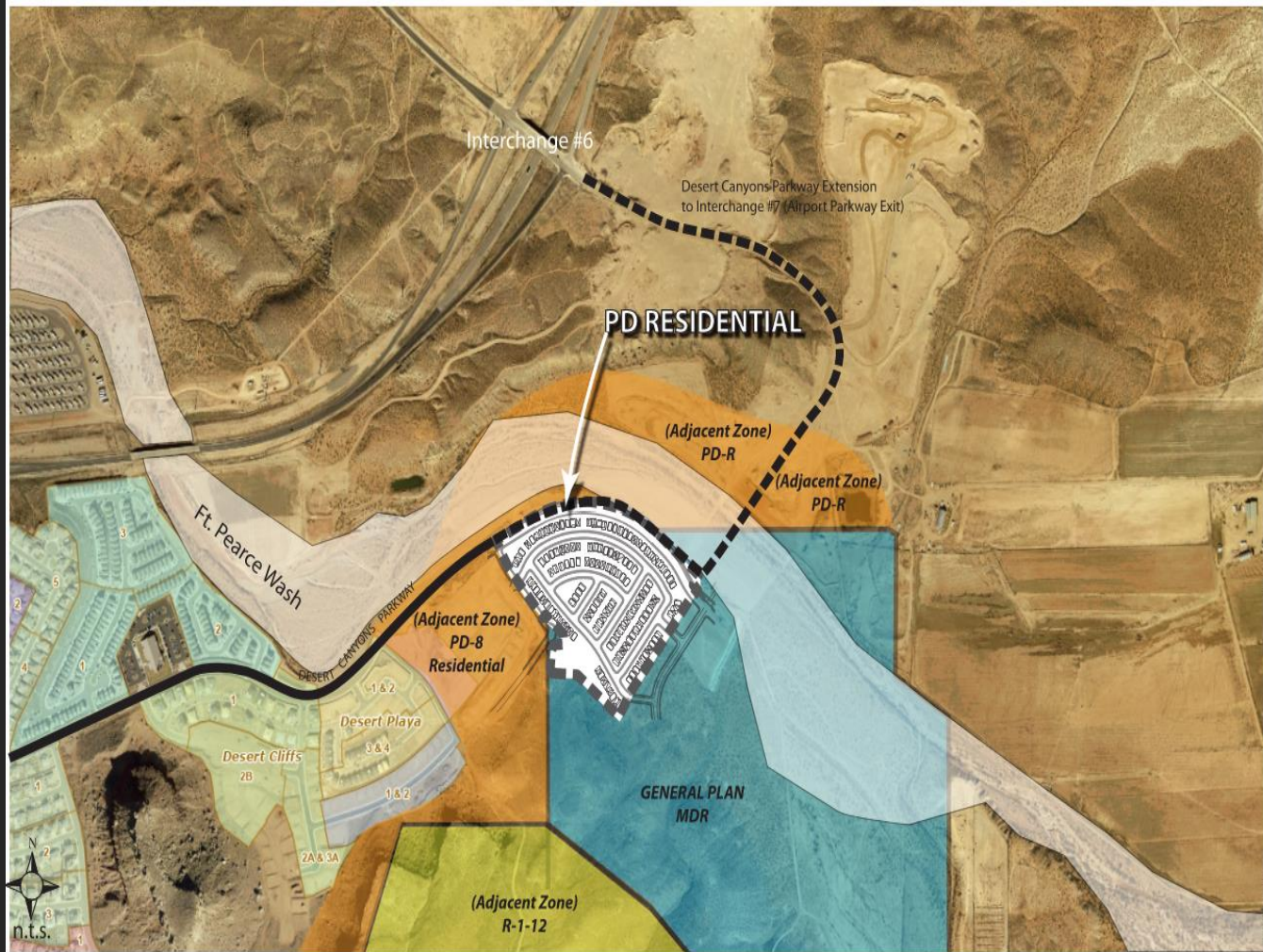
General Plan Map



Zoning Map



Site Plan



PROPOSED ZONE CHANGE FOR DESERT REFLECTION, ST. GEORGE, UT

Site Plan



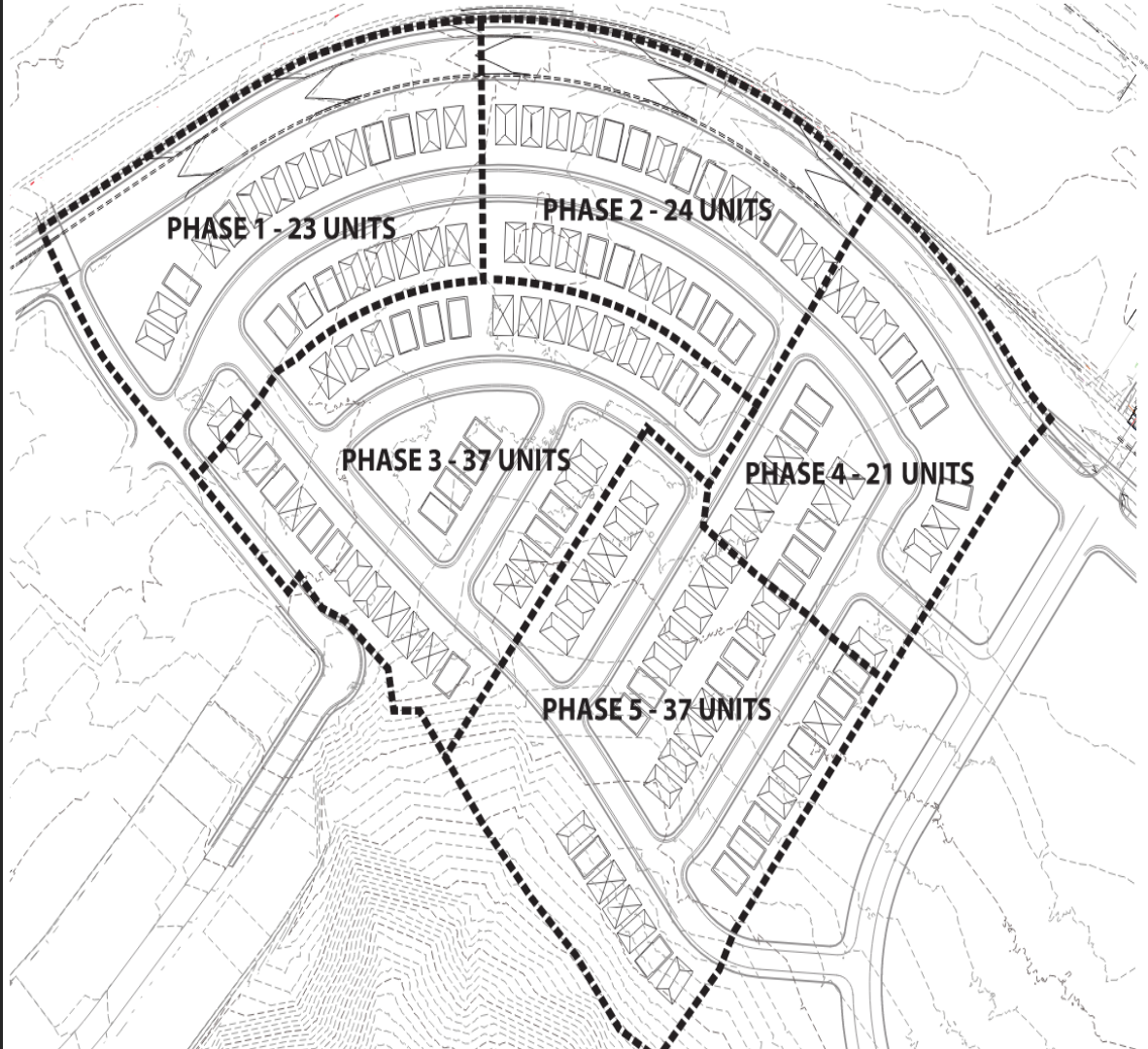
DESERT REFLECTION DEVELOPMENT PLAN

SITE DATA:	
Dwelling Units:	142
Total Area:	25.06
Density Overall:	5.67 DU/AC
Req. Unit Parking:	284 spaces
Planned Unit Parking:	284 garage
Guest Parking:	61
Available Parking:	345
Rec. Area Requirement:	28400 SF
Rec. Area Plan:	28400 SF

PROJECT NAME	DESERT REFLECTION
SITE DATA	
DATE	11/20/23
BY	CG
DESIGNED BY	LA
CHECKED BY	
DATE	
SCALE	
VERT. NUMBER	

DESERT CANYONS
 LAND DEVELOPMENT
 113 East 200 North #2 St. George, UT 84770
 Office: 435.826.8000 Fax: 435.826.2377

Phasing Plan



DATE: 07/2023	SCALE: 1/8" = 1'-0"
FILE: CD	PROJECT: DESERT REFLECTION PHASING PLAN
DRAWN BY: LA	DATE: 07/2023
CHECKED BY: JLM	DATE: 07/2023
DATE: N/A	SCALE: N/A
PROJECT NUMBER:	

DESERT CANYONS
113 East 2000 North #2, St. George, UT 84770
Office: 435.228.8747 Fax: 435.228.2277
desertcanyons.com

Landscape and Amenity Area



EXAMPLE OF ENTRANCE SIGN
APPROX. DIMENSIONS 3'H x 4'L x 2.5'D

-  NEIGHBORHOOD TRAIL
-  AMENITY SPACE
-  ENTRANCE SIGN
-  OPEN SPACE

Elevations



ELEVATION A
MAX HEIGHT IS 35 FEET

Hardyboard siding with brick and woodframe detailing. Cement tile roof.



ELEVATION B
MAX HEIGHT IS 35 FEET

Hardyboard and stucco siding with brick and woodframe detailing. Cement tile roof.



ELEVATION C
MAX HEIGHT IS 35 FEET

Hardyboard and stucco siding with metal and woodframe detailing. Cement tile and flat roof.



ELEVATION D
MAX HEIGHT IS 35 FEET

Hardyboard and stucco siding with brick and woodframe detailing. Cement tile roof.



ELEVATION E
MAX HEIGHT IS 35 FEET

Hardyboard and stucco siding with brick and woodframe detailing. Cement tile roof.



ELEVATION F
MAX HEIGHT IS 35 FEET

Hardyboard and stucco siding with brick and woodframe detailing. Cement tile roof.

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DESERT REFLECTION
ELEVATIONS - STYLES

DESERT CANYONS
113 E. 200 North #2 St. Covington, LA 70014
Office: 855-628-8277 Fax: 855-628-2277
desertcanyonsdesign.com

DATE: 4/12/2023
PROJECT: CG
DRAWN: LA
CHECKED BY:
DATE:
SCALE:

Materials Board

Desert Reflection PD-R

Rusted Siding



Stucco



Cultured Stone



Paint Colors



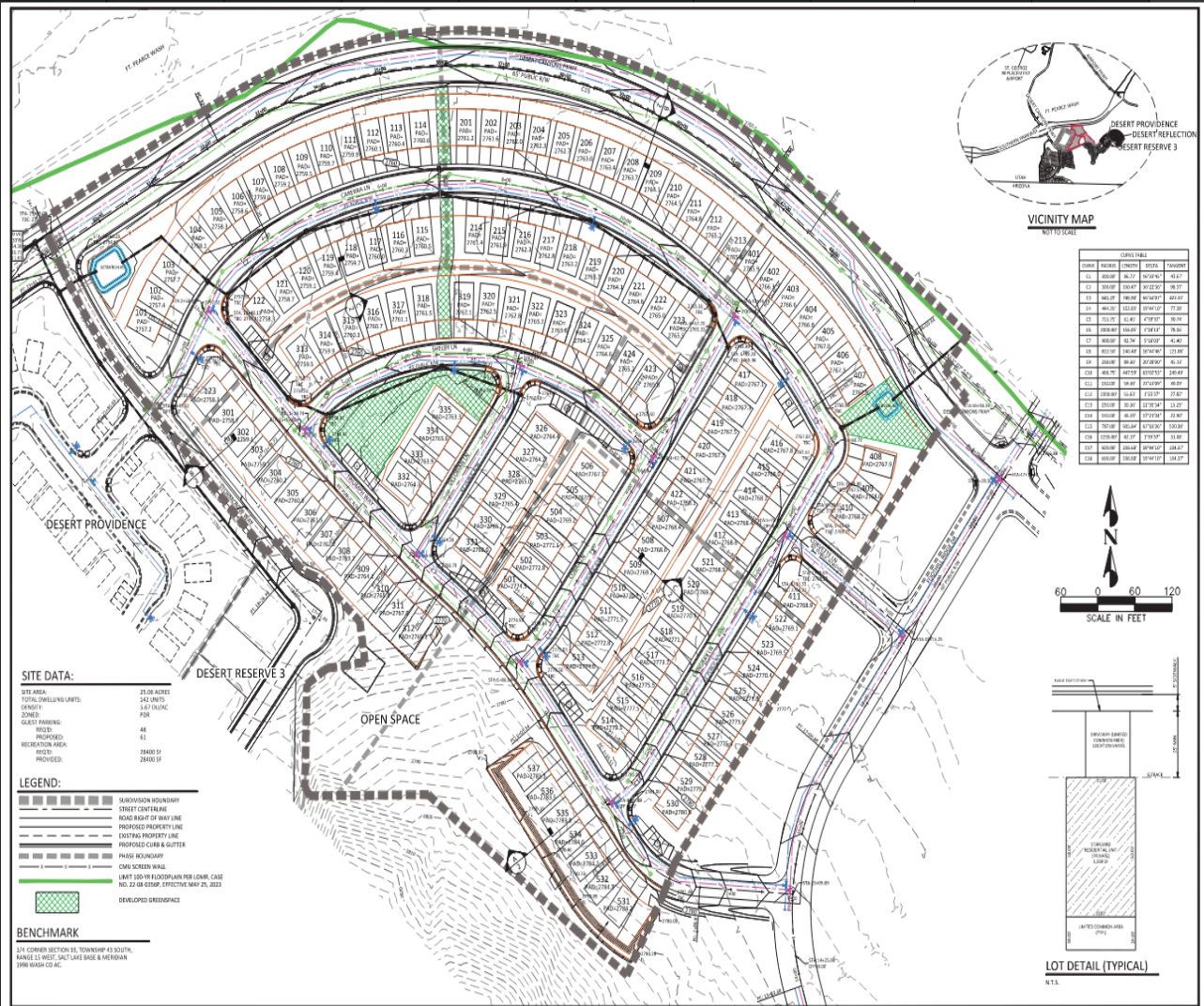
Hardie Plank Siding



Roof Tile



Preliminary Plat



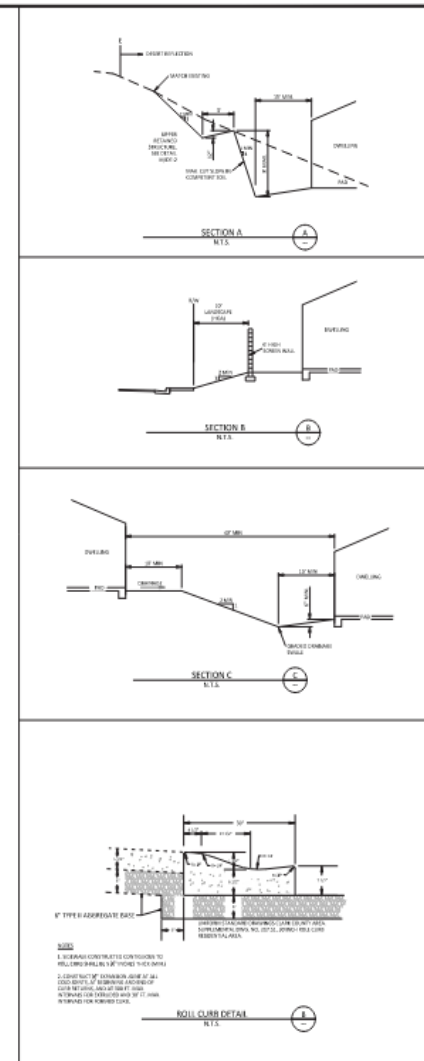
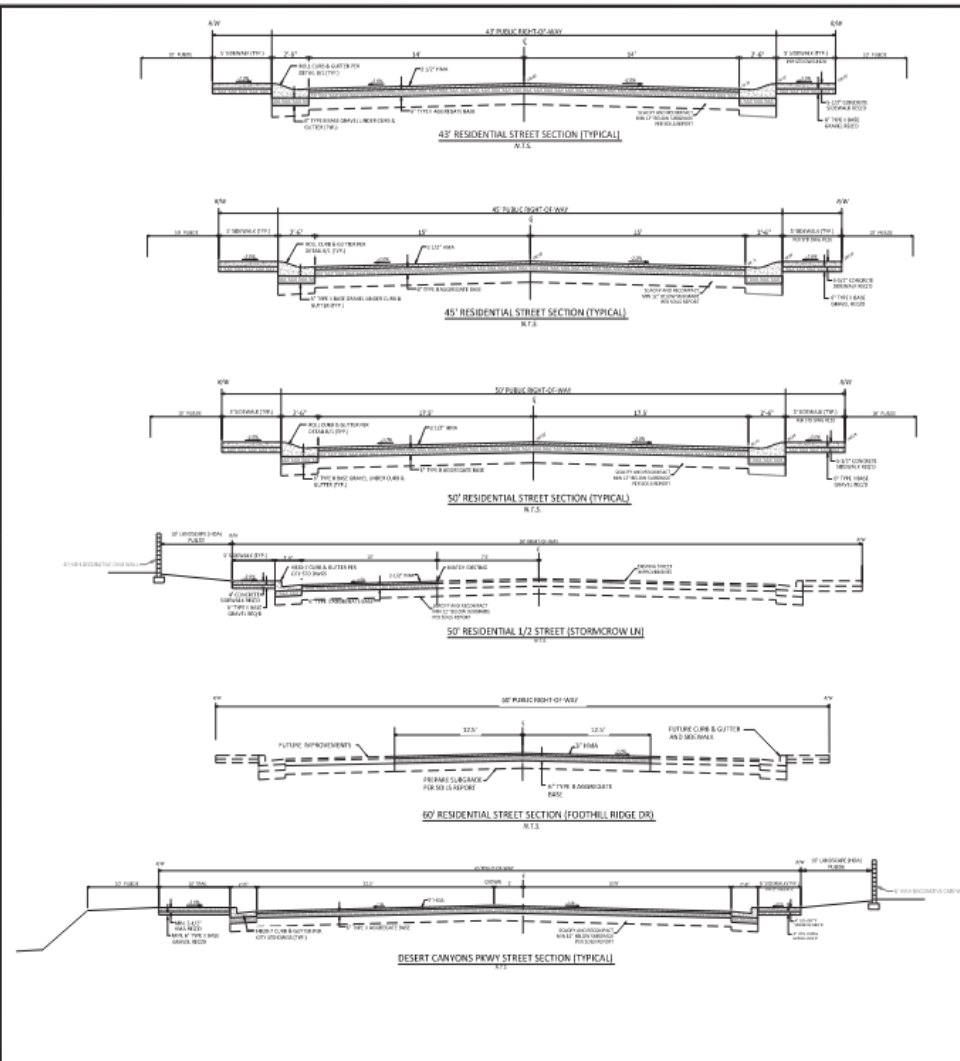
DESERT REFLECTION
 AT DESERT CANYONS
 PRELIMINARY PLAT

DSC ENGINEERING, INC.
 LAND PLANNERS, LAND SURVEYORS, CIVIL ENGINEERS
 113 EAST 200 NORTH, SUITE 407
 SALT LAKE CITY, UT 84143
 (801) 466-3333



DATE: APRIL 2024
 SHEET NO: 11
 DRAWING BY: MFL
 CHECKED BY: MFL
 APPROVED BY: MFL
 PROJECT NO: 23-005
 DATE: 07-07

Road Cross Sections



NOTES:
 1. SURFACE CONSTRUCTION CONTIGUOUS TO WELLS OR PAVEMENT 1/8" THICK 14-HR. ASPHALT.
 2. CURB FACE TO BE FINISHED AS SHOWN AT 1/8" TOLERANCE AND 1/8" TOLERANCE TO 1/8" TOLERANCE.
 3. CURB TO BE FINISHED TO 1/8" TOLERANCE TO 1/8" TOLERANCE AND 1/8" TOLERANCE TO 1/8" TOLERANCE.
 4. CURB TO BE FINISHED TO 1/8" TOLERANCE TO 1/8" TOLERANCE AND 1/8" TOLERANCE TO 1/8" TOLERANCE.

PLANNING COMMISSION AGENDA REPORT: **05/09/2023**

Desert Reflections at Desert Canyons

Case No. 2023-PP-017

Request: Consider a request for a one hundred forty-two (142) lot preliminary plat known as Desert Reflections at Desert Canyons located easterly along Desert Canyons Parkway. The property is 25.06 acres and is zoned PD-R (Planned Development Residential) & R-1-12 (Single Family Residential 12,000 minimum lot size). The applicant is Desert Canyons Development LLC, and the representative is Curt Gordon. Case No. 2023-PP-017 (Staff – Mike Hadley)

Location: The site is located easterly along Desert Canyons Parkway.

Property: 25.06 acres

Number of Lots: 142

Density: N/A

Zoning: PD-R (Planned Development Residential) & R-1-12 (Single Family Residential 12,000 minimum lot size). The current proposed application (2023-PDA-007) is to rezone to PD-R.

Adjacent zones: This plat is surrounded by the following zones:
North – PD-R (Planned Development Residential).
South – R-1-12 (Single Family Residential 12,000 minimum lot size).
East – R-1-12 (Single Family Residential 12,000 minimum lot size).
West – PD-R (Planned Development Residential).

General Plan: RES (Residential) and MDR (Medium Density Residential).

Applicant: Desert Canyons Development LLC.

Representative: Curt Gordon

Comments: No Comments from staff departments.

RECOMMENDATION PRELIMINARY PLAT:

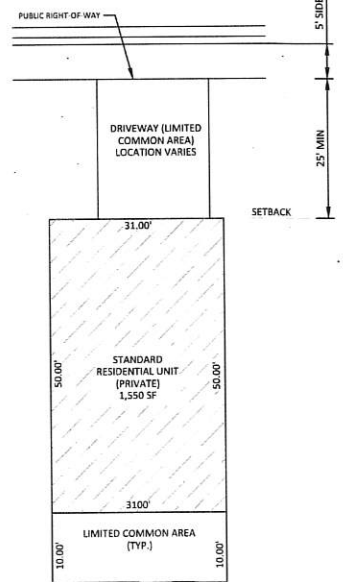
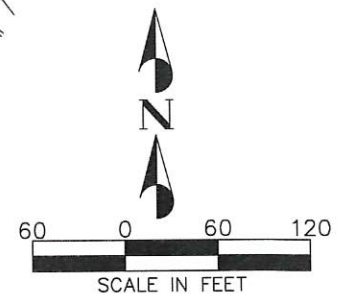
Staff recommends approval of the Preliminary Plat for the Desert Reflections at Desert Canyons with no conditions:

POSSIBLE MOTION: The Planning Commission recommends approval of the Desert Reflections at Desert Canyons preliminary plat with no condition.

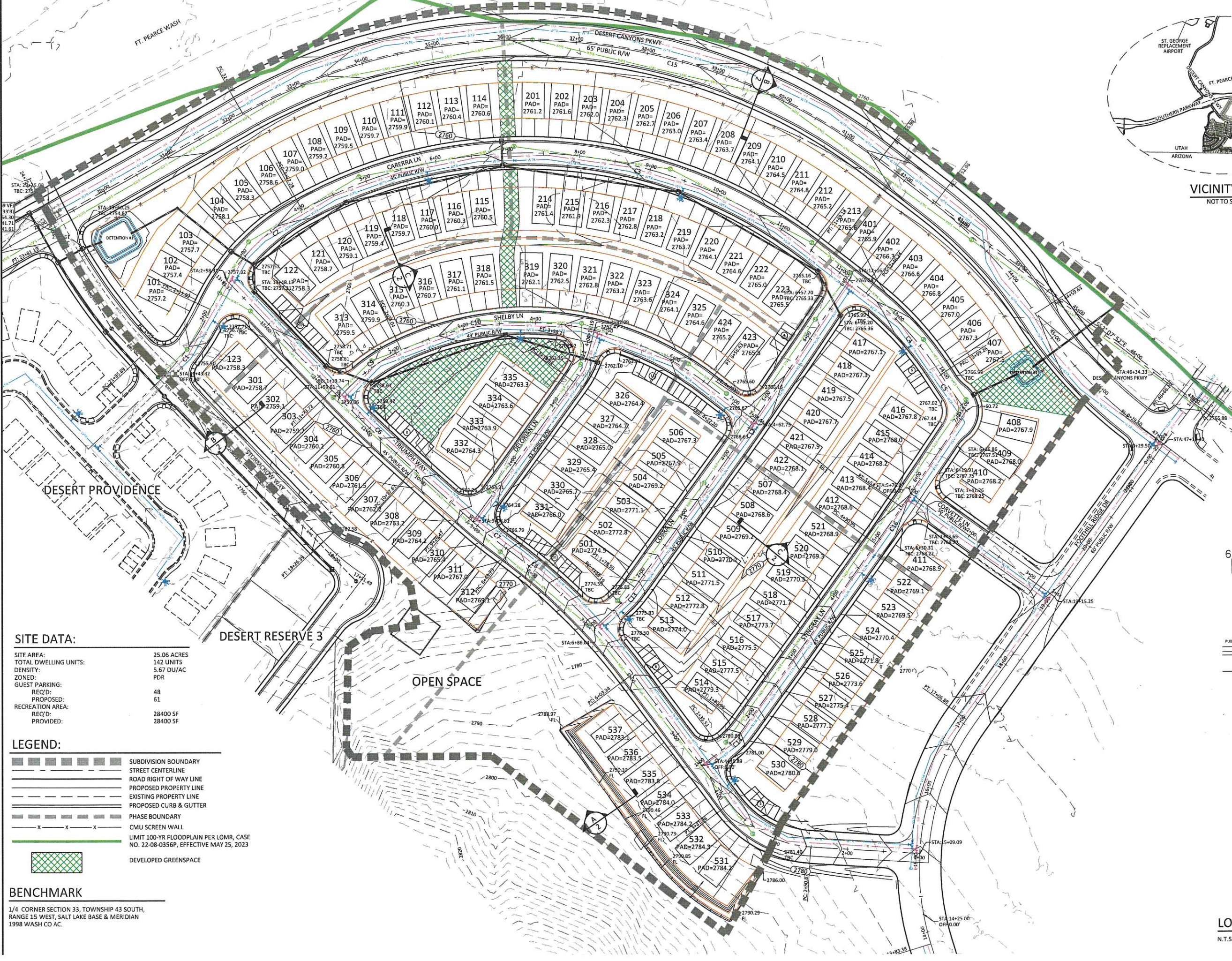


VICINITY MAP
NOT TO SCALE

CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	TANGENT
C1	300.00'	86.72'	16°33'45"	43.67'
C2	300.00'	190.47'	36°22'36"	98.57'
C3	641.25'	746.90'	66°44'07"	422.31'
C4	444.25'	153.03'	19°44'10"	77.28'
C5	755.75'	61.45'	4°39'32"	30.74'
C6	2000.00'	156.05'	4°28'13"	78.06'
C7	900.00'	82.74'	5°18'03"	41.40'
C8	822.50'	240.40'	16°44'46"	121.06'
C9	250.00'	89.30'	20°18'00"	45.13'
C10	406.75'	447.59'	63°02'53"	249.49'
C11	150.00'	59.39'	22°41'09"	30.09'
C12	2000.00'	55.63'	1°35'37"	27.82'
C13	150.00'	30.36'	11°39'54"	15.23'
C14	150.00'	45.45'	17°21'34"	22.90'
C15	797.00'	935.84'	67°16'36"	530.30'
C16	2235.00'	62.17'	1°39'37"	31.08'
C17	600.00'	206.68'	19°44'10"	104.37'
C18	600.00'	206.68'	19°44'10"	104.37'



LOT DETAIL (TYPICAL)
N.T.S.



SITE DATA:

SITE AREA:	25.06 ACRES
TOTAL DWELLING UNITS:	142 UNITS
DENSITY:	5.67 DU/AC
ZONED:	PDR
GUEST PARKING:	48
REQ'D:	61
RECREATION AREA:	28400 SF
REQ'D:	28400 SF
PROVIDED:	28400 SF

LEGEND:

	SUBDIVISION BOUNDARY
	STREET CENTERLINE
	ROAD RIGHT OF WAY LINE
	PROPOSED PROPERTY LINE
	EXISTING PROPERTY LINE
	PROPOSED CURB & GUTTER
	PHASE BOUNDARY
	CMU SCREEN WALL
	LIMIT 100-YR FLOODPLAIN PER LOMR, CASE NO. 22-08-0356P, EFFECTIVE MAY 25, 2023
	DEVELOPED GREENSPACE

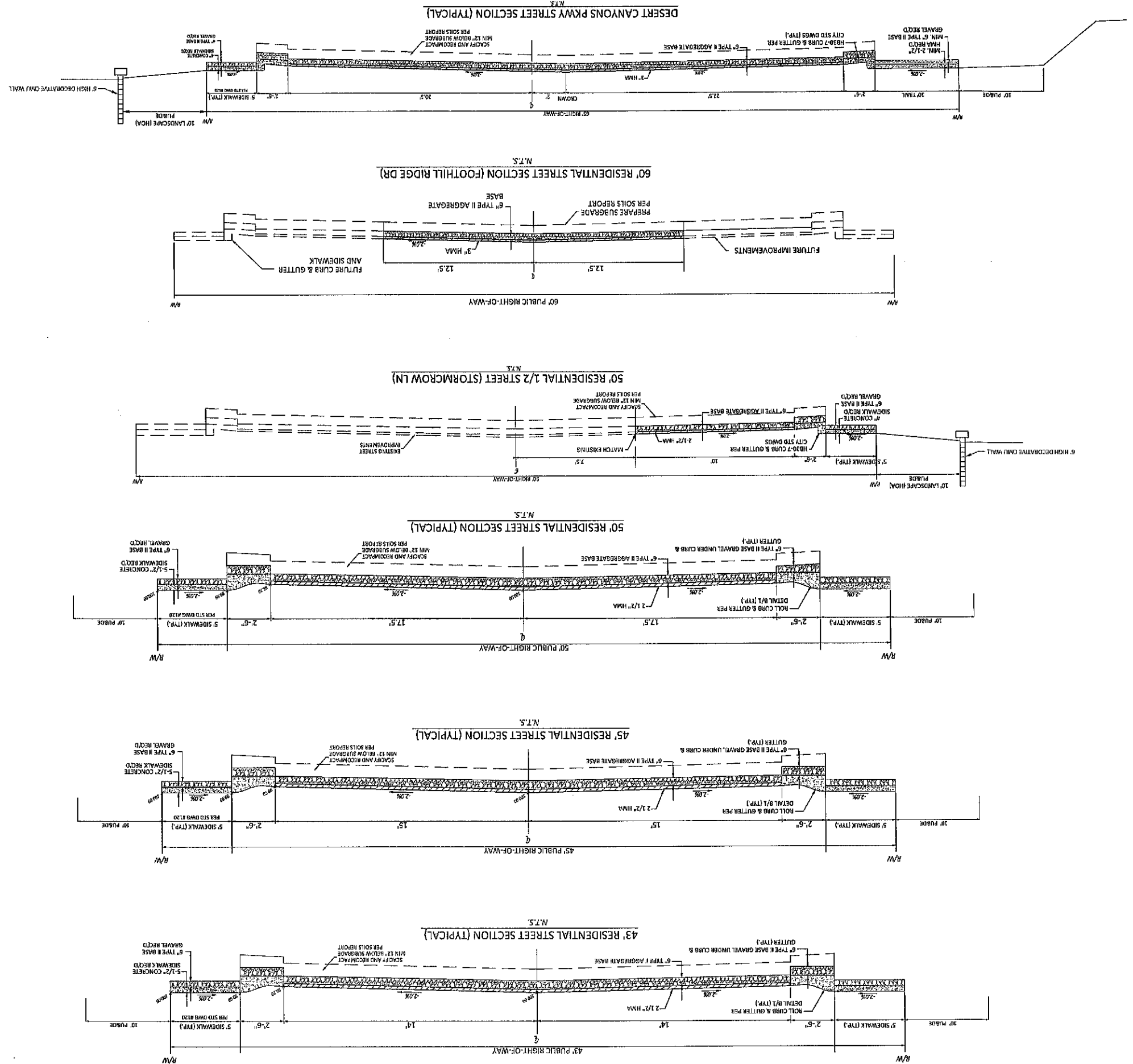
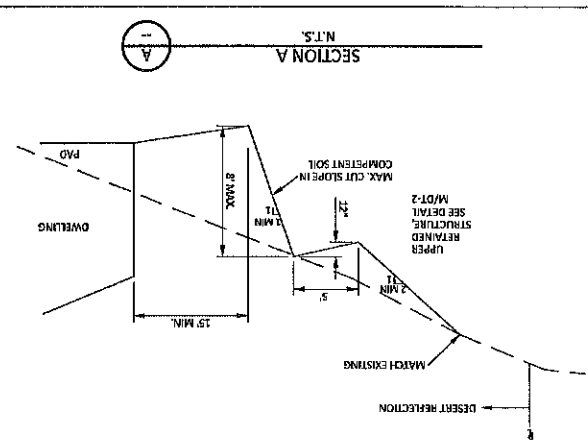
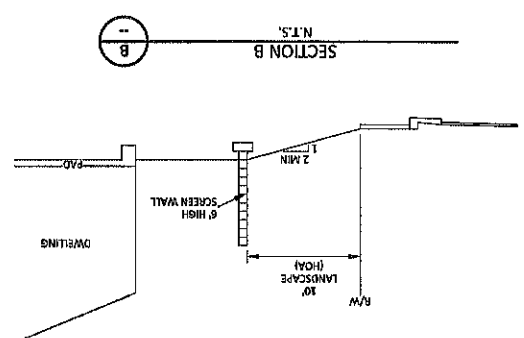
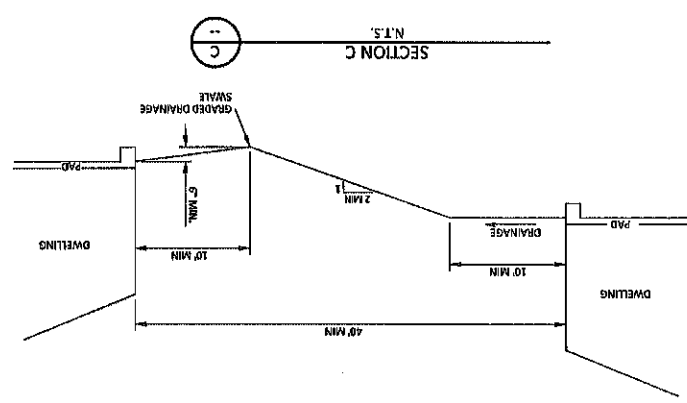
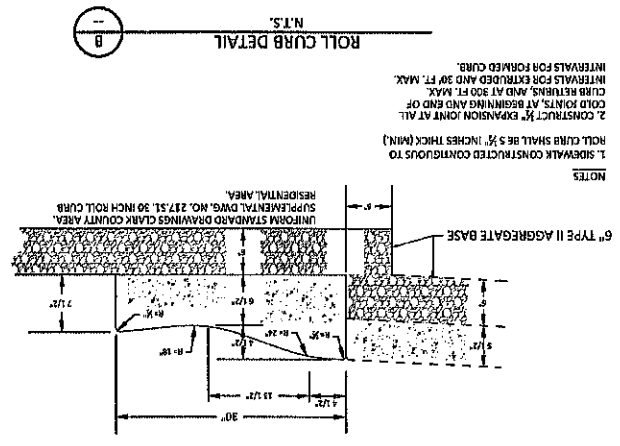
BENCHMARK
1/4 CORNER SECTION 33, TOWNSHIP 43 SOUTH,
RANGE 15 WEST, SALT LAKE BASE & MERIDIAN
1998 WASH CO AC.

DESERT REFLECTION
AT DESERT CANYONS
PRELIMINARY PLAT

PROJECT NAME:
DESERT REFLECTION
AT DESERT CANYONS
PRELIMINARY PLAT



DATE: APRIL 2023
PM: KM
DRAWN BY: MT
DESIGNED BY: KM
CHECKED BY: KM
PROJECT NO.: 21-015
SCALE: 1"=60'
SHEET NUMBER:



PLANNING COMMISSION AGENDA REPORT: **05/09/2023**

Townsites Estates Preliminary Plat (Case No. 2022-PP-016)	
Request:	The applicant is requesting approval of a four-lot, preliminary plat to be called Townsite Estates.
Applicant:	Davis Anderson
Representative:	Brandee Walker
Location:	Located at the northeast corner of 200 W and 400 S Street
General Plan:	Traditional Neighborhood
Existing Zoning:	RCC (Residential Central City)
Land Area:	Approximately 0.60 acres



BACKGROUND:

This parcel of land is located at the corner of 200 West Street and 400 South Street. The lot currently has two homes on it. The applicant will be removing the house furthest to the west and then dividing this 0.60-acre parcel into four lots. Lot 1 will contain 10,210 square feet and will have the existing house on it. Lots 2, 3, and 4 will all contain 5,339 square feet and will be vacant lots, ready for development. All lots meet the RCC (Residential Central City) zoning requirements for size and location. The utilities for lot will all be contained on this lot.

RECOMMENDATION:

Staff recommends approval of this preliminary plat.

ALTERNATIVES:

1. Recommend approval as presented.
2. Recommend approval with conditions.
3. Recommend denial.
4. Table or Continue the proposed zone change amendment to a specific date.

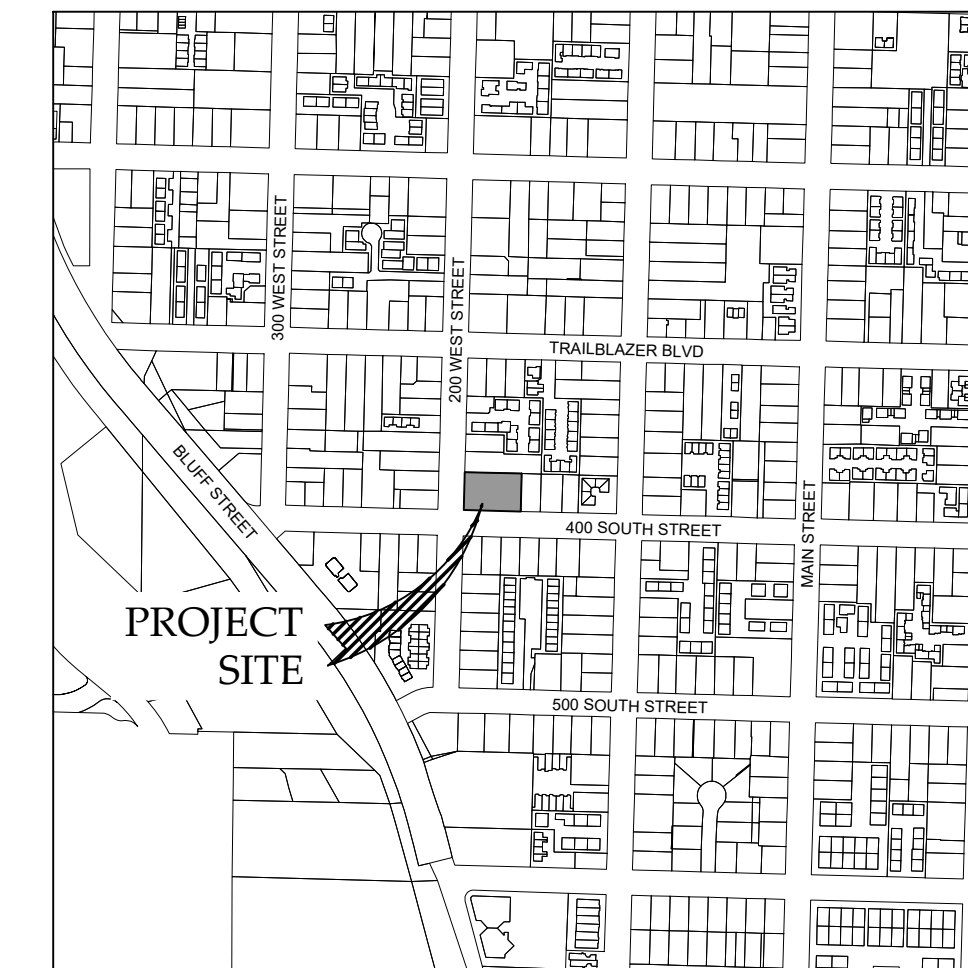
POSSIBLE MOTION:

The Planning Commission recommends approval of the Townsite Estates preliminary plat.

FINDINGS FOR APPROVAL:

1. The proposed Preliminary Plat meets the requirements found in Section 10-25C-3 of the Subdivision Regulations.
2. The proposed project meets the lot size requirements found in Section 10-8B-2.

EXHIBIT A
Preliminary Plat



LEGEND

- EXISTING GROUND CONTOUR
- PROJECT BOUNDARY
- PROPOSED CURB & GUTTER
- EXISTING CURB & GUTTER
- DRAINAGE FLOW DIRECTION
- ⊕ FIRE HYDRANT
- ⊗ EXISTING WATER GATE VALVE
- EXISTING WATER LINE
- ⊙ SEWER MANHOLE
- EXISTING SEWER LINE

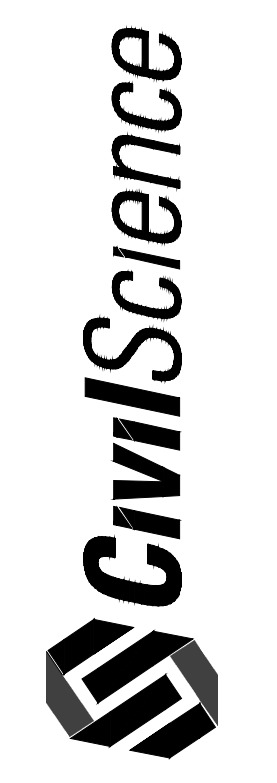
LEGAL DESCRIPTION

THE WEST 3/4 OF LOT 2, BLOCK 16, PLAT "C", ST. GEORGE CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER, STATE OF UTAH. CONTAINS 0.602 ACRES MORE OR LESS

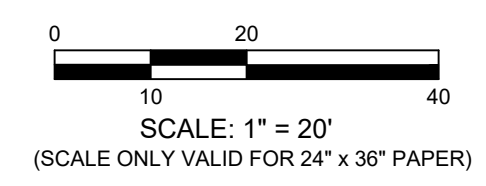
NOTES

1. LOT 1 CONTAINS AN EXISTING HOME THAT IS TO REMAIN AND HAS EXISTING UTILITY SERVICES.
2. ADDITIONAL UTILITY SERVICES ARE BEING PROPOSED TO LOTS 2-3 WITH THIS PLAT.

1453 S. DIXIE DRIVE, SUITE 150
ST. GEORGE, UT 84770
435.986.0100



**PRELIMINARY PLAT
TOWNSITE ESTATES**
LOCATED IN: WEST 3/4 OF LOT 2, BLOCK 16,
PLAT "C" - ST. GEORGE, UTAH



PROJECT INFORMATION

PARCEL: SG-1538
TOTAL AREA: 0.60 ACRES
ZONE: RCC

OWNER CONTACT
DAVIS ANDERSON

**PRELIMINARY PLAT
TOWNSITE ESTATES**

LOCATED IN
WEST 3/4 OF LOT 2, BLOCK 16, PLAT "C"
WASHINGTON COUNTY - ST GEORGE, UTAH

PROJ. #: IF23083
DRAWN BY: BLW
DATE: 04/03/2023
CHECKED BY: TWS
SCALE OF SHEET
HOR SCALE: 1" = 20'

SHEET	1
OF	1

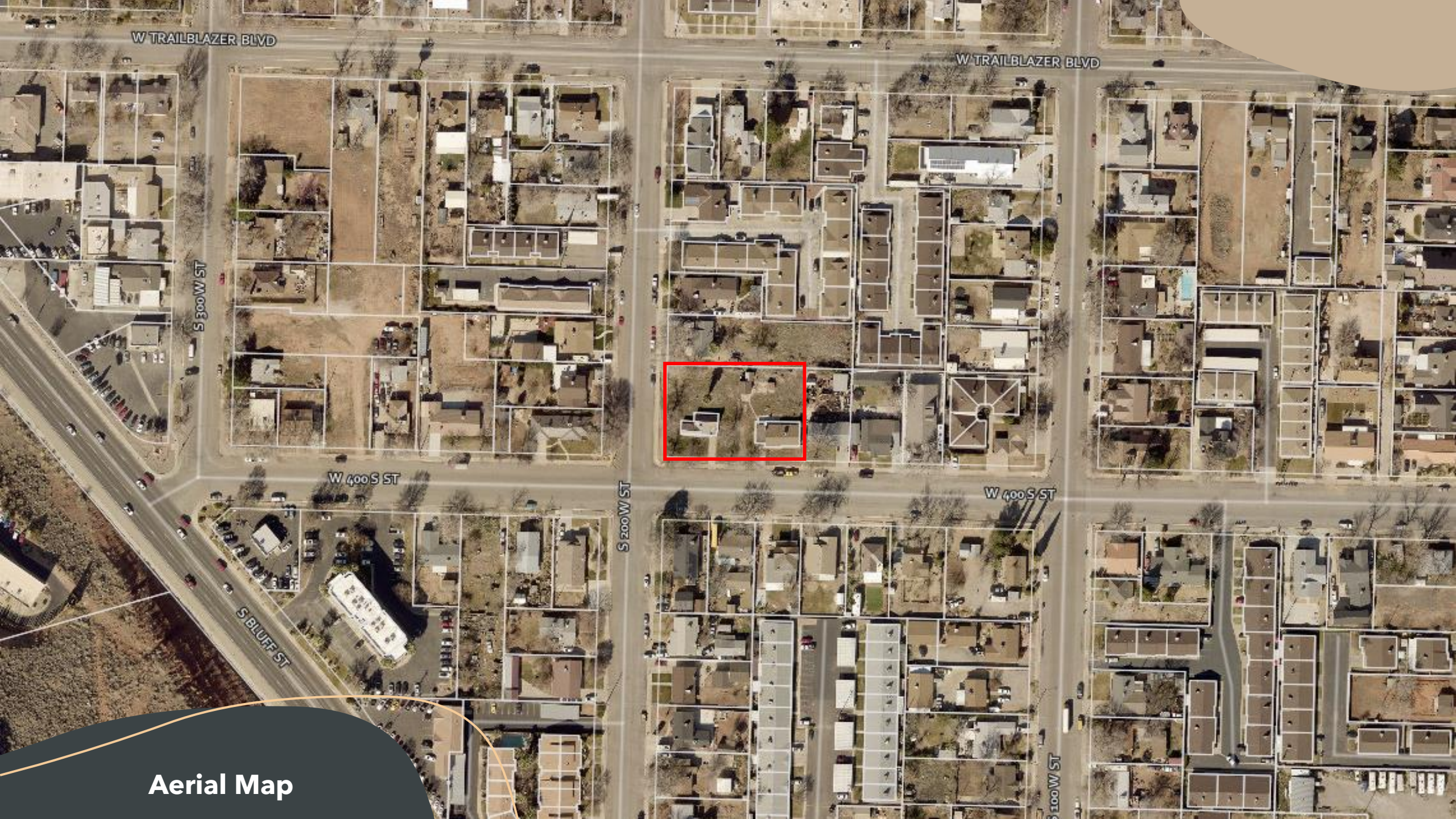
EXHIBIT B
PowerPoint Presentation

Townsite Estates

Preliminary Plat

2023-PP-016





W TRAILBLAZER BLVD

W TRAILBLAZER BLVD

S 300 W ST

W 400 S ST

S 2000 W ST

W 400 S ST

S BLUFF ST

S 100 W ST

Aerial Map



W TRAILBLAZER BLVD

W TRAILBLAZER BLVD

S 300 W ST

W 400 S ST

S 200 W ST

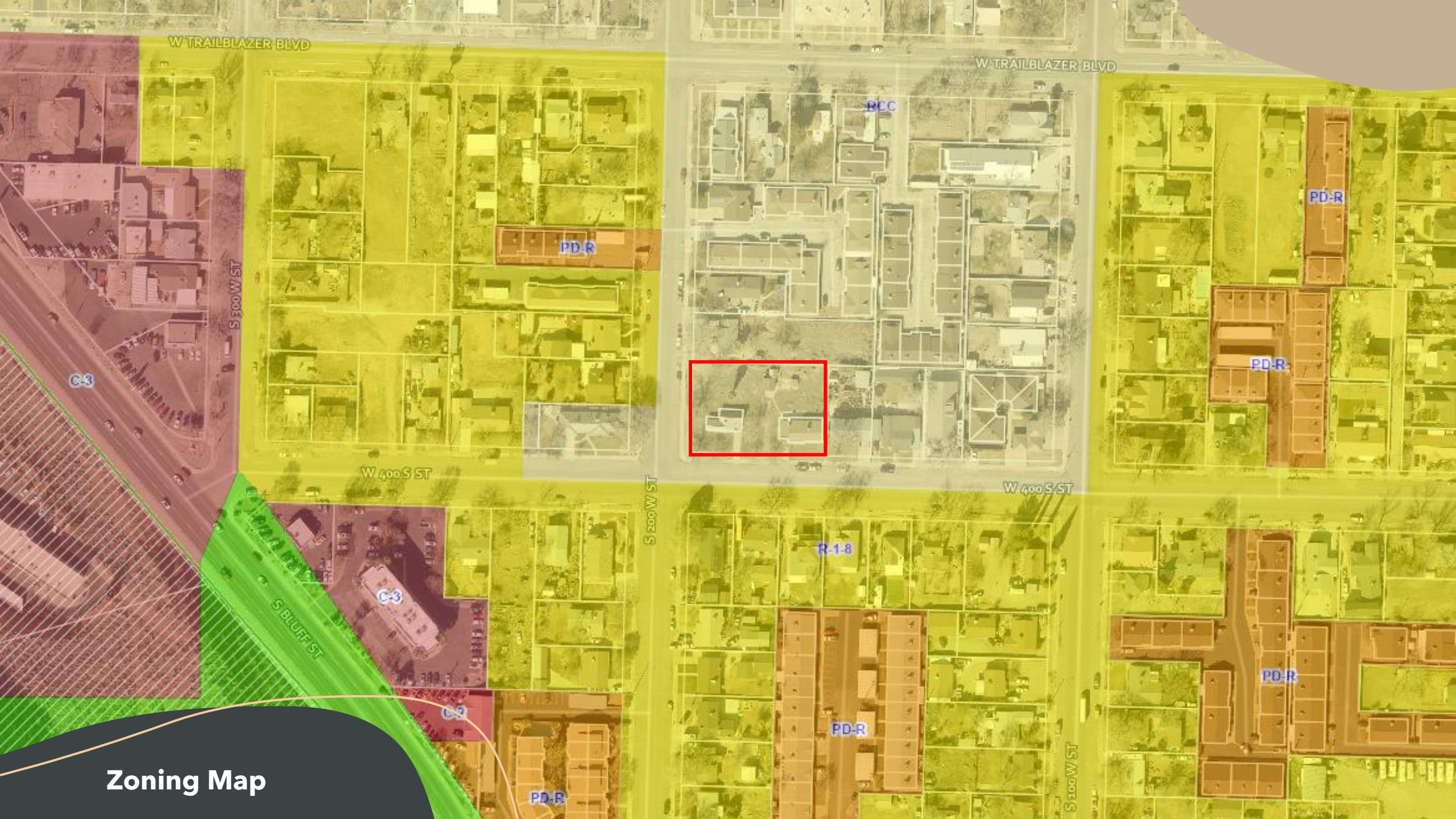
W 400 S ST

S 100 W ST

Connected Corridor

Traditional Neighborhood

General Plan Land Use Map



Zoning Map

Lot



Lot

Lot

172 W

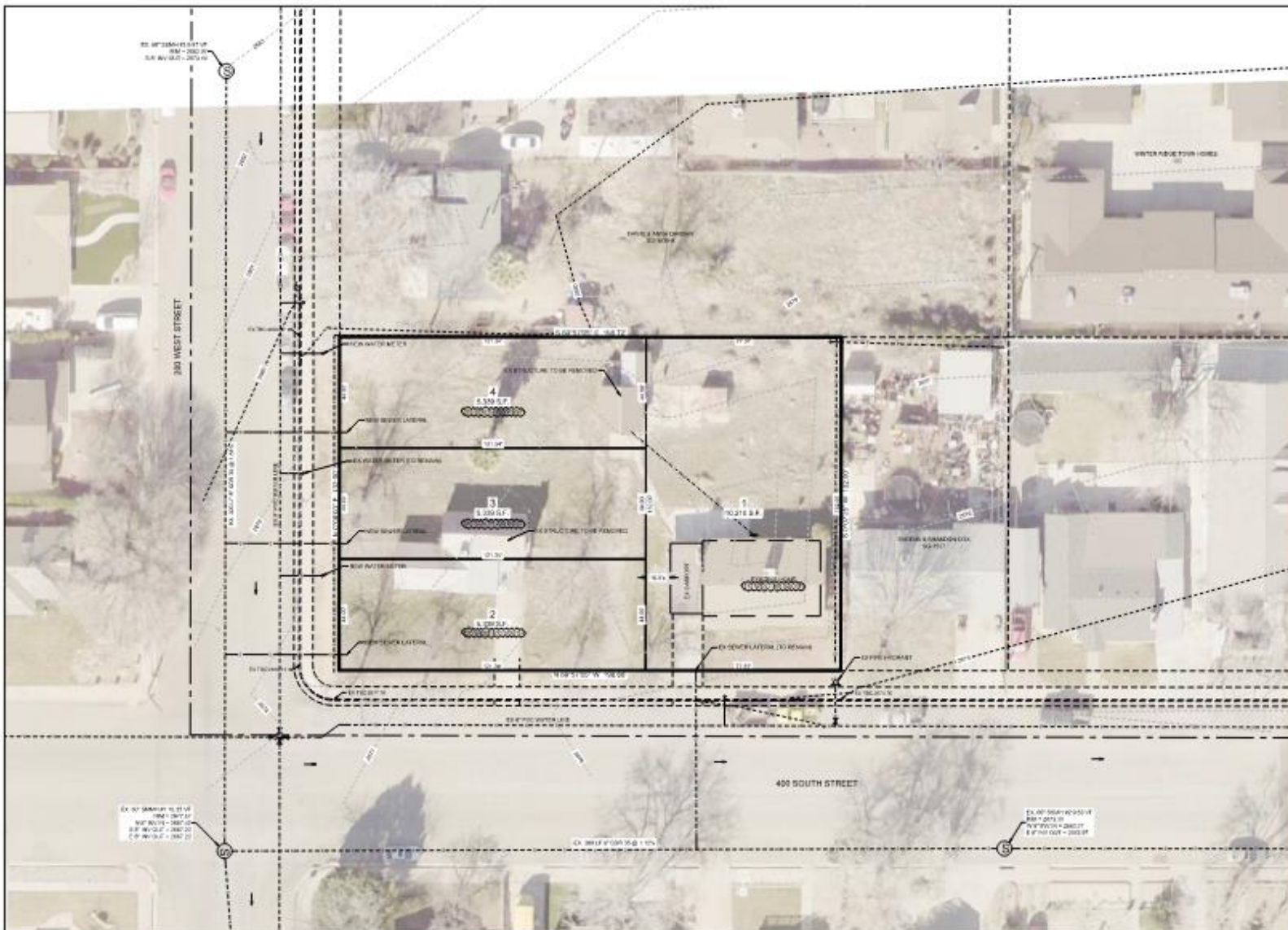
156 W

Lot

Lot

W 400 S ST

W 400 S ST



LEGEND

- EXISTING UTILITY CENTERLINE
- PROJECT PROPERTY
- PROPOSED CURB & GUTTER
- EXISTING CURB & GUTTER
- DRAINAGE FLOW DIRECTION
- EASEMENT
- EXISTING WATER MAIN
- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING UTILITY TRENCH

LEGAL DESCRIPTION

THE WEST 3/4 OF LOT 2, BLOCK 16, PLAT 'C', ST. GEORGE CITY SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE PLAT REGISTER, WASHINGTON COUNTY, STATE OF UTAH, CONTAINING APPROXIMATELY 0.80 ACRES.

NOTES

1. LOT 1 CONTAINS AN EXISTING HOME THAT IS TO REMAIN AND HAS NO UTILITY SERVICES.
2. ADDITIONAL UTILITY SERVICES ARE BEING PROPOSED TO LOT 1 WITH THIS PLAT.

1451 S. 9000 DRIVE, SUITE 100
ST. GEORGE, UT 84778
435.966.1116



**PRELIMINARY PLAT
TOWNSITE ESTATES**
LOCATED IN: WEST 3/4 OF LOT 2, BLOCK 16,
PLAT 'C' - ST. GEORGE, UTAH

PROJECT NO.	2024-001
DATE	10/15/24
DESIGNED BY	JLH
SCALE OF SHEET	AS SHOWN
SHEET	1
OF	1

PROJECT INFORMATION
PARCEL: 00-1030
TOTAL AREA: 0.80 ACRES
ZONE: R-1
OWNER CONTACT
DAVIS ANDERSON

**PRELIMINARY PLAT
TOWNSITE ESTATES**
LOCATED IN:
WEST 3/4 OF LOT 2, BLOCK 16, PLAT 'C'
WASHINGTON COUNTY - ST. GEORGE, UTAH





PLANNING COMMISSION AGENDA REPORT: 05/09/2023

ZONING REGULATION AMENDMENT

Food Truck Park

(2023-ZRA-002)

Amendment to Title 10-8D-1

Allowed Uses in the PD-C Zone

Amendment to Title 10-17A

Permitted with Standards and Conditional Uses

Amendment to Title 10-19-5

Off-Street Parking Requirements

REQUEST:

Consider a request to amend portions of the City Code, to add Food Truck Park and to allow this use as a permitted with standards use in the PD-C (Planned Development Commercial) zone. The applicant is Yori Ludvigson. (Case No. 2023-ZRA-002)

BACKGROUND:

Food Trucks are permitted within the City of St. George as a portable or mobile unit. They are allowed on private property with an existing business on the lot, and the owner must provide a route of their intended points of sale. The gathering of food trucks on a vacant lot, or food truck parks, are not permitted within the City at this time. This proposal will add this use as a permitted with standards in the PD-C zone and define the standards for this particular use. The proposed changes are shown below:

Proposed Changes:

The proposed revisions are shown below

- The proposed additions are in green
- The proposed deletions are in red with a ~~strikethrough~~

Title 10-8D-1

Allowed Uses

	PD-AP	PD-C	PD-M	PD-MU
Food Truck Park		PS		

Title 10-17A-19 Food Truck Parks

Food Truck Parks shall meet the following additional standards:

A. Lot Requirements:

1. All parcels dedicated to Food Truck Parks shall meet the lot size and width requirements of the zone in which it is located.
2. Food Trucks shall not be allowed to park in a Food Truck Park between the hours of 12:00 AM to 6:00 AM.

B. Site Improvements:

1. Main access shall be permitted only from a public street.
2. All Food Trucks are required to park on designated paved pads.
3. A commissary kitchen and public restrooms are required in all Food Truck Parks.
4. All Food Truck Parks shall have an approved site plan before opening. The site plan must include the following:
 - a. Location and orientation of each vendor pad
 - b. Location of access(es) to public street
 - c. Location of trash enclosures
 - d. Size and Location of seating areas
 - e. Landscaping in accordance with Title 10-23 of City Code
 - f. The location of all proposed activities on site
 - g. Vehicle and pedestrian circulation
 - h. Location of required parking
 - i. Lighting Plan in accordance with Title 10-14 of City Code
 - j. Sign Plan in accordance with Title 10-13 of City Code
 - k. Utility plan in accordance with Title 10-8-3, including the location of all utility hookups provided for each pad.
 - l. Location of commissary kitchen and restroom facilities
 - m. Wastewater management plan

C. Each Food Truck shall have an active business license in accordance with Title 3, Chapter 2R of City Code and Utah Code §11-56-103. Each Food Truck Park shall have an active business license in accordance with Title 3-1 of City Code.

D. All proposed activity within a Food Truck Park shall not occur within a dedicated public right-of-way.

E. Food Truck Parks shall be managed by a common manager or entity.

F. Food Truck Parks are not permitted to operate drive-thru services.

Title 10-19-5 Nonresidential Area Requirements

Food Truck Parks	3 spaces per food truck
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RECOMMENDATION:

Staff recommends approval of the amendment to Title 10-8D-1, 10-17A-19, and 10-19-5 of the City Code to add provisions for Food Truck Parks as a permitted with standards (PS) use in the PD-C zone.

ALTERNATIVES:

1. Recommend approval as presented.
2. Recommend approval with changes.
3. Recommend denial.
4. Continue the proposed zoning regulation amendment to a specific date.

POSSIBLE MOTION:

The Planning Commission recommends approval of the Zoning Regulation Amendment to Title 10-8D-1, 10-17A-19, and 10-19-5 of the City Code to add provisions for Food Truck Parks as a permitted with standards (PS) use in the PD-C zone.

FINDINGS:

1. It is in the best interest of the city to update city zoning regulations periodically.
2. The proposed revisions will allow the city to welcome appropriate business activity at approved locations.

EXHIBIT A

Applicant's Narrative

We are asking that you amend the zoning ordinance to allow food truck parks. We are requesting to have a food truck park at 185 N Bluff Street St George. We will build a commercial kitchen that will be designed for food trucks. This will offer community food trucks a commissary especially for food trucks. We will also build public restrooms. We will have adequate parking, power, water, dump stations, garbage, pest/rodent control, covered seating, and a safe environment for the whole family to enjoy.

Food Truck Parks have become very popular across America & here in Utah. St George has gone from a handful of food trucks to many food trucks in town. A food truck park will help the city and health department regulate and inspect food trucks at one location. St George will now also have a commissary designed for food trucks. This will be a bright spot for locals & visitors to St George to enjoy great food with many different options provided by local food trucks. This new food truck ordinance will help the city regulate the quick expansion of so many food trucks now in the area. _____

St George City Food Truck Park Ordinance.

All Mobile Food Units shall obtain all applicable permits and inspections from the City of St George (including Fire Department) and the Public Health District

All Mobile Food Units shall be removed from the Food Truck Park upon closing of the park. If a commissary is provided on-site and the Mobile Food Unit is approved to use the site's commissary, then the Mobile Food Unit will not have to be removed from the site.

On-site Manager: There must be a designated manager of the site that is responsible for the orderly organization of Mobile Food Units, the cleanliness of the park, and the site's compliance with all rules and regulations during business hours.

Mobile Food Units shall not be parked on unimproved surfaces and at a minimum be parked on compacted gravel base.

Parking will be provided by the food truck park and breaks down accordingly. 100 square feet equals 1 parking spot. Also a 10' x 10' landing area in front of each food truck. The community seating area offers 1 parking spot for every 150 square feet.

For example if a food truck was 8' x 25' total of 200 square feet it would require 2 parking places. Then a 10' x 10' landing area of 100 square feet would require 1 more parking place. If the community seating was 30' x 30' total of 900 square feet it would require 6 parking places.

Signs: On-premise signs are permitted at the entrance(s) identifying the Food Truck Park and advertising the trucks in the park. Each Food truck/trailer may have one A-frame type sign 36" by 24" or less for menu/advertisement.

Park owners are encouraged to provide for an aesthetically-pleasing environment which includes shade and seating

A platted plan of the proposed site and the boundaries thereof;

- a. The location of each proposed permanent structure on the site and pads for Mobile Food Units, and identification of any proposed outdoor entertainment locations and fixed seating areas.
- b. The location, width, of driving lanes, parking and Mobile Food Unit pads;
- c. The location of fire hydrants;
- d. The dimensions and capacities of parking areas and loading areas including (ADA);
- e. All pedestrian walks, patios and open areas for use by tenants or the public;
- f. Location of the parks waste receptacle;
- g. Location of buildings, including location of restrooms;
- h. Location and type of electrical outlets, water hookups and waste dumps provided for each corresponding pad site.

The number of food truck/trailer spaces allowed at a food park is a minimum of two and a maximum of ten.

There shall be a minimum of five (5) feet of separation between each individual food truck/trailer vendor.

During hours of operation, each food truck/trailer vendor shall be responsible for providing a trash receptacle for use by customers and shall ensure the area is kept clear of litter and debris at all times. A common dumpster will be provided within the food truck park.

The Food truck park management will be responsible for rodent and insect control.

The food truck park may establish a permanent structure for covered seating, entertainment venue, or similar purposes provided the structures comply with all applicable requirements.

Each food truck park shall provide facilities to accommodate for a minimum of two (2) restrooms. Temporary portable restroom facilities may be considered while building restrooms.

On-site lighting shall be provided within a food truck park and shall be in accordance with exterior lighting standards, with exception that string lights shall be permitted throughout a food truck park. String lights shall adhere to the UL standards and shall not be placed in a manner

Greg Yori Ludvigson
Signature of Applicant

A handwritten signature in black ink, appearing to read 'Greg Yori Ludvigson', written over a horizontal line.

EXHIBIT B
PowerPoint Presentation

FOOD TRUCK PARK

ZONING
REGULATION
AMENDMENT

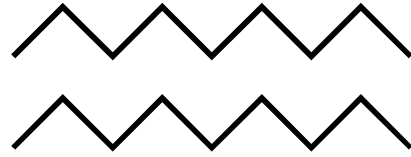
2023-ZRA-002





**FOOD TRUCK PARKS
IN
ST. GEORGE**





AMENDMENT TO TITLE 10-8D-1
ALLOWED USES IN THE PD-C
ZONE

AMENDMENT TO TITLE 10-17A
PERMITTED WITH STANDARDS
AND CONDITIONAL USES

AMENDMENT TO TITLE 10-19-5
OFF-STREET PARKING
REQUIREMENTS





AMENDMENT TO TITLE 10-8D-1

ALLOWED USES IN THE PD-C ZONE

	PD-AP	PD-C	PD-M	PD-MU
Food Truck Park		PS		



Amendment to Title 10-17A

Permitted with Standards

Food Truck Parks shall meet the following additional standards:

A. Lot Requirements:

1. All parcels dedicated to Food Truck Parks shall meet the **lot size** and width requirements of the **zone** in which it is located.
2. Food Trucks shall not be allowed to park in a Food Truck Park between the hours of **12:00 AM to 6:00 AM**.



B. Site Improvements:

1. Main **access** shall be permitted only from a public street.
2. All Food Trucks are required to park on designated **paved pads**.
3. A **commissary kitchen** and **public restrooms** are required in all Food Truck Parks.
4. All Food Truck Parks shall have an approved **site plan** before opening. The site plan must include the following:
 - a. Location and orientation of each **vendor pad**
 - b. Location of **access(es)** to public street
 - c. Location of **trash** enclosures
 - d. Size and Location of **seating areas**
 - e. **Landscaping** in accordance with Title 10-23 of City Code
 - f. The location of all proposed **activities** on site
 - g. Vehicle and pedestrian **circulation**
 - h. Location of required **parking**
 - i. **Lighting Plan** in accordance with Title 10-14 of City Code
 - j. **Sign Plan** in accordance with Title 10-13 of City Code
 - k. **Utility plan** in accordance with Title 10-8-3, including the location of all utility hookups provided for each pad.
 - l. Location of **commissary kitchen** and **restroom facilities**
 - m. **Wastewater** management plan



C. Each Food Truck shall have an active **business license** in accordance with Title 3, Chapter 2R of City Code and Utah Code §11-56-103. Each Food Truck Park shall have an active business license in accordance with Title 3-1 of City Code.

D. All proposed activity within a Food Truck Park shall not occur within a dedicated **public right-of-way**.

E. Food Truck Parks shall be managed by a common manager or entity.

F. Food Truck Parks are not permitted to operate **drive-thru** services.

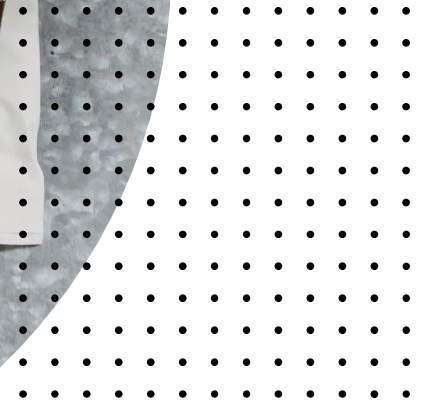
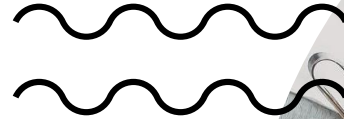
Amendment to Title 10-19-5 Off-Street Parking Requirements

Food Truck Parks	3 spaces per food truck
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DISCUSSION AND RECOMMENDATION

FOOD TRUCK PARK
ZONING REGULATION
AMENDMENT
2023-ZRA-002



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 25, 2023**, commencing at **5:00 p.m.**

PRESENT: Chair Steve Kemp
Commissioner Lori Chapman
Commissioner Emily Andrus
Commissioner Ben Rogers
Commissioner Austin Anderson

CITY STAFF:
Public Works Assistant Director Wes Jenkins
City Civil Attorney Ryan Dooley
Planner III Carol Davidson
Planner III Mike Hadley
Planner III Dan Boles
Development Office Supervisor Brenda Hatch

EXCUSED: Commissioner Nathan Fisher

Chair Kemp called the meeting to order. Commissioner Rogers led us in the Pledge of Allegiance. Commissioner Kemp announced that Item 2 was removed and will be heard at a later date, item 6A is also removed and will be heard at a later date.

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

Consider a request to change the zoning from C-3 (General Commercial) to PD-C (Planned Development Commercial) on approximately 1.18 acres to establish a use list and to be eligible to obtain a bar license at this location. This property is generally located at 295 and 307 North Bluff Street. The applicant is Jerald Jensen. The project will be known as North St. George Plaza. Case No. 2023-ZC-005. (Staff – Carol Davidson)

Carol Davidson presented the following:

Carol Davidson – The general plan is Commercial. There are actually 2 buildings, one is Blues Katz and the other is a retail building to the south. This site had a previous building which was removed due to the expansion of Bluff Street. Both of the new buildings were built in 2020. They are asking for the uses in C-3 for the PD-C use list. Blues Katz operates as a restaurant currently which means they need to have 70% food sales and 30% alcohol sales. The City code has licenses available for a bar license in PD-C that have bar as a use after 2019. That will give clients the ability to come watch a show and order a drink without ordering food. Staff does recommend approval.

Commissioner Chapman – Carol, it's just for the one building correct?

Carol Davidson – No it will be for the whole development, both buildings.

Chair Kemp – And that will go through other processes with the City and State to license, correct?

Carol Davidson – Yes, correct.

Chair Kemp opened the public hearing.

Chair Kemp closed the public hearing.

Commissioner Anderson – I don't see any problem changing it to the PD-C

MOTION: Commissioner Anderson made a motion to give a positive recommendation to City Council on Item 1 to change the zone from C-3 to PD-C.

SECOND: Commissioner Rogers

ROLL CALL VOTE:

AYES (5)

Chair Kemp

Commissioner Chapman

Commissioner Rogers

Commissioner Anderson

Commissioner Andrus

NAYS (0)

Motion Carries unanimous vote

2. PLANNED DEVELOPMENT AMENDMENT (PDA) (Public Hearing) Legislative

Consider a request for a PD (Planned Development) amendment to Joshua's at Southgate Planned Development Residential (PD-R) zone. The applicant is seeking approval to build 90 townhome units on 10 acres. This property is located approximately at 800 W Tonaquint Drive. The applicant is Eugene Gordon Inc, and the representative is Adam Allan. The project will be known as Tonaquint Townhomes. Case No. 2023-PDA-006. (Staff – Mike Hadley)

THIS ITEM WILL NOT BE HEARD AT THIS MEETING, IT WILL BE NOTICED AT A LATER DATE.

3. DEVELOPMENT AGREEMENT (DA) (Public Hearing) Legislative

Consider a request to an amended development agreement to expand the golf cart right-of-way easement in Sun River to allow access to new commercial areas in Sun River Commons. The applicant is Sun River St. George Community Association, representative Scott McCall. Case No. 2022-2023-DA-001. (Staff – Carol Davidson)

Carol Davidson presented the following:

Carol Davidson – In the City of St. George you are not allowed to drive your golf cart on the street unless there is a development agreement that says you can do that. Carol showed where it is currently allowed with the development agreement that is in place and showed where they would like to extend the allowance to which is included in the packet. Golf carts are not allowed directly on the road, they are allowed in the bike lane. As far as the cost goes, 87% of the cost will go toward SunRiver and 13% will go to the Villas. A lot of times the City will put the signs in and then be reimbursed. Staff does recommend approval.

Commissioner Andrus – On Pioneer Rd and Sun River Parkway they are not on the street, is that in the bike lane or on a separate path?

Carol Davidson – I think it is a separate path, but the pink areas are where they are allowed to cross.

Commissioner Anderson – I am not sure why the easement needs to go all along Pioneer Road? I think they could access Smith's easy enough without going along Pioneer Rd.

Chair Kemp – It says that there is access with some restriction.

Commissioner Rogers – It does say that the easement does not include Sun River Parkway and Pioneer.

Discussion on where the path and crossings for the golf carts will be.

Douglas Brown – I understand your concern about the section in front of the fire station. The sections in green are separate developments that weren't included on the original agreement. They were developed after 2011. We do drive on all the roads in the community that are private. We are only allowed to cross in certain places on Sun River Pkwy and Pioneer Rd, there will be no travel on either road. We don't know what type of businesses will be developed on Pioneer, if you are concerned about the crossing in front of the fire station we can probably get by without those, but we would like to get access without having to come back. We don't want to have any conflict with traffic on those roads. We want to be able to get to Smith's with our golf carts.

Commissioner Anderson – I think my concern is there are 2 crossings on Pioneer Rd, it's a busy road and it's only going to get busier. I think that would be a real conflict with the rest of the City. I don't think cars should have to be slowing down on that road to look out for golf carts on that road.

Douglas Brown – We are just asking for your consideration if we could somehow cross safely.

Commissioner Anderson – That is the key, safely.

Commissioner Rogers – Is your concern the same if there is a light at that intersection?

Commissioner Anderson – Yes, I think that is a big concern, if there is an accident it will be the car's fault.

Chair Kemp opened the public hearing.

Karen Fisher – I am a SunRiver resident. I have a commercial development background from another state. SunRiver Commons already supports golf cart travel, the blue line is what they are looking for approval.

Douglas Brown – We have been crossing SunRiver Pkwy since 2011 without any concerns.

Chair Kemp closed the public hearing.

Wes Jenkins – As far as Pioneer Road, I think we do have concerns about what might be developed out there. Maybe that is something that we look at another time. We didn't have an issue at the crossing at Arrowhead, but maybe we will look at the rest a later time.

Commissioner Anderson – I don't have any issues with the crossing at Arrowhead. I think we should remove the crossing at Sand Piper to Pioneer Road.

Commissioner Andrus – When golf carts cross are they acting more like cars?

Commissioner Anderson – Yes.

Commissioner Andrus – I would agree with Austin, we should delay those crossings on Pioneer Road, I think an underground crossing would make more sense.

Chair Kemp – As long as they are not crossing Pioneer do you see a problem with the blue legs?

Commissioner Andrus – I don't think so because they can't cross Pioneer.

Commissioner Rogers – I have worked on several projects on these parcels on I-15 that would generate a lot of traffic, so I do understand Austin's concern. I have worked on SunRiver and their agreements. I agree with Austin, the traffic needs to be more studied before they can cross Pioneer Rd if that ever happens.

Discussion continued on what to eliminate.

Ryan Dooley – If the recommendation is going to be to change the easement then the easement would need to be redrafted. The easement document is one document and the surveyors have gone out and said those are the dimensions. So if the motion is to recommend approval with no crossings on Pioneer Road and removing those two stubs that touch Pioneer Road, if that is the recommendation to City Council, then the City Council would be free to approve it as is. But just so you know there would be an added cost because we would require that easement to be redrafted.

MOTION: Commissioner Anderson made a motion to approve item 3 with the removal of the public road crossings on Pioneer and the removal of the easement from Pioneer Road to Sandpiper along Bluegrass Way.

SECOND: Commissioner Andrus

ROLL CALL VOTE:

AYES (5)

Chair Kemp

Commissioner Chapman

Commissioner Rogers
Commissioner Anderson
Commissioner Andrus
NAYS (0)
Motion Carries unanimous vote

4. CONDITIONAL USE PERMIT (CUP) Administrative

Consider a request to consider a conditional use permit to update the building facades and add a 1500 square foot drive-thru restaurant to the southwest corner of this property. The project is generally located on the northeast corner of St. George Boulevard and Bluff Street. The applicant is Jason Hurst and the representative is Matthew Metcalf. The project will be known as 160 N Bluff. Case No. 2023-CUP-001. (Staff – Carol Davidson)

Carol Davidson presented the following:

Carol Davidson – The general plan is commercial, and the zoning is C-3 general commercial. There used to be a building here that was removed with the expansion of Bluff Street. They are proposing to add facades on the main building and add a drive-through restaurant on the new building. There is quite a bit of mature landscaping that will remain, and they will add a bit more. In the north building they are proposing to change it to restaurant use. They do meet the parking requirements as far as total spaces go. There is parking in the rear and on the side that will serve as employee parking. They are proposing to change the façade a bit, they will be using the same materials that they have currently. The other redesign will be to the stores that are to the north of Ace Hardware. They will make 3 prominent entrances. Staff does recommend approval with some conditions to work with staff on pedestrian access and to combine the 3 parcels into one.

Chair Kemp – Do we have enough stacking?

Carol Davidson – Yes, they can stack 8 without blocking parking.

Commissioner Chapman – Can we designate the parking in the back to employees?

Caron Davidson – It’s pretty far, I don’t think customers will use it.

MOTION: Commissioner Chapman made a motion to recommend approval of Item 4 to City Council with staff’s conditions.
SECOND: Commissioner Rogers
ROLL CALL VOTE:
AYES (5)
Chair Kemp
Commissioner Chapman
Commissioner Rogers
Commissioner Anderson
Commissioner Andrus
NAYS (0)
Motion Carries unanimous vote

5. HILLSIDE DEVELOPMENT PERMIT (HS) Administrative

Consider a request for a hillside development permit for a residential retaining wall. The applicant is requesting that the Hillside Review Board consider the structural stability and mitigate the appearance and location of this retaining wall. The property is currently zoned R-1-8 (Single Family Residential, minimum lot size 8,000sf). The site is located at 150 N. Donlee Drive. The applicants are Ryan and Martina Davis. Case No. 2022-HS-018. (Staff – Carol Davidson)

Wes Jenkins presented the following:

Wes Jenkins – The wall exists; this has been to hillside twice. The concerns were the ridgeline setback, there was no building permit for the retaining wall and the height of the retaining wall. When we met out there the review board felt like they created ridgeline, and they were comfortable with that. They had concerns about the compaction and stability of the wall and the height. They came back with a revised report. Landmark provided a revised report. The board was comfortable with the wall at that point, but they still had concerns with the height of the wall. One of the recommendations was to leave the wall as is but they knew it didn't meet the City code. One of the options was to come and put material in at the base of the wall, the board didn't like that because it is about a 2:1 slope, they were worried all the material would slough off. The second option was to build another wall, the issue with that is that they may not be able to stay on their own property. The third option was to remove two upper courses of the block wall bringing it down to a height of 7.5 feet which is your third option and just sloping it between the base of this upper wall that you can't see. The trouble with that one is, the owner doesn't like that option because it provides a very steep slope, it difficult to mitigate it, but he recognizes that the ordinance is the ordinance. The other thing the hillside recommended was that the wall be stained to match the natural color of the rocks right there so that it would be blended as it goes forward. They did have within their study, one of their drivers on this is that they do want a pool permit. As part of the study Landmark addressed the future pool and said it should be kept back the recommendation would be 10 ft from the house, 10 ft from that wall just to give it some room to breathe there.

Chair Kemp – I'm just trying to understand the timeline. No permit was pulled, the 10.5 ft. wall was built, then they got a cease and desist from the City.

Wes Jenkins – No, they submitted for a pool permit and that is when the City discovered the unpermitted wall.

Chair Kemp – And now we're trying to back into a solution.

Wes Jenkins – That is why we took it to Hillside, number 1 for the ridgeline. Is there a concern with the ridgeline, they felt like there was no ridgeline there so they didn't have a problem with them creating that ridge.

Chair Kemp - Isn't there a sewer line that runs along the bottom of all those?

Wes Jenkins – Yes, there was a small retaining wall that was there to support that sewer line. There was some drainage coming off this lot and eroding that wall. The applicant went out there with the waste water department and they said it would be nice if there was a wall there to help with the mitigation of

the drainage of the water from that lot. The applicant thought that he was getting permission from the waste water department to build the wall. There was some confusion there.

Ryan Davis – As part of the due diligence before I bought the house, you can see this undercut here that holds the sewer line up. I was told to contact the waste water department and they came up and looked at it and said it really needs a wall below it. I said my plan is to build a retaining wall for the pool so we can flatten the back yard because it had a pretty good slope. They said as long as we cover and replace the dirt and hold the wall the new retention touches that wall holds it up and then it fills in all the undercut. They said that's actually great. I said I'm happy to pay for that as long as I don't have any problems at the City. I thought I had gone through the right process, but that is not the case. Wes has been great to try and help me remediate the questions and concerns.

Chair Kemp – When was the home to the north of you built? It doesn't look like it was built until the last few years.

Ryan Davis – That's correct, he built it, probably in the last year. We were trying to remedy the erosion from the water.

Chair Kemp - How many gallons is your pool supposed to be?

Ryan Davis – We haven't got that far yet.

Chair Kemp – I'm really surprised that you would want to build a pool up against that. I'm not a soils engineer.

Ryan Davis – Actually the basalt is right there, so that's the reason for the retention wall, so we can get down to set the pool.

Commissioner Anderson – I don't have any problem with it, I just have concerns with the color matching.

Chair Kemp – This is an ask for forgiveness. Maybe I'm personally biased, but I spent 4 months getting a 2-tiered 16 ft wall approved by this planning commission 8 years ago that never got approved because it was going to be 8.5 to 9 ft. It's 2.5 ft taller than the code and there is no way, in my opinion, that you can put material at the bottom, maybe you could add some large boulders to hide the wall face, but they would have to be the size of a wheel barrow and implanted.

Commissioner Rogers – I don't know if it is our place to decide which option the applicant takes. But option 2 was recommended by Landmark as adding a 3rd wall at the bottom, essentially it does that.

Chair Kemp – But can they do that and stay on their own property? Don't they have to step back 4 ft?

Wes Jenkins – Yes, one of the concerns with option 2 is the property line and its location in relation to the existing wall. Option 3 did bring it into compliance just so you are aware, by taking the two blocks off it brings it to 7.5 ft. and then you would slope that 2.5:1 between the two walls.

Chair Kemp – Even just taking one block off, I think that would be the easiest thing to do.

Wes Jenkins – And that’s what he would prefer, it’s just that 2 gets it down to 7.5 ft. which gets it below the allowance per code.

Chair Kemp – I’m more inclined to agree to an 8.5 ft wall than a 10.5 ft wall that doesn’t require, if you go to 7.5 ft or take that second course out, now you’re so steep that you are having the same problem above the wall that you are having below.

Wes Jenkins – You’re going to have a concern with erosion and that because of the slope and such, you would have to provide something to help prevent erosion, either face it with rock or put some type of vegetation that would hold it.

Chair Kemp – What if you removed just one course?

Wes Jenkins – That doesn’t take it to the right height for code. When we went to hillside we didn’t have these options and their recommendations were to just leave it alone.

Commissioner Anderson – If it was my house I would take it down and put it back up with geogrid in it. It really wouldn’t be that big of a job. I know he doesn’t have to do that, but if you are putting an expensive pool in there.

Chair Kemp – That’s what I’m saying that pool is going to crack eventually.

Commissioner Anderson – I think options 1 through 3 I’m not opposed to any of those as long as it’s stained. I’m just telling the applicant from experience, if you put in a \$100,000 pool, it might make sense to take a couple days and restack that wall. The material is right there. It really isn’t that hard and put the geogrid in.

Commissioner Rogers – I have the same concern. The geogrid would give security. I don’t like option 1. Either option 2 or 3 would work for me. Option 2 is my preferred. And then all of it stained black.

Chair Kemp – I think this wall is already on the property line. If we recommend 2 and he can’t fit the other wall I think he’s going to have to start over.

Commissioner Rogers – I don’t think we need to make a recommendation. I don’t like 1. The applicant can decide 2 or 3 but he has to stay within his own property line.

Chair Kemp – How do you feel about him taking 1 course off? It will be 5 inches too tall. We are already doing forgiveness instead of permission here.

Commissioner Rogers – This is the same issue that we worry about which is setting a precedent. We already set a precedent with a member on this board having the same issue. I don’t like setting a precedent. I hate the fact that one person might get away with it and another doesn’t. That’s a precedent issue and I think he needs to come into compliance.

Ryan Dooley – Just a reminder that the applicant will still need to be within the code.

Chair Kemp – The Hillside Board recommend a 2.5 ft variance, correct?

Commissioner Andrus – Are we making a recommendation or are we just recommending approval based on Hillside’s conditions?

Wes Jenkins – I think Ryan is right, you have to hold to what the ordinance allows, if you want to make a recommendation.

Chair Kemp – I don’t want to change the code.

Commissioner Anderson – I guess I was confused with number 2.

Wes Jenkins – Number 2 would work also if you build that wall there and stack against it.

Commissioner Anderson – I thought the Hillside said they wanted it to stay, or was I misunderstanding?

Wes Jenkins – No, that is what they said but we didn’t present them with the other options. The option we presented was that he had extra material and he said that he would pile it against the bottom of the wall and put some rocks to hold it into place. But they felt like that was too much risk, that it would erode and wash away.

Commissioner Anderson – I’m ok going forward if it just follows the code. I just want to strongly reiterate that it would not be that hard to start that wall over, you might find that you end up gaining more property and you can put the pool wherever you want with that geogrid.

Chair Kemp – We have zero confidence that this wall is even correctly built. I know that the structural went out and did an after the fact survey but.

Commissioner Anderson – It will have a deed restriction, if they ever resell it, it shows it is undocumented.

<p>MOTION: Commissioner Rogers made a motion to recommend approval of the Hillside Permit to the point that it meets current code. SECOND: Commissioner Anderson ROLL CALL VOTE: AYES (4) Commissioner Chapman Commissioner Rogers Commissioner Anderson Commissioner Andrus NAYS (1) Chair Kemp Motion Carries</p>

6. PRELIMINARY PLAT (PP) Administrative

A. Consider a request to consider a preliminary plat for (3) parcels. Consider a request for a nine (9) lot preliminary plat known as Desert Canyons business Park. The property is located approximately 4921

S Airport Pkwy. The property is 30.12 acres and is zoned PDR. The applicant is Desert Canyons Development LLC, and the representative is Curt Gordon. Case No. 2023-PP-012 (Staff – Mike Hadley).

THIS ITEM HAS BEEN PULLED FROM THE AGENDA

- B. Consider a request to consider a preliminary plat for (3) parcels. Consider a request for a three (3) lot preliminary plat known as Tonaquint Commercial located north and northwest of the existing Tonaquint Cove subdivision. The property is 132.91 acres and is zoned M&G. The applicant is DSG Engineering, and the representative is Logan Blake, DSG Engineering. Case No. 2023-PP-015 (Staff – Mike Hadley).

Mike Hadley presented with no additional comments.

MOTION: Commissioner Anderson made a motion to recommend approval of item 6B.
SECOND: Commissioner Rogers
ROLL CALL VOTE:
AYES (5)
Chair Kemp
Commissioner Chapman
Commissioner Rogers
Commissioner Anderson
Commissioner Andrus
NAYS (0)
Motion Carries unanimous vote

7. MINUTES

Consider a request to approve the meeting minutes from the April 11, 2023, meeting.

MOTION: Commissioner Andrus
SECOND: Commissioner Chapman
ROLL CALL VOTE:
AYES (5)
Chair Kemp
Commissioner Chapman
Commissioner Rogers
Commissioner Anderson
Commissioner Andrus
NAYS (0)
Motion Carries unanimous vote

8. CITY COUNCIL ACTIONS

No City Council meeting was held on April 20, 2023.

9. ADJOURN

MOTION: Commissioner Chapman

SECOND: Commissioner Andrus

ROLL CALL VOTE:

AYES (5)

Chair Kemp

Commissioner Chapman

Commissioner Rogers

Commissioner Anderson

Commissioner Andrus

NAYS (0)

Motion Carries unanimous vote