# 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 <u>Planning Commission</u> meeting in the City Council Chambers, 175 East 200 North, St George, Utah, on <u>Tuesday, May 23, 2023</u>, commencing at <u>5:00 p.m.</u>

The agenda for the meeting is as follows: Call to Order Flag Salute

- **1.** <u>Lin's Market Zoning Map Amendment and Preliminary Plat</u> Rick Magness, representing AWA Engineering is requesting approval of a Zoning Map Amendment and a preliminary plat on the property located at approximately 2700 to 2900 South River Road for the purpose of constructing a grocery store and commercial pads. The project is known as Lin's Market River Road. (Staff Dan Boles)
  - a. **PUBLIC HEARING:** Consider a request to change the zoning from A-20 (Agriculture, 20-acre minimum lot size) and OS (Open Space) to PD-C (Planned Development Commercial) on approximately 12.88 acres. The application also includes adopting a use list for the development, and review site plan and building elevations of a proposed grocery store on the site. **Case No. 2023-ZC-004.**
  - b. Consider a request for a five (5) lot preliminary plat, in order to subdivide the property and create commercial building lots. This plat will be known as Ridley's St. George Commercial. Case No. 2023-PP-019.
- 2. Tonaquint Phases 4-7 Zoning Map Amendment PUBLIC HEARING: Logan Blake with Quality Development, representing Utah State Trust Lands is requesting approval of a Zoning Map Amendment from R-1-40 (Single Family Residential minimum 40,000 sq ft lot size) and M & G (Mining & Grazing) to R-1-20 (Single Family Residential 20,000 sq ft minimum lot size) on 74.098 acres for the purpose of constructing single family homes. The property is generally located south of Tonaquint Terrace and west of Tonaquint Heights along Chandler Drive. Case No. 2023-ZC-003. (Staff Mike Hadley)
- 3. Circolo Villas Planned Development Amendment and Preliminary Plat Grey Garza, representing RDG, LLC is requesting approval of a Planned Development Amendment and a preliminary plat on the property located south-east of Gap Canyon Pkwy and 1790 West intersection for the purpose of adjusting the approved building layout, reducing the number of approved multi-family units, and changing the building architecture. The project will be known as Circolo Villas (Staff Dan Boles)
  - a. **PUBLIC HEARING:** 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 multifamily units to 464 multi-family units. The property is approximately 34.27 acres. Case No. 2023-PDA-004.
  - b. Consider a request for a three (3) lot preliminary plat, in order to subdivide the property for the residential project. Case No. 2023-PP-011.

- **4.** Banded Hills Lot 3 Hillside Development Permit Jason Ward, representing Rosenberg and Associates is requesting approval of a hillside development permit to allow construction on a portion of a single lot in the existing Banded Hills subdivision that is currently restricted due to potential rockfall hazard. The site is located at 2991 E Banded Hills Drive. This would affect only Lot 3 of the Banded Hills Subdivision. The property is currently zoned R-1-10 (Single Family Residential minimum 10,000 sq ft lot size). Case No. 2023-HS-005. (Staff Mike Hadley)
- 5. Moorland Park Phases 5 & 8 Preliminary Plat Logan Blake, representing DSG Engineering is requesting approval of an amendment that will add an additional six (6) lots to the Moorland Park Phases 3-9 Preliminary Plat. The property to be amended is 2.49 acres and is generally located north of the 2580 east dead end at approximately 930 South. The property is zoned R-1-10 (Residential Single Family, 10,000 sq ft minimum lot size). Case No. 2023-PP-018 (Staff Dan Boles)

#### 6. Minutes

Consider a request to approve the meeting minutes from the May 9, 2023, meeting.

#### 7. City Council Items

Jim Bolser the Community Development Director will report on items heard at the May 18, 2023, City Council meeting.

- 1. 2023-ZC-005 North St. George Plaza
- 2. 2023-DA-001 Golf Cart Easement
- 3. 2023-PP-015 Tonaquint Commercial

Brenda Hatch – Development Office Supervisor

<u>Reasonable Accommodation:</u> 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.



Zone Change

#### PLANNING COMMISSION AGENDA REPORT: 05/23/2023

**ZONE CHANGE** 

Lin's Market River Road

Case No. 2023-ZC-004

**Project Name:** Lin's Market River Road

Location: The property is located on the west side of River Road between

approximately 2700 - 2900 South

**Background:** This property has been the subject of at least two requests for a change in

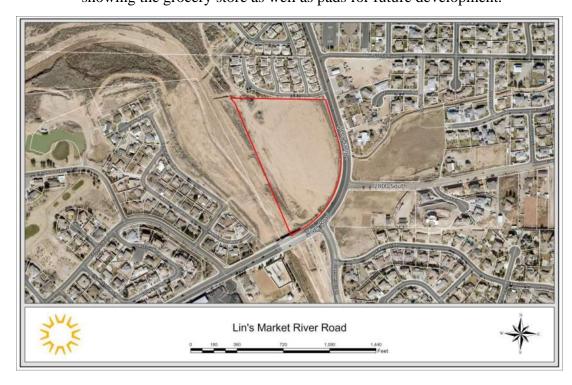
General Plan designation. In 2019, a portion (approximately 2.85 acres) of the southern end of the property was changed from FP (Flood Plain) and MDR (Medium Density Residential) to COM (Commercial). In 2020, a larger piece of the property was included in the request for a COM designation which was eventually approved in 2022. In the end the entire property (approximately 12.88 acres) was included in the Commercial land

use designation.

Current Project: This is a request for a zone change on approximately 12.88 acres. The

zoning on the property is currently OS (Open Space) and A-20 (Agriculture 20 acre minimum lot size). The applicant is proposing to change the zoning on the site, to PD-C (Planned Development Commercial). They are also seeking review and approval of a grocery store along with a use list for the development. Included are the site plan

showing the grocery store as well as pads for future development.



PC 2023-ZC-004 Lin's Market River Road Page 2

**Acreage:** Approximately 12.88 acres

**Applicant/ Representative:** AWA Engineering / Rick Magness

Current Zone: OS (Open Space) & A-20 (Agriculture, 20 acre minimum lot size)

**General Plan:** COM (Commercial)

Adjacent Zones: North – PD-R (Planned Development Residential

South – OS (Open Space)

<u>East</u> – RE-12.5 (Residential Estates, 12,500 ft<sup>2</sup> minimum lot size, R-1-10 (Residential, Single Family 10,000 ft<sup>2</sup> minimum lot size), A-20 (Agriculture, 20 acre minimum lot size), A-1 (Agriculture, 1 acre

minimum lot size). <u>West</u> – OS (Open Space)

Site Plan: The proposed conceptual site plan shows a single building being

proposed at this time which is situated on the northern portion of the property adjacent to the Riverfront subdivision. The site plan also depicts four pad buildings to be reviewed and approved in the future. The pad buildings are located adjacent to River Road. There is a parcel "a" which is also shown on the far south west corner of project.

This lot will not be built on as it's in the floodway.

Access to the property will come exclusively from River Road. The farthest south ingress/egress point (Quarry Ridge Dr) is shown as a full access and will be integrated into the traffic lights at that intersection. The Parking for the buildings is almost entirely centralized and will be used in common. To the greatest extent possible, each pad is parked but there will have to be a shared parking agreement recorded on the property to allow cross parking as required

in the zoning code.

**Buildings:** For the purposes of this application, Planning Commission will be

reviewing the zoning on the entire property. As far as the buildings go, the only one under review is the grocery store building. That building is approximately 35'6" to the highest point. The standard for a building in the PD-C zone is 50', with which the proposed building

is in compliance.

The building is just shy of 71,000 ft<sup>2</sup>. The applicant is proposing a variety of materials such as cultured stone, stucco, aluminum store

fronts, and concrete masonry.

#### **Parking:**

The applicant provided the following information regarding parking:

Lot 1         71,000         Grocery Store         1:250         295         295           Lot 2         3,700         Bank         1:250         15         1           Lot 3         4,490         Multi-tenant / Restaurant         1:100/1:250         9+22         3           Lot 4         4,860         Multi-tenant / Restaurant         1:100/1:250         10+25         3           Lot 5         6,133         Multi-tenant / Restaurant         1:100/1:250         13+31         4           Total:         42						
Lot 2       3,700       Bank       1:250       15       1         Lot 3       4,490       Multi-tenant / Restaurant       1:100/1:250       9+22       3         Lot 4       4,860       Multi-tenant / Restaurant       1:100/1:250       10+25       3         Lot 5       6,133       Multi-tenant / Restaurant       1:100/1:250       13+31       4         Total:       42	Building	Sq Ft	Use	Ratio	Required	Total
Lot 3       4,490       Multi-tenant / Restaurant       1:100/1:250       9+22       3         Lot 4       4,860       Multi-tenant / Restaurant       1:100/1:250       10+25       3         Lot 5       6,133       Multi-tenant / Restaurant       1:100/1:250       13+31       4         Total:       42	Lot 1	71,000	Grocery Store	1:250	295	295
Lot 4       4,860       Multi-tenant / Restaurant       1:100/1:250       10+25       3.         Lot 5       6,133       Multi-tenant / Restaurant       1:100/1:250       13+31       4.         Total:       42	Lot 2	3,700	Bank	1:250	15	15
Lot 5 6,133 Multi-tenant / Restaurant 1:100/1:250 13+31 4	Lot 3	4,490	Multi-tenant / Restaurant	1:100/1:250	9+22	31
Total: 42	Lot 4	4,860	Multi-tenant / Restaurant	1:100/1:250	10+25	35
	Lot 5	6,133	Multi-tenant / Restaurant	1:100/1:250	13+31	44
Provided: 42					Total:	420
					Provided:	429

The majority of the parking is in the center of the site surrounded by the grocery store and the pad buildings. This lends itself well to the ability for these buildings share the parking amongst themselves. That said, the applicant has also tried to include as much parking on the site possible.

Staff reviewed the parking as a single project (grocery store), as a phase but also as a whole project and believe that the applicant has parked the site adequately and according to the city parking ordinance requirements.

#### Landscaping:

City Code requires 15' average along the public street, as well as 5% of the parking lot. That can be an average but may not be less than six feet in width. It appears that they will be able to meet both of those standards though they will need to provide staff with exact measurements during the site plan phase of the application.

The applicant is also providing a buffer between the property to the south and the north. They are showing a conceptual landscape plan that will landscape the property between the proposed grocery store and the Riverfront subdivision on the north. A six foot tall masonry wall with ten feet of landscaping will be required on the north property line.

**Uses:** 

The applicant has provided a use list to be approved as part of this zone change application. That use list has been pared down as much as possible though the Planning Commission should review the use list and make comments as needed.

Signs:

Signs will be reviewed and approved as part of future application.

#### **Planning Comments:**

Staff recommends approval of the application with consideration of the following comments:

- 1. <u>Roadway(s)</u> The developer will be responsible for installing roadway improvements as necessary along River Road as determined by the city engineer.
- 2. <u>Design</u> Conceptual building elevations, colors, and materials have been provided for review and discussion.
- 3. <u>SPR</u> Future site plan review applications and plans shall be submitted and approved by staff. A site plan application will need to be submitted prior to construction on the site.
- 4. <u>Phasing</u> Approvals for the pad sites will need to be reviewed in future Planned Development amendment applications.
- 5. <u>Lighting</u> A full photometric plan will be required to accompany the site plan.
- 6. <u>Landscaping</u> With the submittal of a site plan application, a full landscape and irrigation plan will be required. A conceptual landscape plan has been submitted for initial review and attached to this staff report.
- 7. <u>Buildings</u> Elevations and a rendering of the buildings have been submitted and attached to this staff report.

#### **Department Comments:**

#### Sewer/Water

1. No comments were received from sewer or water.

#### Power

1. No comments were received from the power department.

#### **Engineering**

1. The farthest north point of entry should be reduced to right in and right out.

#### <u>Parks</u>

1. Parks did not have any comments on this project.

#### Fire

1. No comments on this application.

#### Planning

- 1. Buildings on lots 2-5 will need to pursue a PD amendment to approve elevations.
- 2. A block wall and 10 foot landscape buffer is required on the northern border of the site.
- 3. The roof is to be a neutral color and not white.
- 4. A shared parking agreement, consistent with section 10-19-7 of the St. George city code.

PC 2023-ZC-004 Lin's Market River Road Page 5

#### **Alternatives:**

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

#### **Possible Motion:**

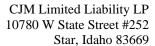
"I move that we forward a positive recommendation to the City Council for the zone change from OS (Open Space) & A-20 (Agriculture, 20 acre minimum lot size) to PD-C (Planned Development Commercial) as presented including the proposed use list, case no. 202-ZC-004, based on the findings and subject to the conditions and comments listed in the staff report (and as modified by the following comments and conditions...)"

#### **Findings for Approval:**

- 1. The proposed zoning is consistent with the general plan designations on the property.
- 2. There will be adequate parking on site to facilitate the development.
- 3. That approval of the zoning map amendment is in the best interest of the health, safety and welfare of the citizens of St. George.

PC 2023-ZC-004 Lin's Market River Road Page 6

# Exhibit A Applicant's Narrative & PD-C Use List





St. George City
Via email to: cdapps@sgcity.org

To Whom it May Concern,

CJM LLLP ("CJM") respectfully submits the following development narrative for Parcel Number SG-5-3-9-4302 as part of a request to re-zone that parcel from Open Space to a Planned Commercial Development. Below you will find the written narrative detailing, to the extent known today, the plans for the development after re-zoning. On Exhibit A, please find a detailed list of proposed uses. This list was developed based on demand seen in other shopping centers anchored by a store with the same concept, and also takes into account permitted uses per local code. Also submitted, as Exhibit B, for visual reference is a conceptual site plan.

Background: CJM is a small, family-owned development group whose operations span a 5-state area including Colorado, Wyoming, and Nevada, but whose development is primarily concentrated in Southern Idaho and Utah. The typical CJM development is anchored by a 40,000-65,000 square foot building with a grocery store, hardware store, pharmacy, and quick service restaurant with a drive-thru. CJM has an affiliated company that operates these stores, which means CJM remains invested and a long-term part of the surrounding community.

#### Proposed Development:

First and foremost, CJM's proposal at this location would involve the same anchor concept. Roughly 70% of the store space would be used for grocery, operating under a name brand familiar to residents of St. George. Roughly 20% would be a hardware store, partnering with a well-known national brand. The remaining 10% would be comprised of a mix of retail pharmacy and quick service food option(s). As shown on the site plan, this anchor building would be positioned in the northwest corner of the lot.

Once parking, water detention, and landscaping requirements were met, CJM would seek to develop the remaining land as pad sites with both single-user and multi-tenant buildings, depending on tenant availability and interest. Common uses of these pad sites in other similar CJM centers are quick service restaurants with drive-thrus, dine-in restaurants, banks/credit unions, auto parts/tire retail, hair/nail salons, dentist/orthodontist offices, full-service tunnel car washes, tax/financial services, and fuel stations, to name a few.

Ultimately, the goal is to fill offering gaps in the surrounding community. Some of that occurs naturally as tenants approach CJM looking to lease space. In other instances, CJM will take a more active role to recruit certain offerings that would be a good fit. When fully developed, the center should bring a variety of services and offerings to this otherwise densely-populated residential area.

We hope we are able to get local support on this needed re-zone to make this land productive for both us and the community as well as have positive impacts on the continued growth and vibrancy of the area immediately surrounding this parcel.

Warm regards,

#### EXHIBIT A – PROPOSED ALLOWABLE FUTURE USES

As noted in the Narrative, no uses are currently set in stone other than grocery, hardware, pharmacy, and quick service restaurants. In the interest of maintaining flexibility and bringing the best mix of uses possible, CJM proposes the ability to have the following uses on the property, all of which are permitted or conditional in C-2 or C-3 Zones (as defined in the St. George City Code).:

Animal hospital

Antique store

Auto part sales

Building material sales (ancillary to a primary use)

Catering establishment

City facility

Communication transmission

Convenience store with gas

Counseling center

Department store

Educational institution

Fence sales/service (ancillary to a primary use)

Furniture/appliance sales

Garden supplies and plants (ancillary to a primary use)

Greenhouse/nursery (ancillary to a primary use)

Gunsmith

Landscaping material sales (ancillary to a primary use)

Locksmith

Microbrewery/pub with food

Office

Office supply sales

Off-premises beer retail

Permanent cosmetics

Personal care services

Personal instruction services

Pet grooming

Printing shop

Restaurant

Sporting goods store

Supermarket

Thrift shop

Veterinary clinic

### **Exhibit B PowerPoint Presentation**



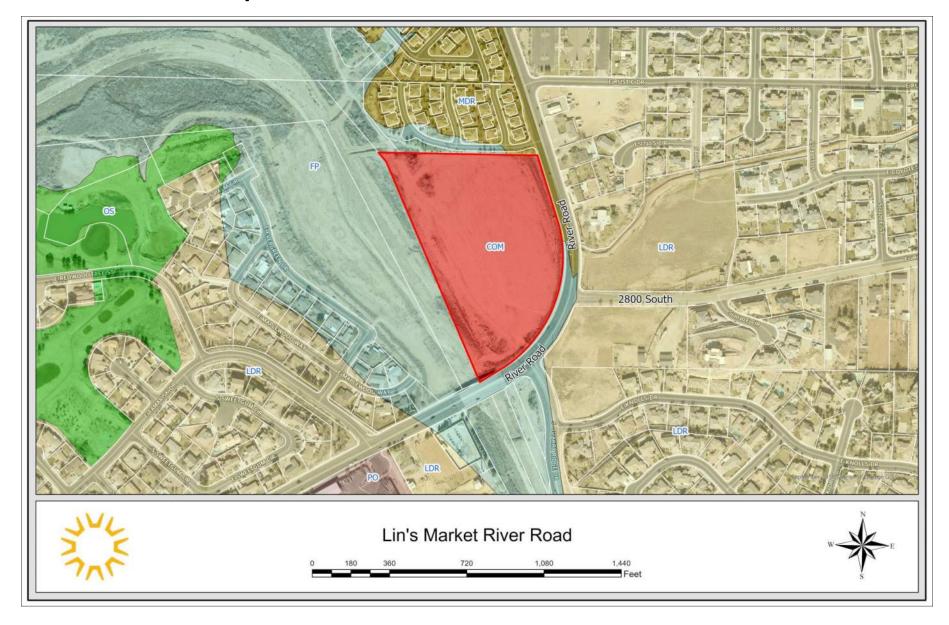
2023-ZC-004



# Aerial Map



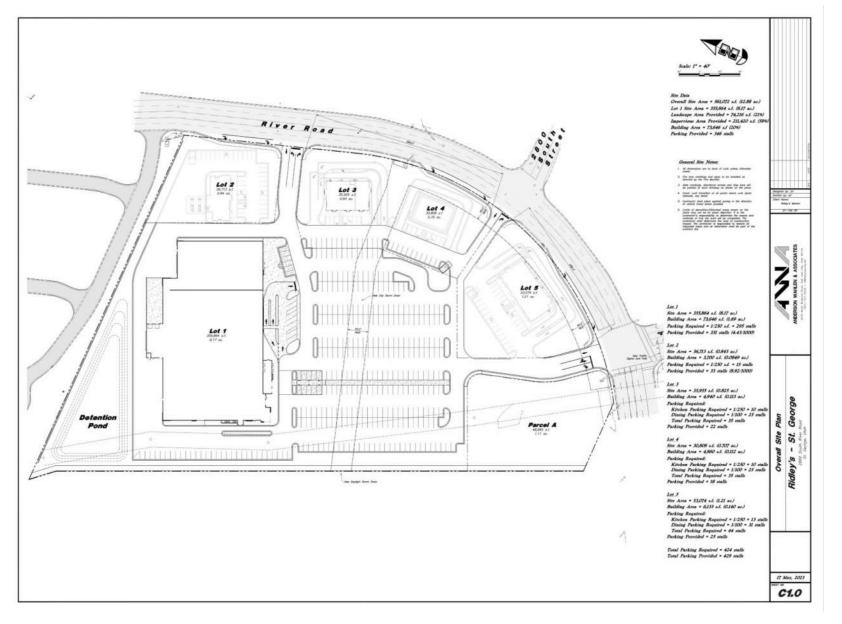
# Land Use Map



# Zoning Map



### Proposed Site Plan



# Parking

#### Lot 4 Lot 1 Site Area = 30,808 s.f. (0.707 ac.) Site Area = 355.864 s.f. (8.17 ac.) Building Area = 4,860 s.f. (0.112 ac.) Building Area = 73,646 s.f. (1.69 ac.) Parking Required: Parking Required = 1/250 s.f. = 295 stalls Kitchen Parking Required = 1/250 = 10 stalls Parking Provided = 331 stalls (4.43/1000) Dining Parking Required = 1/100 = 25 stalls Total Parking Required = 35 stalls Lot 2 Parking Provided = 18 stalls Site Area = 36.713 s.f. (0.843 ac.) Building Area = 3,700 s.f. (0.0849 ac.) Lot 5 Parking Required = 1/250 s.f. = 15 stalls Site Area = 53,074 s.f. (1.21 ac.) Parking Provided = 33 stalls (8.92/1000) Building Area = 6,133 s.f. (0.140 ac.) Parking Required: Lot 3 Kitchen Parking Required = 1/250 = 13 stalls Site Area = 35,955 s.f. (0.825 ac.) Dining Parking Required = 1/100 = 31 stalls Building Area = 4.940 s.f. (0.113 ac.) Total Parking Required = 44 stalls Parking Required: Parking Provided = 25 stalls Kitchen Parking Required = 1/250 = 10 stalls Dining Parking Required = 1/100 = 25 stalls Total Parking Required = 424 stalls Total Parking Required = 35 stalls Total Parking Provided = 429 stalls Parking Provided = 22 stalls

# Landscaping



### Elevations

#### **NEW GROCERY ANCHOR**

S. RIVER RD. & E. 2800 S. ST. GEORGE, UT 84790





PROPOSED ELEVATIONS & MATERIALS

# Rendering



### Materials Board





**Preliminary Plat** 

#### PLANNING COMMISSION AGENDA REPORT: 05/23/2023

**Preliminary Plat** 

Ridley's St. George Commercial Preliminary Plat

Case No. 2023-PP-019

**Request:** The applicant is requesting approval of a preliminary plat to divide

the property into five lots and one parcel in order provide individual pads for the proposed development. Though this plat is

named Ridley's it is associated with the request for Lin's.

**Representative:** Rick Magness (AWA Engineering)

Parcel Number: SG-5-3-9-4302

**Location:** The property is located on the west side of River Road between

approximately 2700 - 2900 South

**Total Acreage:** Approximately 12.88 acres

Existing Zoning: A-20 (Agriculture, 20 acre minimum lot size) and OS (Open

Space) – Proposed PD-C (Planned Development Commercial)



PC 2023-ZC-019

Ridley's St. George Commercial Preliminary Plat

Page 2 of 4

General Plan: COM (Commercial)

**Adjacent zones:** North – PD-R (Planned Development Residential

South – OS (Open Space)

East – RE-12.5 (Residential Estates, 12,500 ft² minimum lot size, R-1-10 (Residential, Single Family 10,000 ft² minimum lot size), A-20 (Agriculture, 20 acre minimum lot size), A-1 (Agriculture, 1

acre minimum lot size). West – OS (Open Space)

**Background & Analysis:** 

In conjunction with this application for a preliminary plat, the Planning Commission heard a request to amend zoning map to a PD-C zone to allow a grocery store and development pads.

The proposed plat shows that there are five building pads (the main grocery store structure on lot one and four surrounding pads adjacent to River Road). To the greatest extent possible, the applicant has tried to design parking to be exclusively on the each pad but there will be some shared parking necessary. As such a shared parking agreement will be necessary to be recorded against all lots in conjunction with this plat.

The pads range in size from approximately 8.16 acres for the grocery store lot and approximately 30,808 ft<sup>2</sup> on the smallest end. Parcel 'A' is in the 100 year flood zone and will not be buildable. As such it is labeled as a parcel and not a lot.

**Recommendation:** 

Staff recommends approval of this preliminary plat.

**Alternatives:** 

- 1. Recommend approval as presented.
- 2. Recommend denial.
- 3. Continue the proposed preliminary plat into the future.

**Sample Motion:** 

I move that we forward a positive recommendation to the City Council for the Ridley's St. George Commercial Preliminary Plat request, application number 2023-PP-019, based on the findings noted in the staff report.

**Possible Findings:** 

- 1. That the plat is consistent with and compliant to the zoning on the property.
- 2. That the plat will not leave any remnant property unaccounted for.
- 3. That development in the plat is consistent with the PD amendment previously proposed by the applicant.

**Zoning Map** 



**Land Use Map** 



PC 2023-ZC-019 Ridley's St. George Commercial Preliminary Plat Page 4 of 4

### Presentation

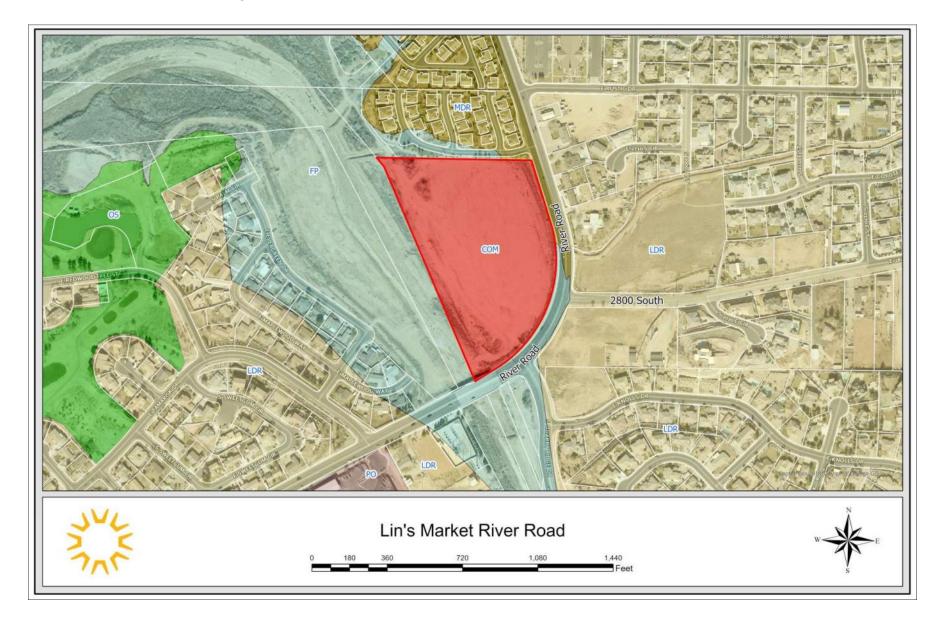
Ridley's St.
George
Commercial
Subdivision

2023-PP-019

# Aerial Map



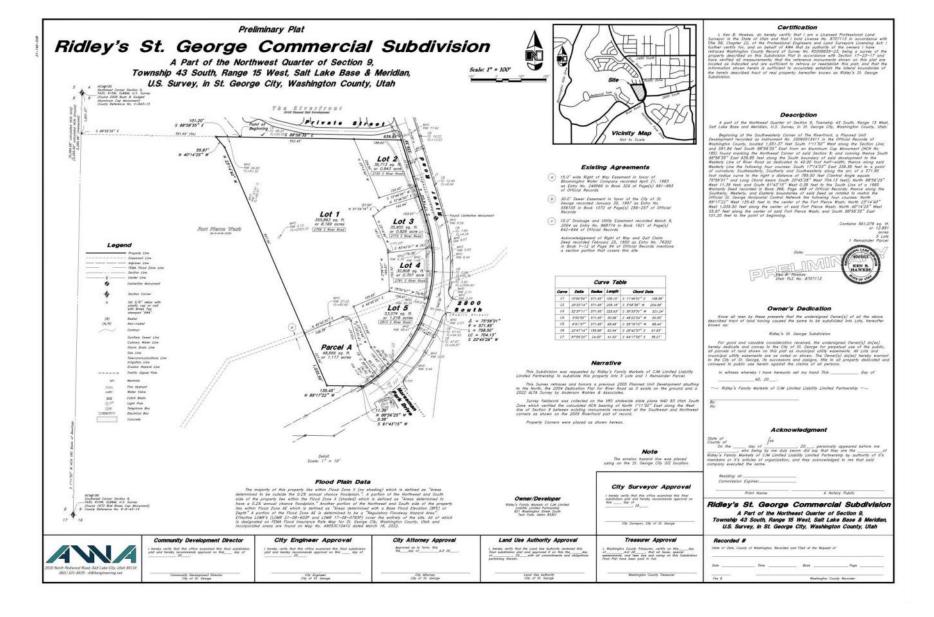
# Land Use Map



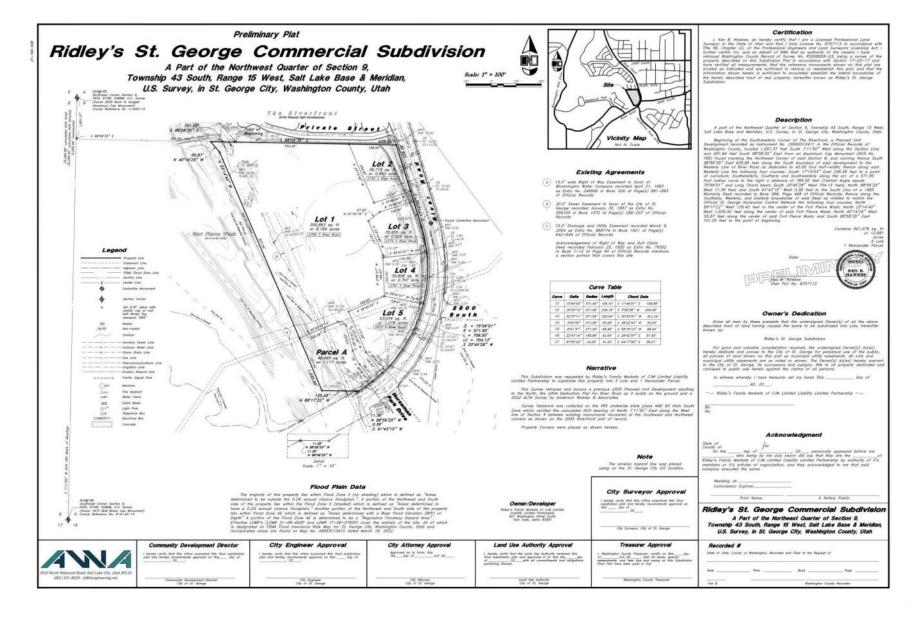
# Zoning Map



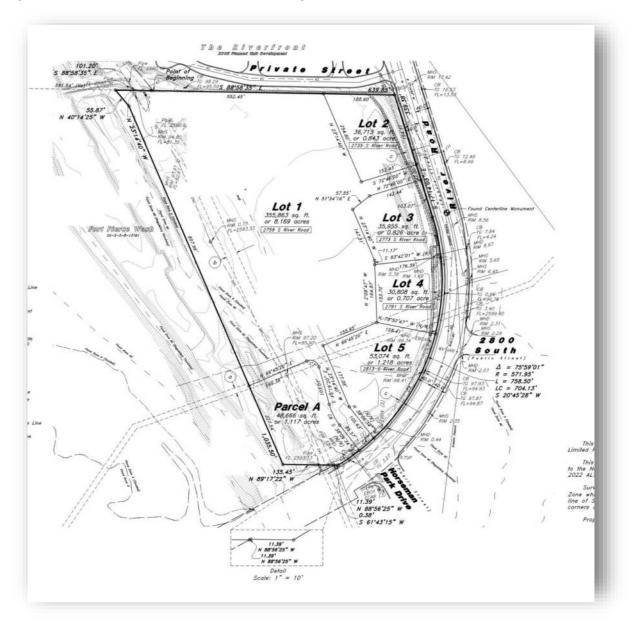
# Preliminary Plat



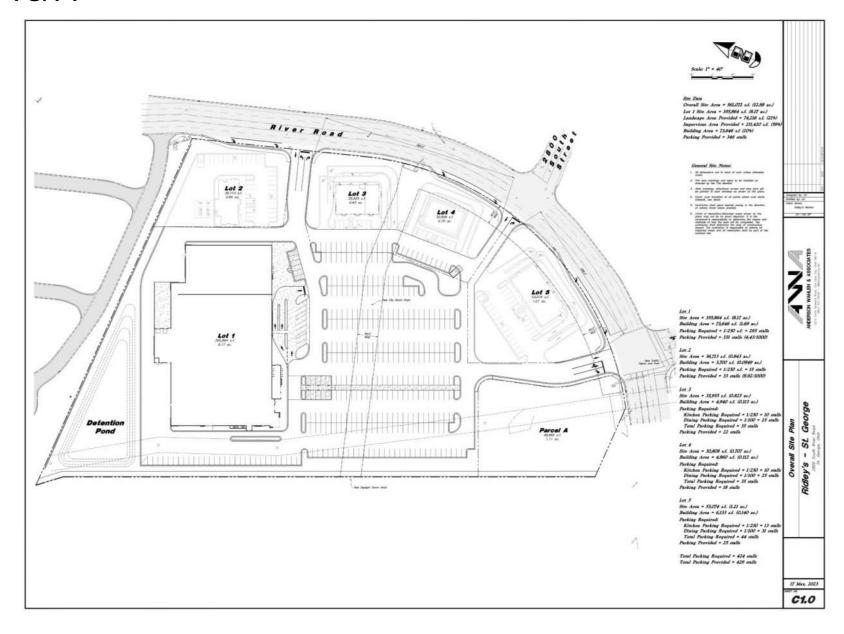
# Preliminary Plat (All Layers)



# Preliminary Plat (All Layers)



### Site Plan





Zone Change

#### PLANNING COMMISSION AGENDA REPORT: 05/23/2023

Tonaquint Heights Ph. 4-7 Zone Change (Case No. 2023-ZC-003)				
Request:	Consider approval of an ordinance changing the zoning from R-1-40 (Single Family Residential minimum 40,000 sq ft lot size) and M & G (Mining & Grazing) to R-1-20 (Single Family Residential 20,000 sq ft minimum lot size) on 74.098 acres for the purpose of constructing 75 single family homes.			
Applicant:	Utah State Trust Lands C/O Quality Development LLC			
Representative:	Logan Blake			
Location:	South of the existing Tonaquint Terrace subdivision.			
Existing General Plan:	LDR (Low Density Residential)			
Proposed Zoning:	R-1-20 (Single Family Residential, minimum lot size 20,000 sf).			
Existing Zoning:	R-1-40 (Single Family Residential, minimum lot size 40,000 sf) & M & G (Mining & Grazing).			
Land Area:	Approximately 74.098 acres			
	Location of Zone Change			

PC 2023-ZC-003 Tonaquint Heights Ph.4-7 Page 2 of 4

#### **BACKGROUND:**

This application is to change the Zone from R-1-40 (Single Family Residential 40,000 sq ft minimum lot size) and M&G (Mining & Grazing) to R-1-20 (Single Family Residential 20,000 sq ft minimum lot size) to build 75 single family residential lots for a density of 0.79 units per acre. In May of 2006 the General Plan was changed from OS (Open Space) to VLDR (Very Low Density Residential) and zoned R-1-40 (Single Family Residential 40,000 sq ft minimum lot size) there was also a site plan for the Tonaquint Heights development. Tonaquint Heights Phases 1-3 have been built.

On May 4<sup>th</sup> of this year there was a General Plan Amendment that changed the General Plan from VLDR (Very Low Density Residential) to LDR (Low Density Residential). The reason for this change and for the proposed zoning change is the city code was updated in 2019. With the changes to the code phases 4-7 of Tonaquint Heights could not comply. The applicant is requesting to change the zone to finish Tonaquint Heights Ph. 4-7. The site plan has been updated and is in the packet. The zoning to the north is R-1-10 & M&G, south is Open Space, to the east is Open Space and to the west is Open Space.

#### **RECOMMENDATION:**

Staff recommend approval of the zone change.

#### **ALTERNATIVES:**

- 1. Recommend approval of this Zone Change.
- 2. Recommend denial of this Zone Change.
- 3. Table the proposed Zone Change to a specific date.

#### **POSSIBLE MOTION:**

The Planning Commission recommends approval to the City Council for the Zone Change for Tonaquint Heights Ph. 4-7.

#### FINDINGS FOR APPROVAL:

- 1. The proposed land-uses are compatible with the surrounding land uses in this area.
- 2. This zone change will not be harmful to the health, safety and general welfare of residents and businesses in the area.

#### **Narrative**

#### Property Location and Purpose of Tonaquint Heights Zone Change

The subject property is a <u>74.098 acre</u> parcel South of the Tonaquint Terrace — Phases 1-4 subdivisions and west of the Tonaquint Heights — Phases 1-3 subdivisions. The purpose of this zone change is for the improvement of the property for residential <u>single family</u> homes.

#### A. Use of Land

The projected use of the property is to create R-1-20 lots. The current zoning on the property is R-1-40 (71.9 acres) and Gravel and Grazing (2.16 acres).

PC 2023-ZC-003 Tonaquint Heights Ph.4-7 Page 4 of 4



#### **ZONE CHANGE**

#### PLANNING COMMISSION AGENDA REPORT: 05/23/2023

PD Amendment
Circolo Villas (Divario PA-1)
Case No. 2023-PDA-004

**Request:** Consider a PD amendment to the previously approved Divario

Planning Area PA-1 Multi-Family Project PD (Planned

Development).

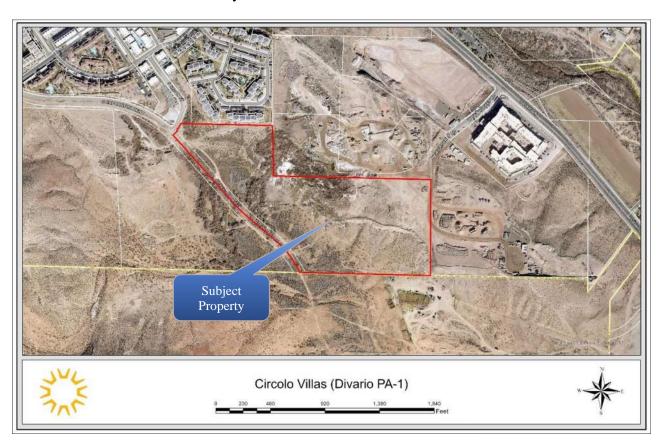
**Applicant:** RDG, LLC

**Representative:** Grey Garza

Area: 34.27 Acres

**Location:** The property is generally located south-east of the Gap Canyon

Pkwy and 1790 West intersection.



Circolo Villas (Divario PA-1)

**Current Zone:** PD-R (Planned Development Residential)

General Plan: MDR (Medium Density Residential), OS (Open Space)

**Divario Land Use Plan:** High Density (up to 15 units per acre)

#### **Background:**

The property was annexed as part of the Plantations Land in 1994. A PD (Planned Development) was approved on at least two separate occasions, but upon failure to construct, expired and reverted back the R-1-10 zoning (current zoning). In 2007, a development agreement was approved between the developer and the city. The development at the time was called "The Lakes". The name has since changed to "Divario". An updated development agreement was approved in 2014 which sets forth the parameters of the development, planning areas, etc.

Under the Development Agreement, PA-1 was approved as a development area consisting of 28.09 acres with density of up to 15 units per acre (maximum 421 residential units).

In 2021, Planning Commission and City Council both voted unanimously to approve a zone change on the property from R-1-10 to PD-R through Ordinance 2021-08-010. The proposed Planned Development was for 500 residential units over 34.24 acres both of which were in excess of what the Development Agreement allowed.

The Development Agreement, Section 13.B.i allows the Master Developer, Divario to transfer or shift units from one planning area to another planning area "...provided that the overall maximum density for the Planned Community is not exceeded, and provided that the maximum density in any one Planning Area does not exceed the maximum density permitted in any given Planning Area in the Master Plan..." The master developer has transferred 43 units of density from PA-12 (Varano Vista) which had an excess of 103 units to PA-1 bringing the total number of units in PA-1 to 464.

Of the 34.24 acres which were part of the PD-R zone approval, 3.43 acres are designated as unimproved open space which must be dedicated to the City. It cannot be counted as development acreage when calculating density. Of the remaining density, (30.81 acres) some (approx. 2 acres) was to be used for the completion of Gap Canyon Drive, leaving a development parcel of 28.09 acres. If the open space land is removed and the remaining 30.81 acres is used to calculate the density of the proposed project (464 units) the overall density would be 15.06 units per acre which is just above the allowed 15 units per acre. If only the 28.09 acres for the planned area is used to calculate the overall density of 464 units, the density would be 16.5 units per acre which is in excess of the maximum allowed 15 units per acre and is in excess of the density allowed in any other planning area. It is typical to use acreage including roadways to calculate density.

With each project or plat within the Divario Development, the Master Developer is supposed to provide an overall unit count to track the number of units which have been approved or platted. The current unit count is:

Circolo Villas (Divario PA-1)

Approved units: 1550 Platted units: 503

Maximum number of units allowed: 3196

If this project is approved at 464 units, it will bring the approved unit count to 2014 units.

#### **Proposed Site Details:**

The site is free from any buildings but is adjacent to property that has been used as a gravel extraction site for many years and was rezoned for residential and commercial uses (Grand Views at Green Valley). It is also directly south of the Las Palmas Resort. That said, the bulk of the property is not adjacent to existing development. Finally, and very importantly, the Divario development agreement land use map (Exhibit B) depicts an area 3.43 acres in area that makes up the northern portion of this property which is to be left completely undisturbed and as described above may not be counted toward the density of the project.

The proposed site plan illustrates essentially two distinct areas, a townhome development, and a stacked apartment development. The site plan depicts 20 townhome buildings with a total of 92 units. The site plan also depicts 14, 24-plex apartment buildings for a total of 336 units and one 36-plex building. In all, the applicant is proposing 464 units, down from the 500 units previously approved.

The General Plan calls for open space on the northern portion of the property adjacent to Las Palmas which they are complying with. More is said about Hillside requirements below.

<u>Parking</u>: Under section 10-19-4(A)(4) of the St. George zoning code, each unit is required to provide two parking stalls, one of which must be covered, plus one stall for every three units for guest parking. With 464 units, this would yield a total requirement of 1,083 stalls (2x464=928+155 guest stalls). 464 of the stalls must be covered (garages may be included). All covered stalls will need to be identified on the final site plan. The site provides a total of 1,274 stalls which meets the requirement for both resident and guest parking. A breakdown of the parking can be found on the submitted site plan.

Access: The site shows access onto Sky Rocket Drive. The Fire Department has reviewed the access and has approved it with one exception. They require a second access into the townhome phase which they are showing stubbing to the master-planned road to the east. Until that road is built, the applicant needs to provide a second access onto Sky Rocket Road to satisfy the Fire Department. Staff has spoken with the applicant about potentially eliminating the far north-east townhome building to provide access until such a time that they can connect to the preferred road to the east. Timing on that road is unknown at this time.

<u>Elevations</u>: There are two proposed styles of buildings. The first is a stacked apartment building; fourteen 24-plex and one 36-plex. This building is three/four-story building and is 39' tall, from

average finished grade to the top of the coping, which complies with the standards found in the code which sets the maximum height at 40' in a PDR. The materials to be used are varying

Circolo Villas (Divario PA-1)

colors of stucco, stone, and brick. The materials and colors have been chosen to complement each other. One of the primary reasons for this amendment is to alter the architecture of the building and to use the building itself as retaining since there is significant slope on the property. In doing so, one side will be three stories while the other side will be four. The first story are the garages. Each 24-plex will have 12 garages and the 36-plex will have 18 garages.

The townhomes are proposed to be two, three, and five-plex and will be made of similar materials and colors. The townhomes will also be slightly shorter at 36' tall, also complying with the height requirements for the PD-R zoning.

<u>Landscaping/Amenities</u>: The site is required to maintain a minimum of 30% landscaping/open space. The site has been designed with 40% formal landscaping and to be clear, the site is not allowed to count the open, undisturbed areas shown on the Divario Exhibit 'B' as non-disturbable, 3.44-acre open space parcel. Additionally, a multi-family development must provide usable recreation areas, in this case at least 92,800 sq ft. The applicant is indicating over 484,702 sq ft of open space with approximately 106,350 sq ft usable amenity area. The site depicts a perimeter trail, three playgrounds, three dog parks, four pickleball courts, eighty BBQ areas, one pool and a clubhouse. The details on all of the amenities and landscaping will be reviewed at the time of site plan but are noted on the site plan.

<u>Hillside Review</u>: The entire Divario site was reviewed by the Hillside Review Board (HSRB) as part of the initial approvals. In so doing, the Board designated some areas as okay to develop, some that needed further review in the future and some that would be okay to develop if they weren't encroaching into 20% or greater slope. PA 1 falls into the third category. There are some areas greater than 20% which have been designated manmade and exempt slope area on the property which the applicant will encroach into otherwise the applicant is keeping out of the 20% slope area and therefore will not need further review by the HSRB. (See Hillside Exhibit in presentation).

Staff Comments: From the beginning, staff has had a concern about the project's scale especially in relation to the other projects in the area. This revision decreases the number of units from the previous approval which is a good direction. Though this project will likely have less direct impact on existing development than some of the other recently proposed planning areas, there is still an impact to the road system in the area. That said, this particular project has the benefit of being at the intersection of Gap Canyon Pkwy and Sky Rocket Road. Sky Rocket will take a bulk of people directly to Dixie Drive and Gap Canyon will take traffic to the south once it is completed.

#### **Recommendation:**

If the Planning Commission finds that the proposed development is consistent and blends well with its surroundings, staff recommends approval of this Zone Change and PD plan as proposed with the following conditions:

- 1. That a site plan is submitted for approval prior to any construction on the site.
- 2. That covered parking is provided in accordance with St. George city code.

Circolo Villas (Divario PA-1)

- 3. That a second access from the townhomes onto Sky Rocket Road is provided until such a time that access can be provided to the master-planned road to the east even if the far north-east building has to be eliminated to do so.
- 4. That consistent with §10-7G-2(C) of the City Code a final plat and/or final construction drawings must be approved within one (1) year of this approval. Failure to obtain a final approved plat within the required time period shall result in the zone change and this approval to be vacated and rendered null and void.

#### **Alternatives:**

- 1. Recommend approval as presented.
- 2. Recommend approval with conditions.
- 3. Recommend denial.
- 4. Table the proposed PD amendment to a specific date.

**Possible Motion:** "I move that we forward a positive recommendation to the City Council for the PD amendment for Circolo Villas as presented, case no. 2023-PDA-004, based on the findings and subject to the conditions listed in the staff report."

#### **Findings for Approval:**

- 1. That a PD (Planned Development) amendment application was filed by the applicant in accordance with St. George city code.
- 2. Sky Rocket Road will connect the site directly to Dixie Drive, alleviating some traffic concerns on Gap Canyon Pkwy and Canyon View Drive.
- 3. Based upon an acreage of 30.81 acres, the overall density meets the requirements of the Divario master plan of 15 units per acre.
- 4. The amendment reduces the number of units on the site.
- 5. The amendment complies with the open space requirement of the development agreement and the code.
- 6. That approval of the PD amendment is in the best interest of the health, safety and welfare of the citizens of St. George.

PC 2023-PDA-004 Circolo Villas (Divario PA-1)

#### **EXHIBIT A**

#### APPLICANT NARRATIVE



#### **Letter of Intent**

#### **Property:**

Circolo Villas

Divario PA-1 St. George UT

To Whom it May Concern,

The Rich Day Group is requesting a modification to the originally approved Zone Change received on August 19, 2021. RDG has been working with staff over the course of the past several months. Both RDG and the City has come forward with the amendments. Staff approached us early following the original approval on a traffic master plan amendment that would have an immediate impact to the original site plan presented with our original application. The proposed road adjustment would push into our southern boundary and take 30' of property to accommodate the City.

Needless to say, this caused us great grief and it took a full-scale effort to reevaluate the entire property. In hindsight, this allowed us to revisit grades, amenities, and the overall functionality of the project. Going through some of the proposed changes, the following is a list of the highlights:

- Apartment Architectural Style The previous design had the buildings pushed out to the perimeter of the property, requiring massive retaining walls. The new design afforded us to utilize the existing slopes of the property. By pushing the buildings into the hillside, we were able to dramatically reduce the amount of retaining walls, while also incorporating tuck-under garages in many of the units as well as preserving the natural topography of the property.
- Upgraded Amenity Package The original amenity package included Playgrounds, Dog Runs, Pickle Ball Courts, and Wide Trails. This new design allowed us to add a Residential Service building, Clubhouse, & Pool. The additional amenities will rival many luxury resorts in the area.
- Improved Functionality and Conservation The proposed overall development density has been reduced by 37 units. This allows for a more spacious design and an overall improved "flow" of the project. This proposal offers a much larger Open Space square footage than required by code. Keeping Utah's water conservation in mind, we plan to lead with Xeriscape, allowing our residents to have functional space for animals and other outdoors activities.

Best Regards,

Mark Garza

Project Manager

2262 S 1200 W, Suite 103

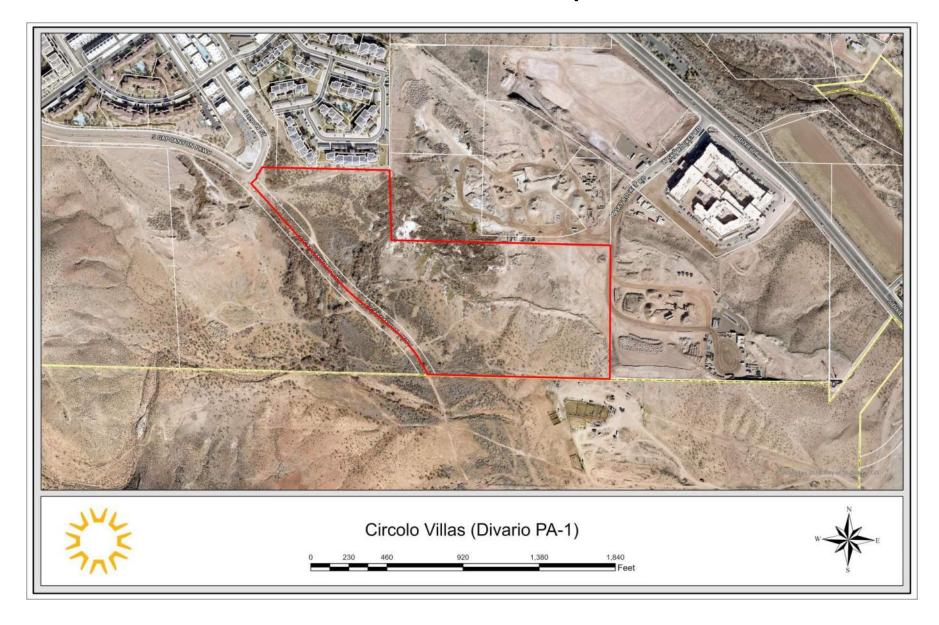
Woods Cross, UT 84087

### EXHIBIT B

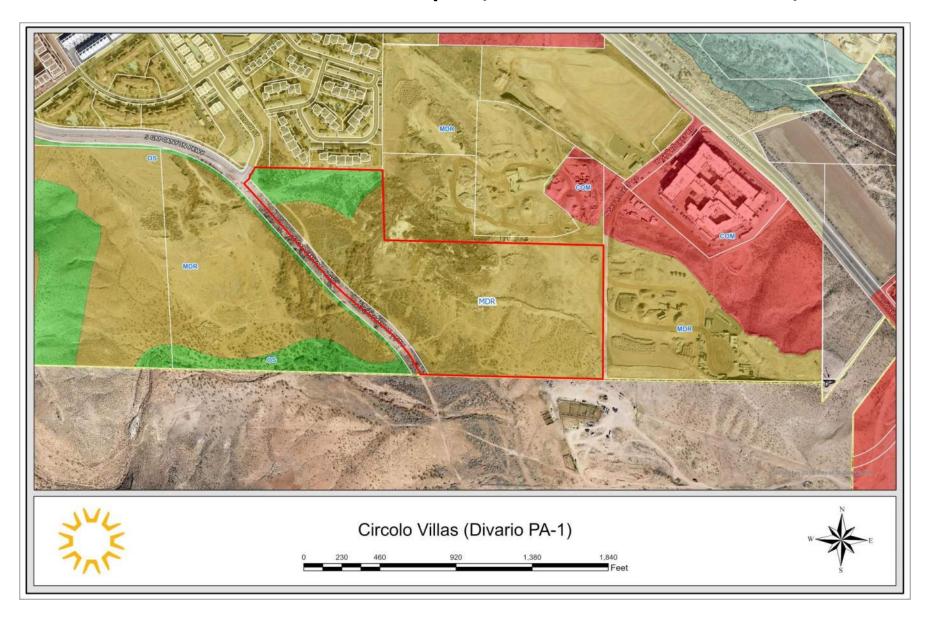
#### POWERPOINT PRESENTATION



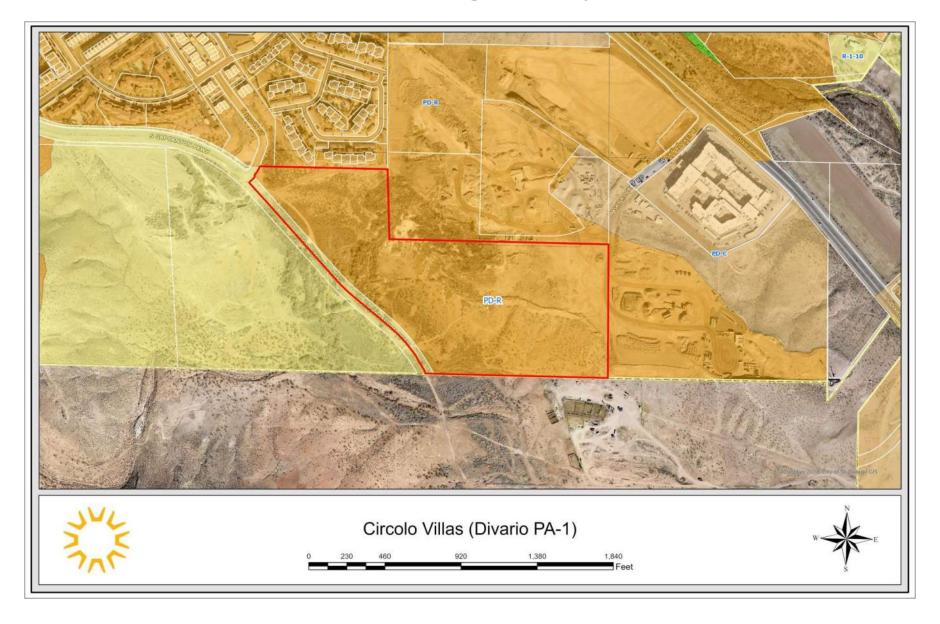
# Aerial Map



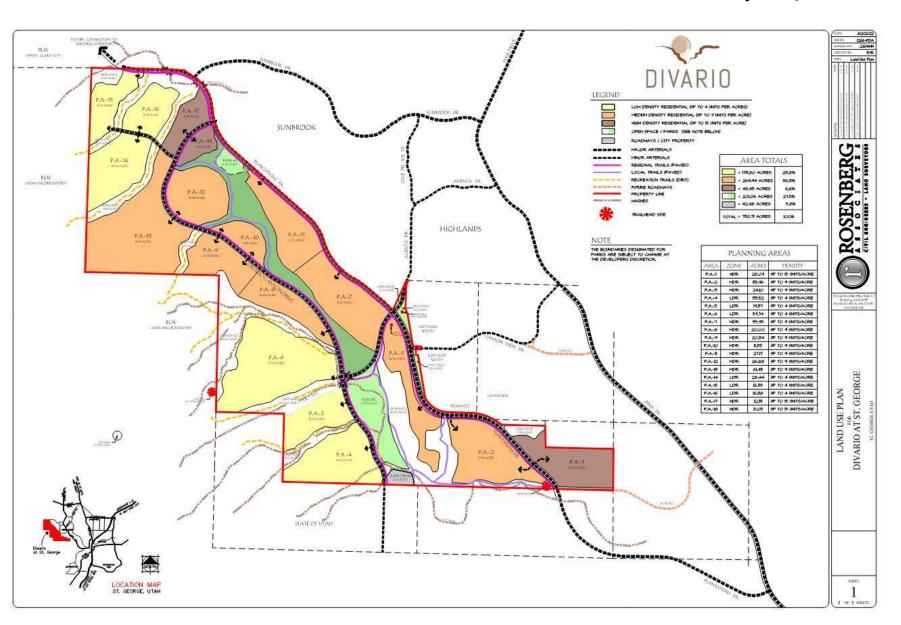
# Land Use Map (General Plan)



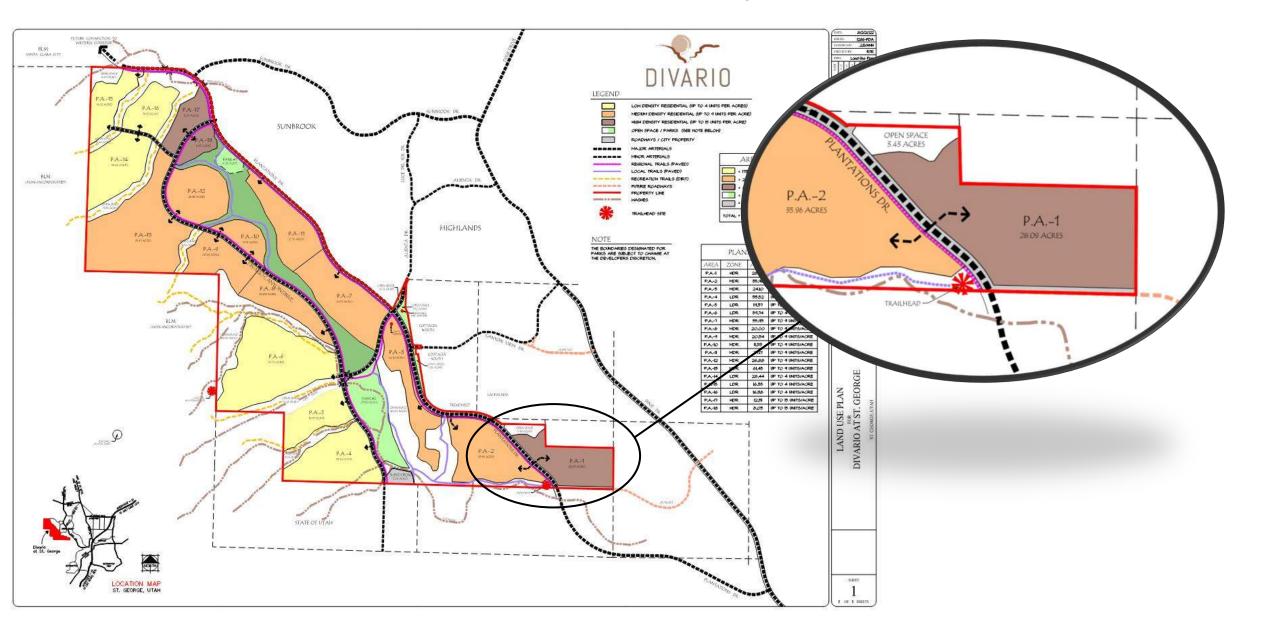
# Zoning Map



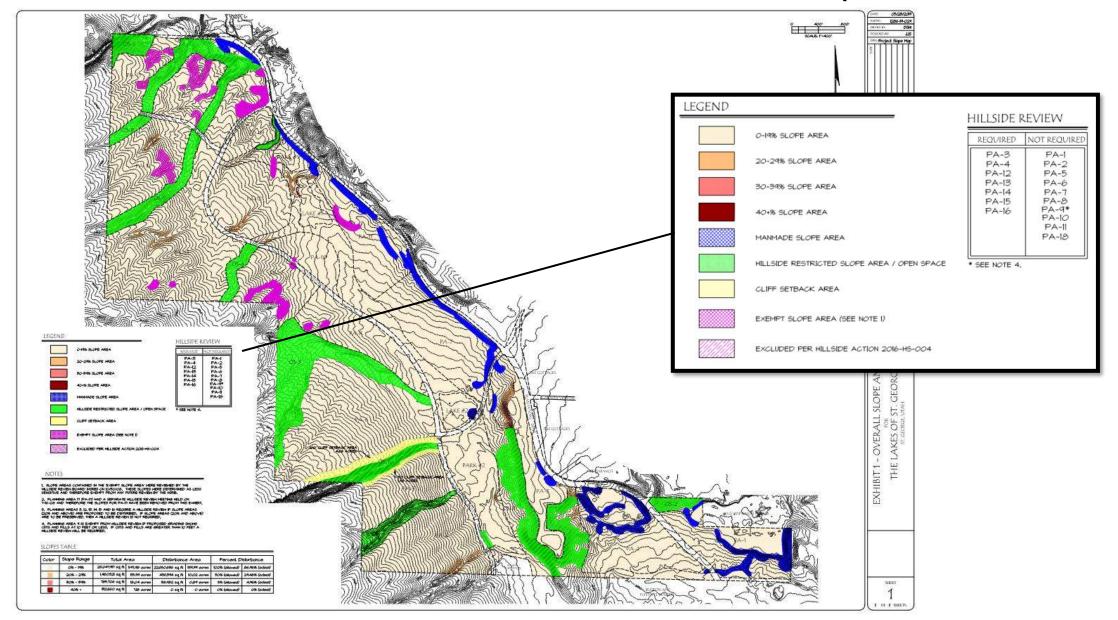
### Divario Land Use Map (Exhibit B)



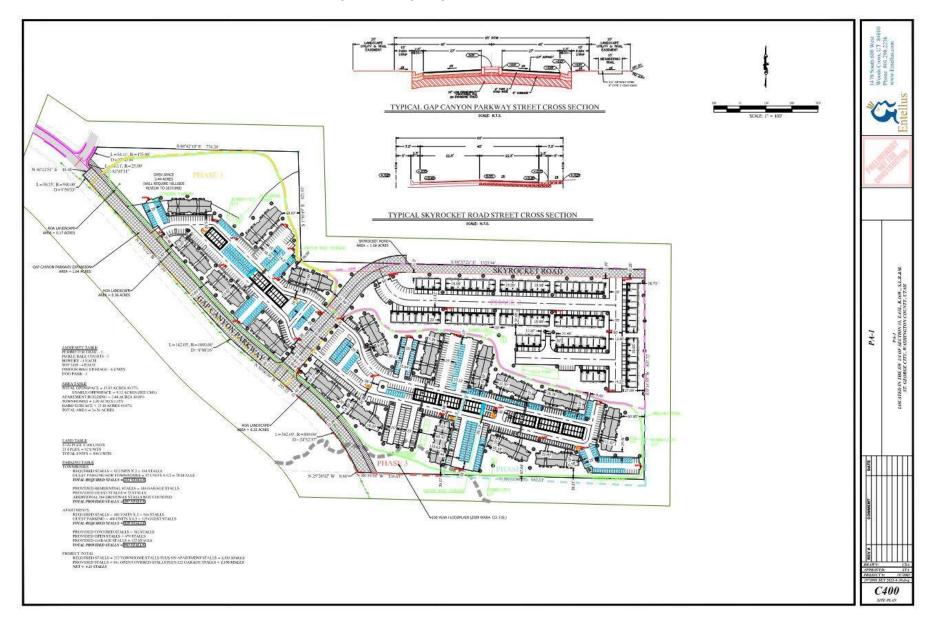
# Divario Land Use Map (Exhibit B)



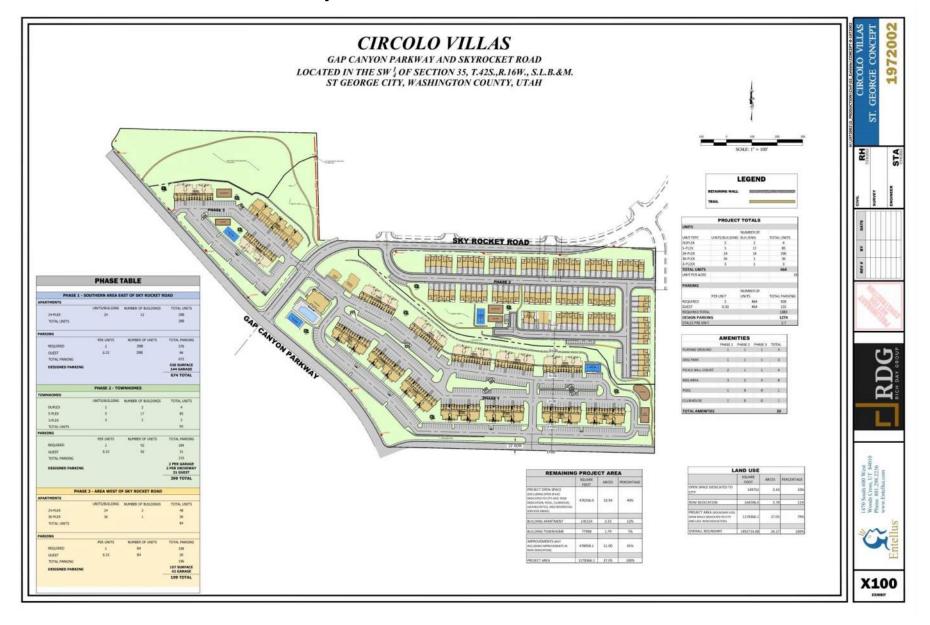
### Divario Hillside Map



## Previously Approved Site Plan



### Proposed Site Plan



## Previously Approved Elevations



# Proposed Elevations 24 Plex



## Proposed Elevations 24 Plex



### Proposed Elevations 36 Plex



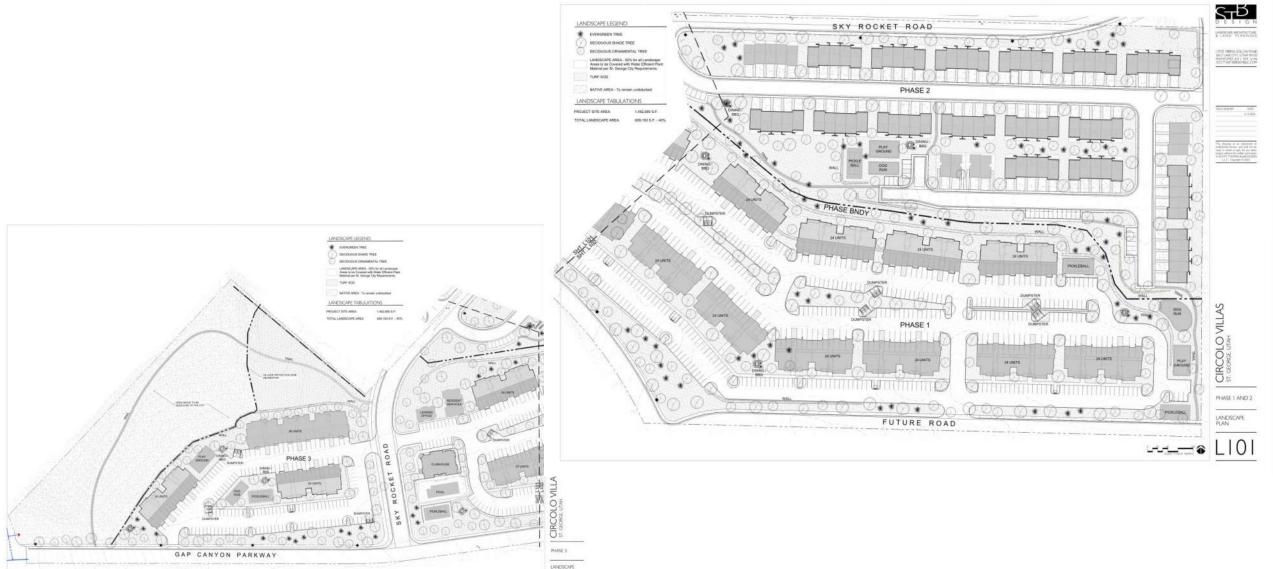
### Proposed Elevations - Townhomes



### Proposed Elevations – Townhomes 5 Plex



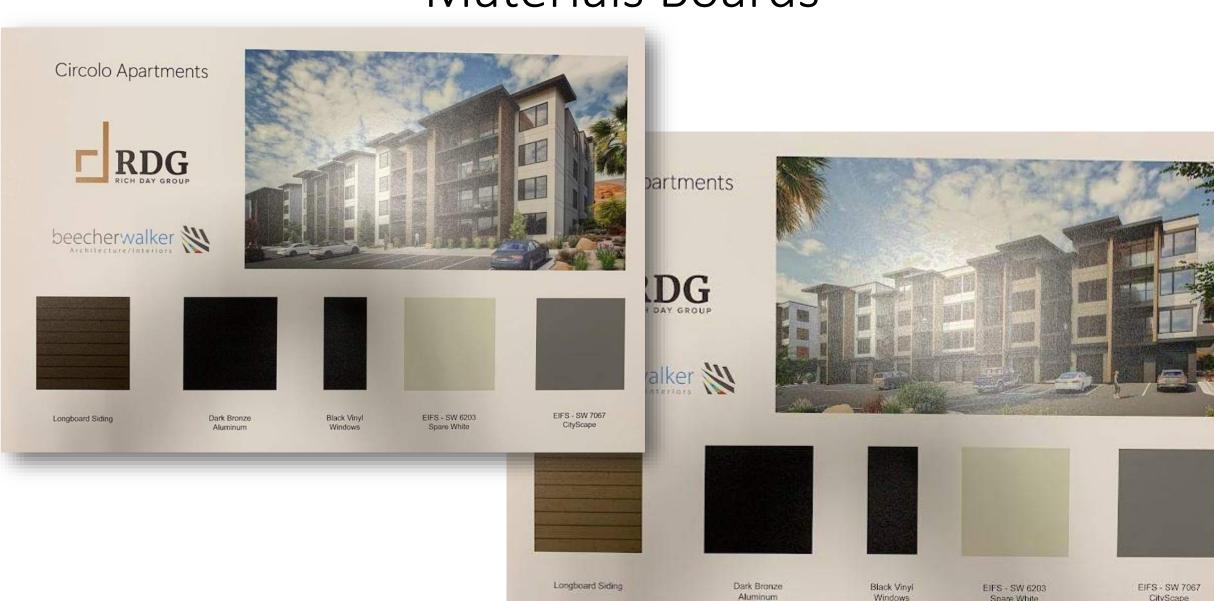
## Landscape Plan



### Materials Boards



### Materials Boards

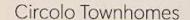


Windows

Spare White

CityScape

### Materials Boards









Townhomes







Interstate Brick Platinum



Longboard Siding Dark



Longboard Siding Light



Dark Bronze Aluminum



Eldorado Stone Dark Rundle

EIFS - SW 6203

Spare White



Longboard Siding Dark



Longboard Siding Light



Dark Bronze Aluminum



EIFS - SW 6203 Spare White

Circolo Villas (Divario PA-1)

### EXHIBIT C

#### LETTERS FROM PUBLIC



#### Circolo villas case # 2023-PDA-004

Kathryn Crawford

Tue, May 16, 2023 at 7:04 AM

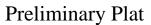
To: dan.boles@sgcity.org

Hello I can not make the planned meeting on May 23,2023 but I'd like some information if you can give it to me please. I've read as much as I can find which isn't a lot. We currently own property in las Palmas building 21 and this will be in our back yard. I would love to know what will be in between Las Palmas property and the actual buildings or asphalt or cement and how many yards will there be between us! How tall will the buildings be that will butt up against las Palmas? Will our view be blocked from the dessert and be greeted by cement walls?! How much noise will replace the frogs and coyotes we wake up to and go to sleep to? Will the trails etc be available for us to use? Are there plans to reduce noise and dust from coming into our places? Clean up of our balconies and duct cleaning when project is finished?! If you could get answers to these concerns I know many of us would be very grateful? I've sent concerns in before with no response! Please contact me!!!

Thank you

Kathy Crawford

Sent from my iPhone





#### PLANNING COMMISSION AGENDA REPORT: 05/23/2023

#### PRELIMINARY PLAT

Circolo Villas Preliminary Plat

Case No. 2023-ZC-011

**Request:** The applicant is requesting approval of a three lot, preliminary

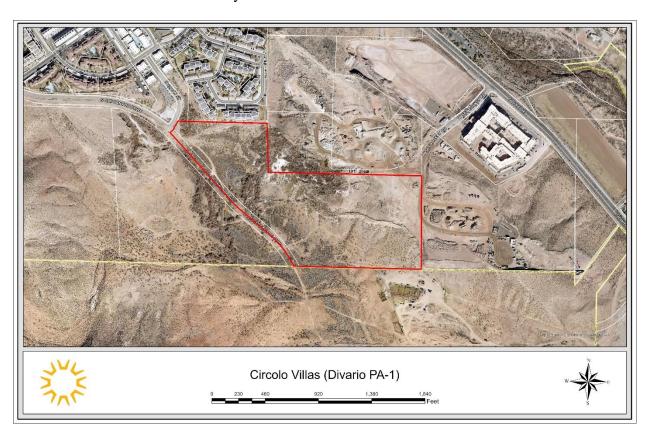
plat.

**Representative:** Grey Garza (RDG, LLC)

**Parcel Number:** SG-6-2-35-3002

**Location:** The property is generally located south-east of the Gap Canyon

Pkwy and 1790 West intersection.



**Total Acreage:** Approximately 34.26 acres

**Existing Zoning:** PD-R (Planned Development Residential)

PC 2023-ZC-011 Circolo Villas Preliminary Plat Page 2 of 4

General Plan: MDR (Medium Density Residential) & OS (Open Space).

**Adjacent zones:** North & East – PD-R (Planned Development Residential)

West – R-1-10 (Single Family Residential, 10,000 sq ft minimum

lot size)

<u>South</u> – No zoning - County

Background & Analysis: This application for a preliminary plat is intended to accompany

the PDA (Planned Development Amendment) for Circolo Villas. This property has not been properly subdivided but this application

will take care of that by creating three legal lots.

The Circolo Villas project will be a "for rent" product which doesn't require each individual building to be subdivided. However, the buildings do need to be situated on legally created lots. This preliminary plat will divide the property into three legally created lots, one north/west of Sky Rocket Road, one south/east of the road. The third will be the townhomes. It will also allow the applicant to dedicate the 3.43 acres on the north end of the property to the city. At this point, it is not contemplated that the

property owner will divide it any further.

**Recommendation:** Staff recommends approval of this preliminary plat.

**Alternatives:** 1. Recommend approval as presented.

2. Recommend denial.

3. Continue the proposed preliminary plat to a specific date.

4. Continue the proposed preliminary plat to an unspecified date

with specific conditions.

**Sample Motion:** I move that we forward a positive recommendation to the City

Council for the Circolo Villas Preliminary Plat request, application number 2023-PP-011, based on the findings noted in the staff

report.

Possible Findings:

1. That the plat is consistent with and compliant to the zoning on

the property.

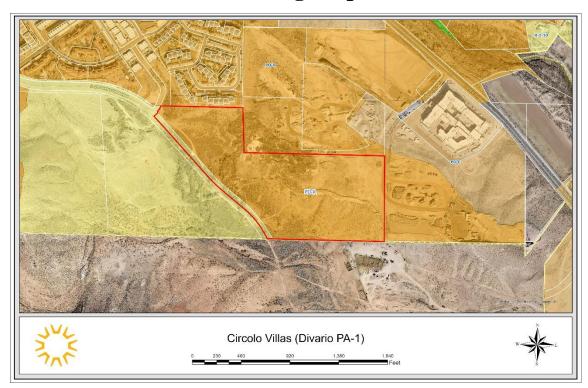
2. That the plat will not leave any remnant property unaccounted

for.

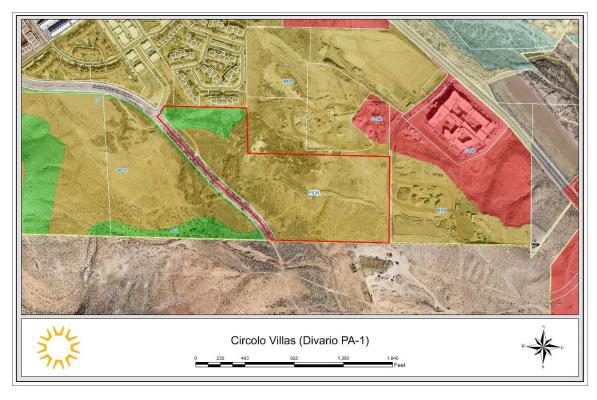
3. That development in the area to is consistent with the proposed

preliminary plat.

### **Zoning Map**



### **General Plan Map**

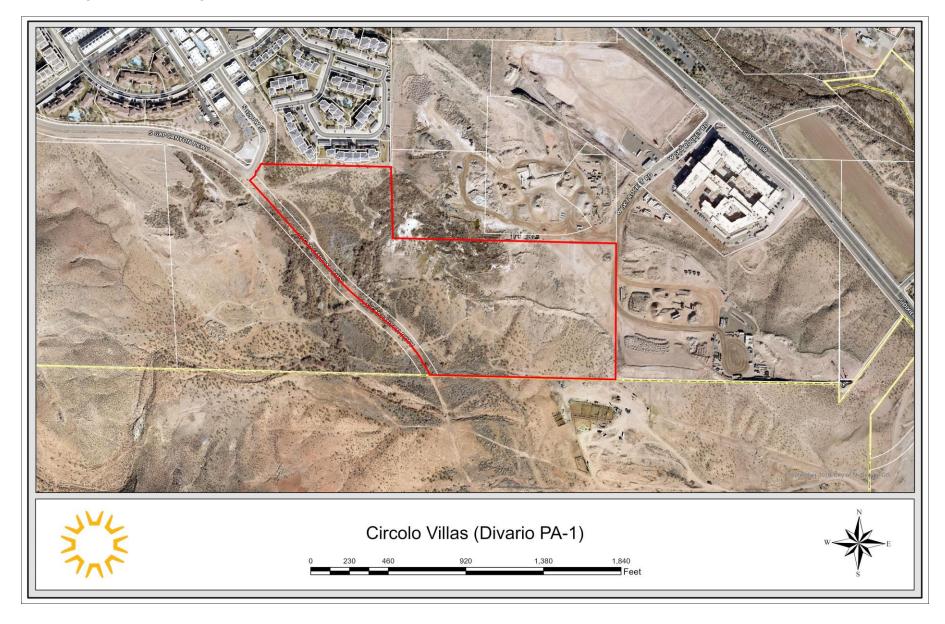


PC 2023-ZC-011 Circolo Villas Preliminary Plat Page 4 of 4

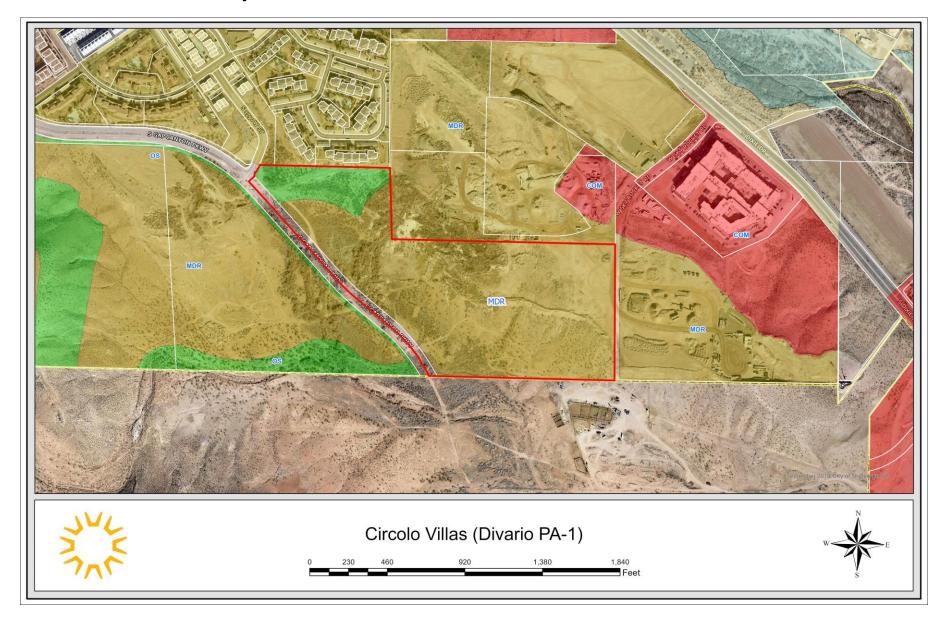
#### Presentation



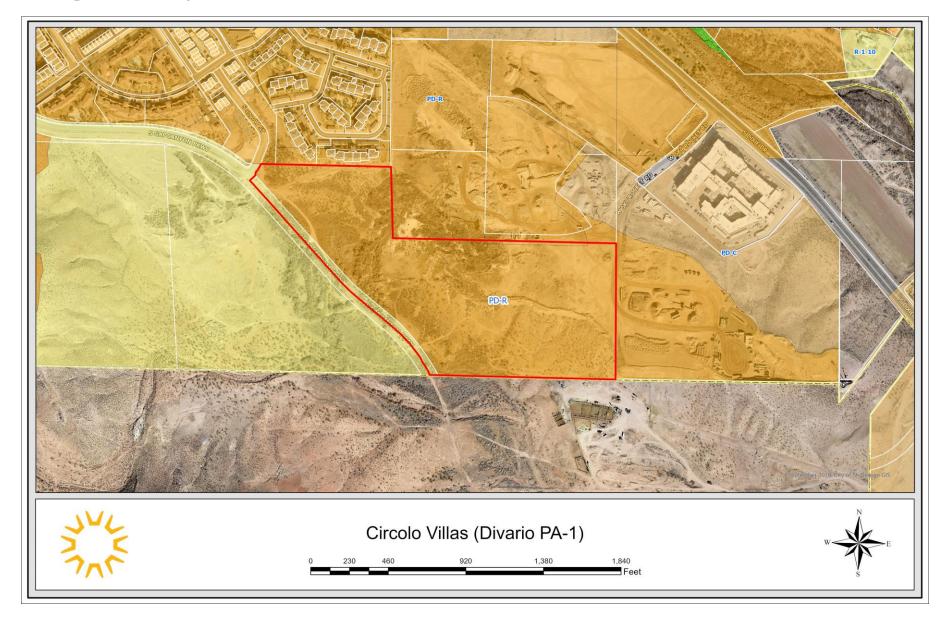
# Vicinity Map



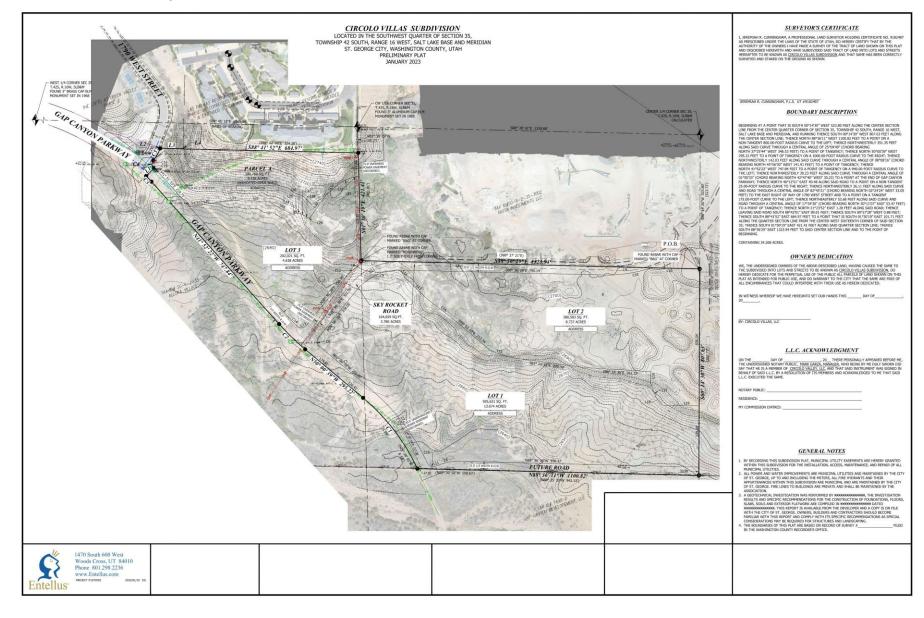
# Land Use Map



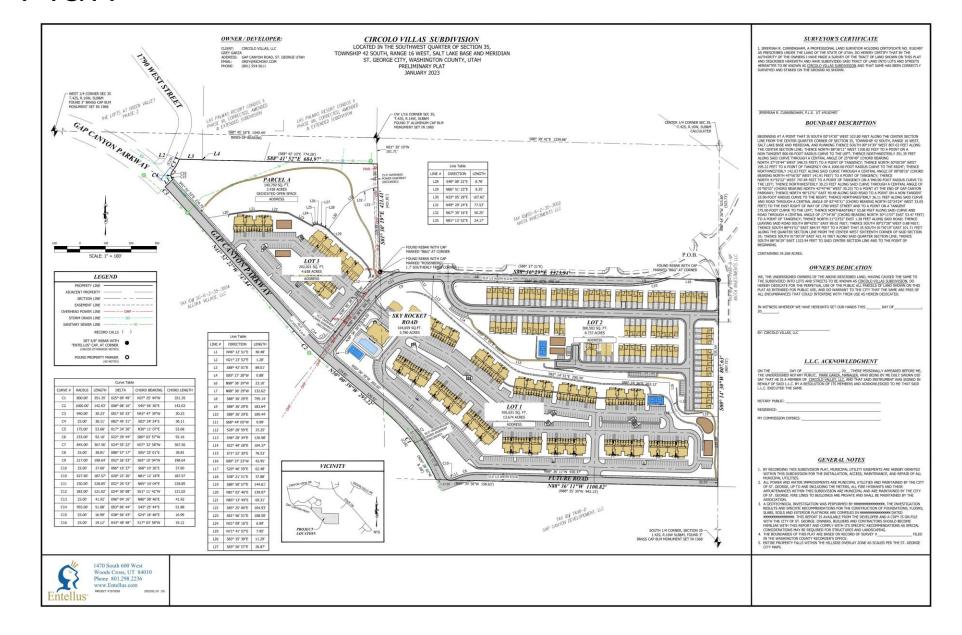
# Zoning Map



# Preliminary Plat



# PD Plan







Hillside Permit

HILLSIDE REVIEW BOARD AGENDA REPORT: 04/26/2023 PLANNING COMMISSION: 05/23/2023

#### HILLSIDE DEVELOPMENT PERMIT

Banded Hills Lot 3
Case No. 2021-HS-005

**Request:** This is a request for a Hillside Development Permit to allow development

on a portion of a single lot of an existing subdivision that is currently restricted due to potential rockfall hazard. This would affect only Lot 3 of

Banded Hills subdivision.

**Hillside History:** In 2018, a hillside permit was granted to allow an eleven-lot subdivision to be

created (Banded Hills). The following year, another hillside permit was granted to add a 12<sup>th</sup> lot to the subdivision. Part of the approval of the hillside permit was that, due to the potential for rock fall from adjacent hillside, no building would be permitted adjacent to Banded Hills Drive on lots 1-7 and a

portion of lot 8.

**Exhibits Provided:** 1) Exhibit A – AGEC Letter Dated October 13, 2022.

"Exhibit A" - This is a letter provided by the applicant from Applied Geotechnical Engineering Consultants, Inc. (AGEC) recommending a

reduction in setback.

2) Exhibit B – Rock Fall Study dated February 05, 2018

"Exhibit B" – This report outlined the possible geologic hazards in the area and

how that may affect the subject property.

3) Exhibit C – AGEC Report dated February 23, 2018

"Exhibit C" is the study produced by AGEC on February 13, 2018.

4) Exhibit D – Staff Report dated April 18, 2018

"Exhibit D" is the staff report for the original request for hillside development

permit. This was included for historical context only.

5) Exhibit E – Recorded Banded Hills Subdivision Plat

"Exhibit E" is the official plat that was recorded at the Washington County

Recorders office on October 29, 2019.

**Proposal:** The applicant's desire is to be able to build a home on lot three that encroaches

into the current area that is labeled as non-buildable.. If the request for a hillside development permit is granted, the applicant will need to submit an amended

plat to adjust the boundary of the no build area.

PC 2023-HS-005 Banded Hills Lot 3 Page 2

Owner: Aaron & Heather O Brien

**Applicant:** Split Rock Custom Homes

**APN:** SG-BAN-3

**Location:** 2991 E Banded Hills Drive

**Acreage:** 41,241 sq ft (0.94 acres)

**Zoning:** R-1-10 (single-family residential, 10,000 sq ft minimum lot size)

**Adjacent zones:** The property is surrounded by R-1-10 zoning with the exception of the

property to the north-west which is zoned OS (open space).

**Powers & Duties:** Section 10-13A-8(B) of the city code states:

**Powers and Duties**: The Hillside Review Board shall have the following responsibilities:

- 1. Review proposed development within the hillside development overlay zone or in a high category rockfall area and make a recommendation to the planning commission to adopt, modify, or reject a proposal.
- 2. Provide advice and support as needed to the city staff, planning commission and city council in connection with reviewing requests for zone changes or other development applications within the hillside development overlay zone or in a high category rockfall area.

**Permit required:** Section 10-13A-7 states:

For developments on a development parcel of more than one (1) acre containing slopes greater than twenty percent (20%) or in a rockfall hazard area, certification by a Utah registered engineer that the development has been completed in compliance with the approved HDOZ permit, including satisfaction of any conditions contained in the permit, is required. The improvements required by the HDOZ permit are essential for the life, health and safety of the future users and occupants of the property. All essential improvements shall be completed prior to approval of permanent electric power service. Failure to complete all essential improvements shall result in the suspension of the building permit. The financial assurance shall not be released until such certification has been received by the city engineer or designee of satisfaction of all conditions contained in the permit.

PC 2023-HS-005 Banded Hills Lot 3 Page 3

**Hillside:** The Hillside committee recommend approval with no conditions

**PC Motion Options:** The Planning Commission can recommend several different options to the City Council:

1. Denial

2. Approval as presented

3. Approval with specific conditions and comments added as required.

**Example Motion:** 

I move we forward a positive/negative recommendation to the City Council for the revision of the hillside permit for Banded Hills Lot 3 as recommended by the Hillside Review Board with the finding that the applicant has mitigated the rock fall hazard.



General Plan – MDR



**Zoning - R-1-10** 



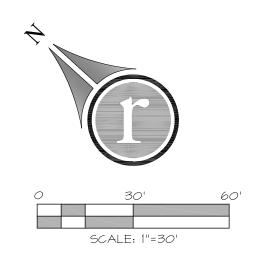
### Exhibit A

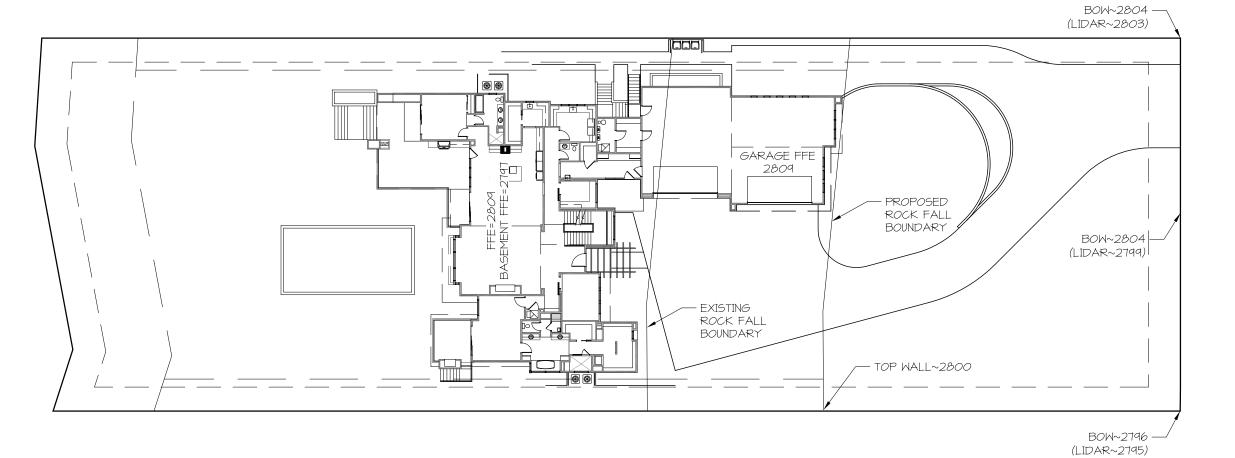
### Exhibit B

# **Exhibit C**

### **Exhibit D**

### **Exhibit E**





ROSENBERG

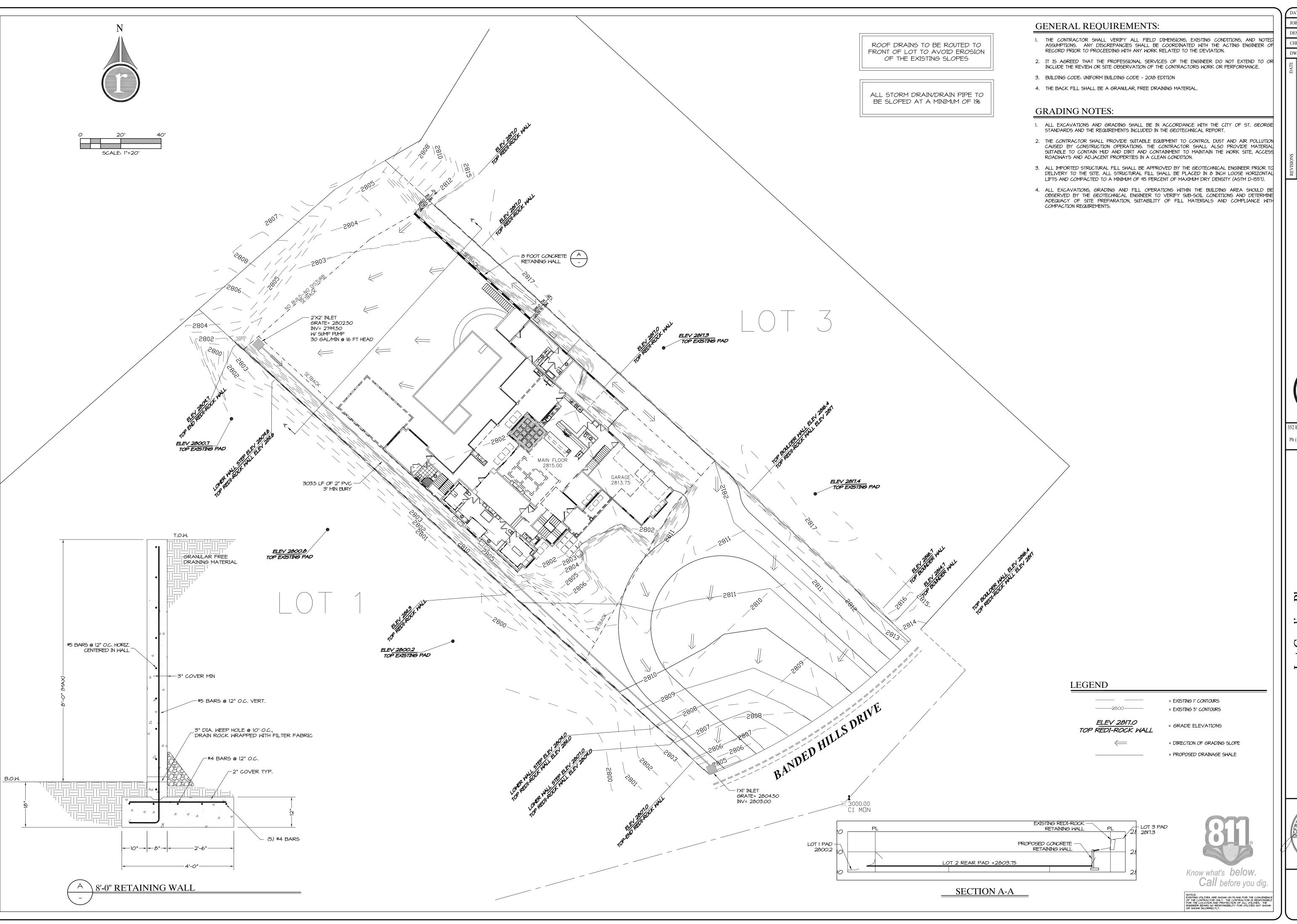
A S S O C I A T E S

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ROCK FALL LINE EXHIBIT
FOR
BANDED HILLS LOT 3
MR & MRS. OBRIEN
ST. GEORGE, UTAH

SHEET 1

1 of sheets



DATE: 9/2/2021

JOB NO.: 10588-18

DESIGNED BY: JLW

CHECKED BY: J55

DWG: Grade

REVISIONS I

I A T E S

LAND SURVEYORS

A A I D

352 East Riverside Drive, Suite A-2 St. George, Utah 84790 Ph (435) 673-8586 Fx (435) 673-8397 www.racivil.com

Lot Grading Plan
FOR
Banded hills Lot 2
Split Rock Construction

No. 7602428

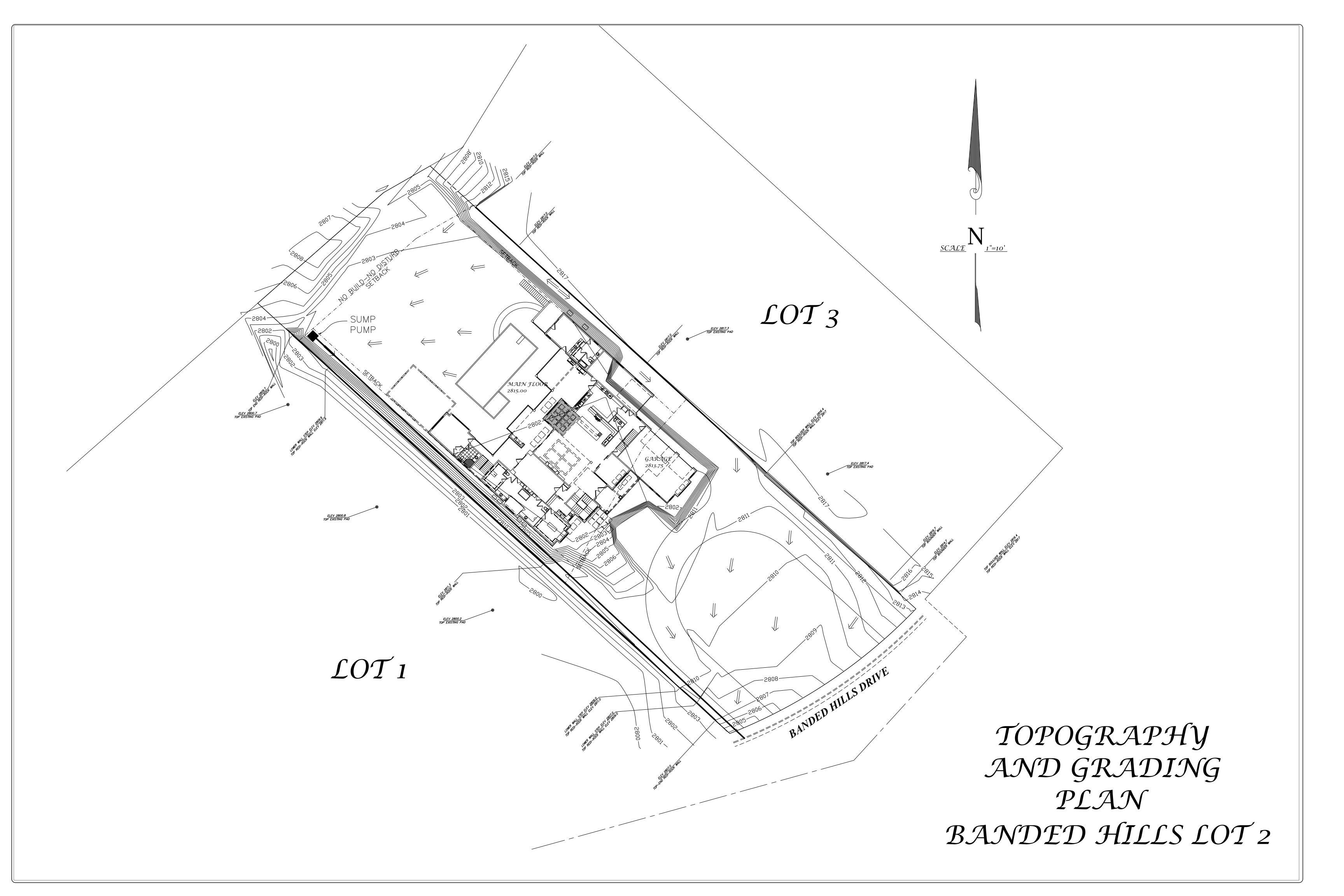
No. 760248

No. 7602

SHEET

1

OF 1 SHEETS



## **Exhibit A**



June 2, 2021

Split Rock Construction, LLC 1449 North 1400 West #15 St. George, Utah 84770

Attention: Brett Boyce

EMAIL: brett@splitrockinc.com

Subject: Rockfall Consultation

Geurts Residence Banded Hills, Lot 2 St. George, Utah Project No. 2211463

#### Gentlemen:

Applied Geotechnical Engineering Consultants, Inc. (AGEC) was requested to conduct additional evaluation on the rockfall hazard setback criteria recommended for the Banded Hills subdivision for use only on Lot 2. We previously submitted a geologic hazard study which included setback recommendations from the rockfall hazard in a letter dated February 21, 2019 under Project No. 2172453.

The home design drawings prepared by Landforms Design, dated May 5, 2021, indicate that the design includes the garage extending approximately 35 feet closer to the front of the lot, encroaching on the original rockfall setback recommendation.

Based on the original study, a setback line was established and is located approximately 135 to 165 feet from the front property corners.

A representative of AGEC visited the site on May 19, 2021 and obtained location, specific elevations and measurements.

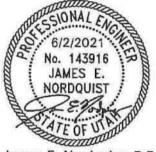
Based on the proposed raise in grade and our findings with this additional study, the rockfall hazard setback can be moved 35 feet towards the front of Lot 2.

Split Rock Construction, LLC June 2, 2021 Page 2

If you have any questions or if we can be of further service, please call.

Sincerely,

APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS, INC.



James E. Nordquist, P.E., D G.E.

JEN/rs

# Exhibit B



February 5, 2018

Development Solutions 120 East St. George Blvd. #300 St George, Utah 84770

Attention:

Steve Kamlowsky

Subject:

Geologic-hazard Study Banded Hills Subdivision

Banded Hills Drive St George, Utah Project No. 2172453

#### Gentlemen:

Applied Geotechnical Engineering Consultants, Inc. (AGEC) was requested to perform a geologic-hazards study for the proposed Banded Hills Subdivision located below the airport bluff, northwest of Banded Hills Drive in St. George, Utah (see Figure 1).

#### PROPOSED CONSTRUCTION

We understand the area is planned for single-family residences. The approximate area planned for development is shown on Figure 1.

#### **GEOLOGY**

The geology for the area was mapped by Hayden and Willis (2011) to consist of the upper unit of the Triassic-age Moenkopi Formation. This unit consists of interbedded siltstone and sandstone. The Triassic-age Shnabkaib Member of the Moenkopi underlies this unit and consists predominantly of siltstone. The Shinarump Conglomerate Member of the Chinle Formation overlies the Moenkopi Formation and makes up the rock near the top of the bluff southeast of the site, the source of the rockfall for the southeast portion of the property. The bedrock exposed on the property is that of the Moenkopi Formation. The bedrock in the area dips down toward the southeast at approximately 17 degrees.

#### **GEOLOGIC-HAZARD EVALUATION**

Low-sun-angle aerial photographs from 1960 and aerial photographs from 1938 were reviewed along with site reconnaissance to determine what potential geologic hazards may affect the proposed development. Rockfall and faulting are the two geologic hazards that

Development Solutions February 5, 2018 Page 2

may affect development in the area. Fault hazard does not extend into the property or proposed building areas. Liquefaction, landslide and debris flow are not considered potential hazards at this site.

#### A. Fault Hazard

Fault hazard was evaluated based on review of aerial photographs and geologic maps for the area and site reconnaissance.

Hayden and Willis (2011) map a fault southwest of the site. This fault is considered potentially an active fault by Lund and others (2008). The approximately location of the fault based on aerial photograph and geologic literature review and site reconnaissance is presented on Figure 2.

Bedding of the Moenkopi Formation is visible at the ground surface for the east/west length of the property and is unfaulted on the property. Thus with the lack of faulted bedrock below the site, surface fault rupture is not considered a hazard for the proposed buildings.

#### B. Rockfall Hazard

A site visit was made on January 16, 2018. Source boulders for rockfall hazard originate from the Shinarump Conglomerate Member of the Chinle Formation, which forms cliffs at the top of the hill southeast of the property. Reconnaissance of the rockfall source area finds that there are numerous rock outcrops that could potentially dislodge from the cliffs above the site. These blocks of bedrock are similar to or larger in size to the boulders along the slopes and base of the hill. It appears that the boulders originating from the cliffs typically break into smaller particles as they roll down the slope. Based on observation of the area, a boulder size of 6 feet was assumed for the rockfall analysis.

Rockfall modeling using the Colorado Rockfall Simulation Program was performed for the slope based on the topography provided. Results of the modeling indicate that a 12-foot high berm could be constructed along the southeast side of the proposed building lots near Banded Hills Drive to mitigate the rockfall hazard.

The rockfall-protection berm, assumed to be constructed along the southeast side of proposed building lots needing rockfall protection, should have a height of at least 12 feet, a top width of at least 4 feet and an upslope face of ½ horizontal to 1 vertical or steeper. It is important to have a steep upslope face for the berm so rocks are not directed over the berm. The berm can be reinforced using geogrid to maintain a steep upslope face. In some areas, bedrock may be intact enough to provide at least part of the berm. The reinforcement spacing and slope construction will depend on the type of fill

Development Solutions February 5, 2018 Page 3

used and reinforcement selected. Design of the reinforced berm could be provided upon request.

#### C. Other Geologic Hazards

Liquefaction and associated lateral spread are not considered hazards at the site because bedrock underlies the site. Bedrock is not considered susceptible to liquefaction.

Review of the aerial photographs and geology show no evidence of landslides on or near the site. Landslide is not considered a hazard at the site. Slope stability of cut and fill slopes would be addressed in the geotechnical report for the project.

Debris flow is not considered a hazard at the site due to the lack of a source for debris flow. A drainage with a drainage area of about 25 acres or more is needed to develop debris flows (VanDine, 1984). There are no such drainages up gradient of the site.

#### LIMITATIONS

This letter has been prepared in accordance with generally accepted geologic engineering practices in the area for the use of the client. The conclusions and recommendations included in the letter are based on conditions observed during our field study, topographic information provided and use of the Colorado Rockfall Simulation Program. If conditions are significantly different from those described in this letter, we should be notified to reevaluate the recommendations given.

If you have questions or if we can be of further service, please call.

Sincerely,

APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS, INC.

Douglas R. Hawkes, P.E.

Reviewed by JEN, P.E.

Enclosure

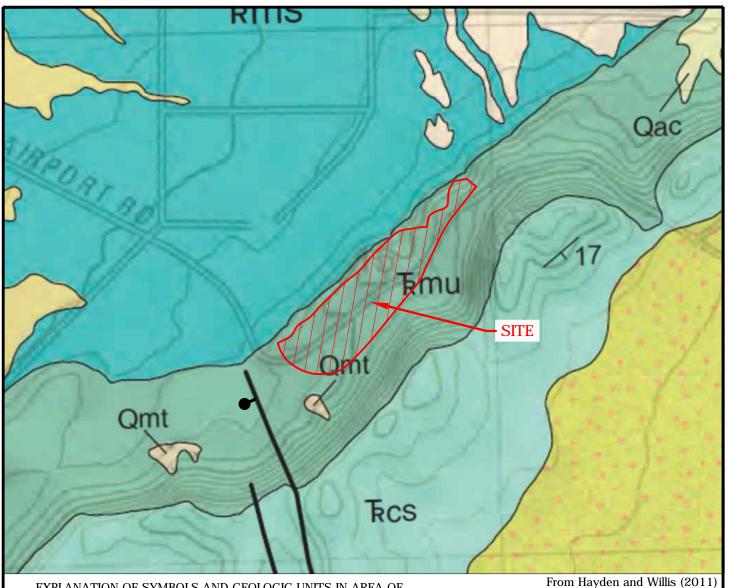
Development Solutions February 5, 2018 Page 4

#### Reference:

Hayden, J.M. and Willis, G.C. 2011; Geologic map of the St George quadrangle, Washington County, Utah, Utah Geological Survey Map 251DM.

Lund, W.R., Knudsen, T.R., Vice, G.S. and Shaw, L.M., 2008; Geologic hazards and adverse construction conditions, St. George-Hurricane Metropolitan Area, Washington County, Utah, Utah Geological Survey Special Study 127.

VanDine, D.F., 1984; Debris flow and debris torrents in the Southern Canadian Cordillera, 8<sup>th</sup> Canadian Geotechnical Colloquium, at the 37<sup>th</sup> Canadian Geotechnical Conference, Toronto.



EXPLANATION OF SYMBOLS AND GEOLOGIC UNITS IN AREA OF PROPOSED DEVELOPMENT

Qmt - Quartenary talus deposits - sand, gravel, cobbles and boulders.

Triassic Shinarump Conglomerate Member of the Chinle Formation - sandstone and conglomerate.

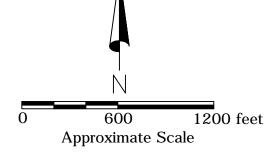
Triassic upper red member of the Moenkopi Formation - interbedded sandstone and siltstone.

Triassic Shnabkaib Member of the Moenkopi Formation - siltstone.

Contact between geologic units.

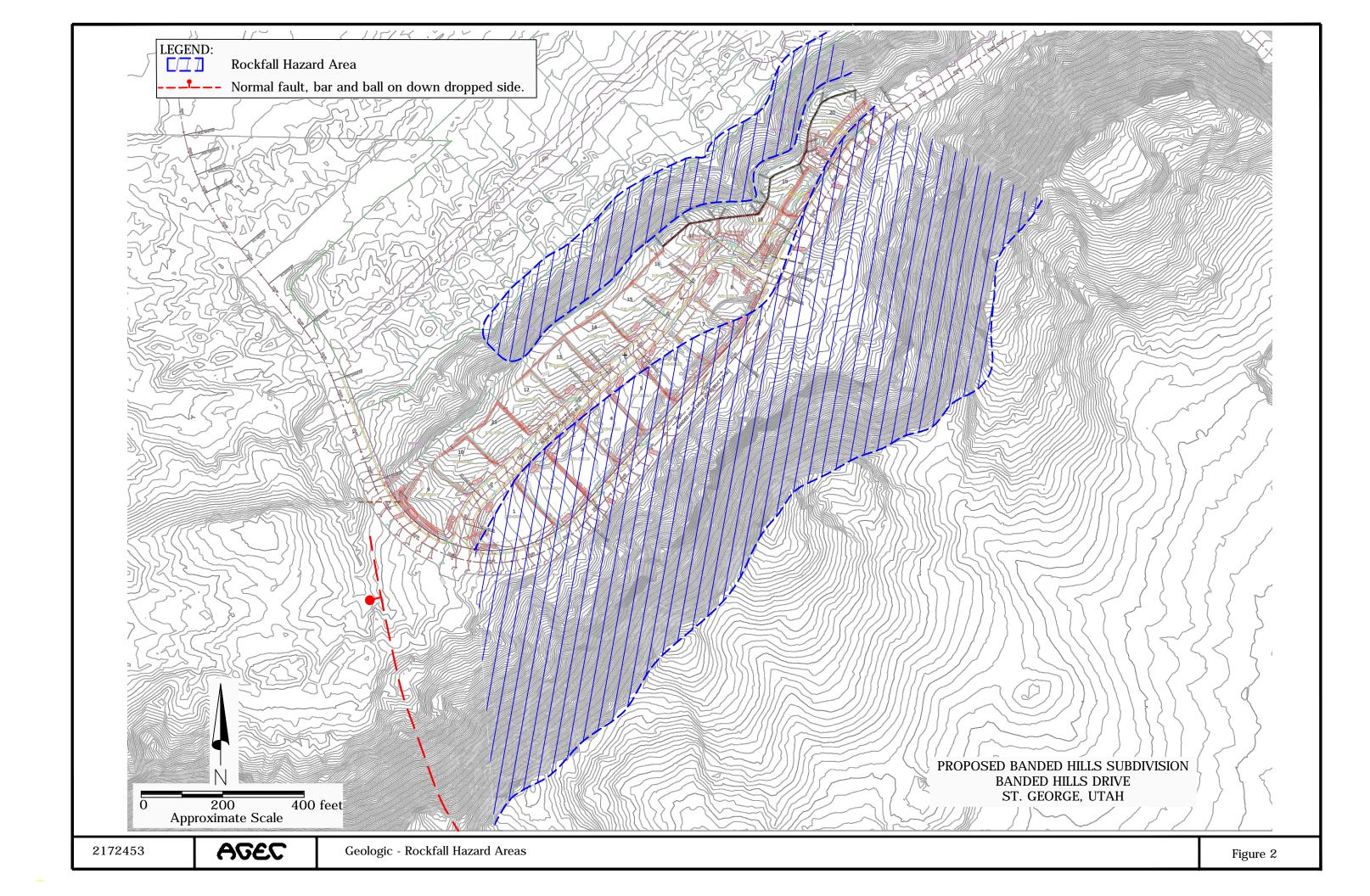
Normal fault, bar and ball on down thrown side.

17 Strike and dip of bedding.



PROPOSED BANDED HILLS SUBDIVISION BANDED HILLS DRIVE ST. GEORGE, UTAH

2172453 Geologic Map Figure 1



## **Exhibit C**



# GEOTECHNICAL INVESTIGATION BANDED HILLS SUBDIVISION ST. GEORGE, UTAH

#### PREPARED FOR:

DEVELOPMENT SOLUTIONS
120 E ST. GEORGE BOULEVARD #300
ST. GEORGE, UTAH 84770

ATTENTION: STEVE KAMLOWSKY, P.E.

PROJECT NO. 2172452

**FEBRUARY 23, 2018** 

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#### **SUMMARY**

- 1. The subsurface profile observed within the test pits excavated generally consists of near surface silty sand to sandy silt overlying interbedded sandstone, shale and siltstone bedrock to the maximum depth investigated, approximately 4 feet. Practical excavator refusal was encountered on bedrock in each of the test pits at depths ranging from 1 to 4 feet below the existing grade. Stockpiles of fill were also observed on the south and west sides of the site.
- 2. Groundwater was not encountered in test pits to the maximum depth investigated, approximately 4 feet below the existing grade. Fluctuations of groundwater levels may occur over time. An evaluation of such fluctuations over time is beyond the scope of this report.
- 3. The site is suitable for the proposed construction provided recommendations within this report are followed.
- 4. Laboratory testing and observations indicate the near surface soils exist in a loose condition. The underlying bedrock is relatively low to non plastic, moderately hard and suitable to support the proposed residences.
- 5. The proposed residences may be supported on conventional spread and spot footings bearing on directly on the underlying bedrock or on properly compacted structural fill underlain by a properly prepared subgrade. Specifically, the subgrade should be prepared during site grading by removing the full depth of unsuitable, loose soils (½ to 2 feet thick) as recommended in the Subgrade Preparation section of this report. The on-site natural soils, stockpiled fill and processed bedrock are suitable for use as structural fill provided they are properly moisture conditioned and compacted.
- 6. If basements are constructed, a subdrain system should be placed around the perimeters of the basements due to the possible infiltration of surface water which could result after development. If the groundwater becomes present, the drain would be in-place to remove groundwater.
- 7. The on-site soil and properly bedrock, free of organics, debris and material greater than 6 inches in size, are suitable for use as site grading fill, structural fill, wall backfill and utility trench backfill. The bedrock should be processed such that the maximum particle size is 6 inches and at least 40 percent of the material passes the No. 4 sieve.
- 8. This report does not address swimming pool support. Support of proposed pools should addressed with a lot specific subsurface investigation and report to provide pool support recommendations.

- 9. Detailed recommendations for subgrade preparation, materials, foundations, and drainage are included in the report.
- 10. The information provided in this summary should not be used independent of that provided within the body of this report.

#### **SCOPE**

This report presents the results of a geotechnical investigation for the proposed Banded Hills Subdivision to be located in St. George, Utah, as shown in Figure 1. This report presents the subsurface conditions encountered, laboratory test results, and recommendations for the project. This report was prepared in general accordance with the Proposal for Professional Geotechnical Services dated December 27, 2017 under Project No. 2172452.

Field exploration was conducted to obtain information on the subsurface conditions and to obtain samples for laboratory testing. Information obtained from the field and laboratory was used to define conditions at the site and to develop recommendations for the proposed development.

This report has been prepared to summarize the data obtained during the study and to present our conclusions and recommendations based on the proposed construction and the subsurface conditions encountered. Design parameters and a discussion of geotechnical engineering considerations related to construction are included in the report.

#### SITE CONDITIONS

The subject site consists of an approximately 4 acres of undeveloped hillside property located on the south side of Little Valley in St. George, Utah as shown on Figure 2. The site consists of an elevated plateau which overlooks Little Valley to the north. The north portion of the site is relatively undisturbed and covered with sparse desert brush. The southern and west portion of the site, which is adjacent to the old Airport Road (Banded Hills Drive), has been partially graded and disturbed. This area of the site contains minimal vegetation, fill piles, boulder piles and occasional large, naturally deposited boulders.

The site is bounded on the south and west by Banded Hills Drive on the east by undeveloped hillside and on the north of undeveloped property and Maple Estates, further to the north.

#### **FIELD STUDY**

On January 24, 2018, an engineer from AGEC visited the site and observed the excavation of 13 test pits at the approximate locations shown on Figure 2. The test pits were excavated using a mini rubber tracked excavator. The subsurface soil profile was logged and soil and bedrock samples were obtained at this time for laboratory testing.

#### SUBSURFACE CONDITIONS

The subsurface profile observed within the test pits excavated generally consists of near surface silty sand to sandy silt overlying interbedded sandstone, shale and siltstone bedrock to the maximum depth investigated, approximately 4 feet. Practical excavator refusal was encountered on bedrock in each of the test pits at depths ranging from 1 to 4 feet below the existing grade. Stockpiles of fill were also observed on the south and west sides of the site. Detailed descriptions of the soil and bedrock types encountered follow.

<u>File Piles</u> - Fill piles were observed on the south side of the site. Observations indicate the fill consists of a mixture of excavated bedrock and silty to clayey sand. Cobbles and boulders were also observed in the fill and in other piles. Based upon laboratory testing, the samples of the fill classify as silty sand with gravel to sandy silt.

Laboratory tests conducted on samples of the fill indicate an in-place moisture content of 7 percent, gravel contents (percent retained on the No. 4 sieve) ranging from 2 to 25 percent and fines contents (percent passing the No. 200 Sieve) ranging from 43 to 59 percent. Atterberg limits tests indicate the samples are non plastic.

One-dimensional consolidation tests were conducted on remolded samples of the fill and indicate the material is not expansive when wetted. Two moisture-density relationship tests (Modified Proctor) completed on samples of the fill indicate maximum dry densities ranging from 131.0 to 136.0 pounds per cubic foot (pcf) with and optimum moisture contents ranging from 6.0 to 7.5 percent.

<u>Silty Sand to Sandy Silt</u> - The silty sand to sandy silt is loose, dry to slightly moist and reddish brown in color.

Laboratory tests conducted on a sample of the sandy silt indicate a gravel content of 3 percent and a fines content of 54 percent. An Atterberg limits test indicates the sample is non-plastic.

A moisture-density relationship test (Modified Proctor) completed on a sample of the sandy silt indicates a maximum dry density of 129.0 pcf with and optimum moisture content of 9.0 percent.

<u>Bedrock</u> - The bedrock consists of interbedded sandstone, siltstone and shale bedrock. It is moderately hard, dry, and red-brown in color.

Laboratory tests conducted on samples of the bedrock indicate fines contents ranging from 81 to 91 percent. Atterberg limits tests indicate Liquid Limits ranging from 28 to 34 percent and plasticity indexes ranging from non-plastic to 16 percent.

The Logs, Legend and Notes of Test Pits are shown on Figure 3. Results of the laboratory tests are also shown on Figure 3 and are summarized in the Summary of Laboratory Test Results, Table 1. The consolidation test results are shown graphically on Figure 4. The Gradation and Moisture-Density Relationships are shown on Figures 5 - 7.

#### **SUBSURFACE WATER**

Groundwater was not encountered in test pits to the maximum depth investigated, approximately 4 feet below the existing grade. Fluctuations of groundwater levels may occur over time. An evaluation of such fluctuations over time is beyond the scope of this report.

#### PROPOSED CONSTRUCTION

We understand that the site will be developed for construction of a residential subdivision containing 20 lots. We understand that wood framed residences will be constructed and 3 residences will include walkout basements. The residences will be supported on conventional spread footings. We estimate wall loads up to 4 kips per lineal foot and columns loads up to 75 kips.

Review of the proposed grading plan indicates the site will be graded by terracing the lots down from the east to the west using on site soils. The grading plan indicates cuts up to approximately 10 feet and fill depths up to 15 feet. The development will also include asphalt roadways, utilities and site improvements.

If the proposed construction, or building loads are significantly different from those listed, we should be notified so that we can reevaluate our recommendations.

#### **RECOMMENDATIONS**

Based on our experience in the area, the subsurface conditions encountered, laboratory test results, and the proposed construction, the following recommendations are given:

#### A. Site Grading

Based on the subsurface conditions and engineering analysis, the following site grading recommendations are provided:

#### 1. <u>Subgrade Preparation</u>

Prior to placing fill or concrete beneath building areas, pavement/flatwork or improvements, the site should be grubbed to remove the existing vegetation and soil containing significant roots and organics. The thickness may vary across the site, but we anticipate this will generally require the removal of approximately 1 to 2 inches of soil across the site. The existing fill piles should also be removed, but may be replaced in properly moisture conditioned and compacted lifts after removal of debris and oversized particles.

The grubbed soil may be stockpiled for use in landscaped areas. If this soil is placed in landscaped areas, then CMU fence footings or other structures/improvements, which may be supported in these areas (above the grubbed soil), should be overexcavated to allow for the placement of properly compacted structural fill which extends to the appropriate depth as stated below.

Observations of the subsurface soil and bedrock during our investigation indicate the upper approximately ½ to 2 feet (varies across the site) of the near surface soil is loose and dry This soil is unsuitable in its existing condition.

Prior to placing site grading fill, base course or concrete, the full depth of the previously described unsuitable soils should be removed from beneath the proposed building pad and roadways.

The limits of the overexcavation should extend at least 5 feet beyond the perimeter of the proposed construction. The lateral extent of the overexcavation should be determined by survey and is the responsibility of the owner/contractor.

Subsequent to overexcavation and prior to placing fill, the exposed subgrade should be scarified to a depth of 8 inches, moisture conditioned and compacted. If the exposed subgrade consists of bedrock, scarification and compaction will not be necessary and the exposed subgrade may be wetted and proof rolled. The removed material may then be replaced in properly moisture conditioned and compacted lifts.

#### 2. Excavation

We anticipate that excavation of the overburden soils and soft bedrock at the site can be accomplished with typical excavation equipment. Portions of deeper, more competent bedrock may require the use of heavy duty excavation equipment to excavate below the weathered zone.

#### 3. Grading Slopes and Trenches

Permanent cut slopes excavated into the overburden soils and highly weathered bedrock should be cut no steeper than 2:1 (horizontal to vertical). Permanent cut slopes into the underlying firm to hard bedrock should be cut no steeper than ½:1 (Horizontal:vertical).

Unretained fill slopes constructed with properly compacted on-site soil and processed bedrock should be graded no steeper than 2½:1 (horizontal to vertical). Slopes should include benches in accordance with the 2015 IBC. The cut and fill slopes will be highly susceptible to erosion, particularly resulting from run off from the adjacent slopes. Water should be directed around slopes using drainage swales to reduce potential erosion. A lot specific drainage study should be conducted by the civil engineer to control localized runoff.

To reduce erosion, the fill slopes may be flattened to 3:1 (horizontal to vertical) or they may be retained. Fill slopes may also be protected from erosion with an appropriate geotextile or riprap underlain with filter fabric. More detailed recommendations for riprap erosion control can be provided if requested.

Fill slopes should be graded by overbuilding and then cut back to the desired grade to provide a compacted slope face. Fill placed on existing slopes steeper than 3:1 (horizontal to vertical) should be placed using a benching procedure to "key" the fill into the existing slope. Benches should be of sufficient width to allow adequate area for the compaction equipment.

Utility trenches excavated in the on-site soils and soft, highly weathered bedrock should be excavated in accordance with OSHA requirements using a OSHA Soil Class C (1½:1 Horizontal:Vertical) soils and Soil Class A (¾:1) for trenches excavated into the firm bedrock. Steeper trenches may require the use of shoring or a trench box to provide as safe work environment. Safe trench excavation is the responsibility of the contractor.

#### 4. Materials

Import materials should be non-expansive, non-gypsiferous, granular soil. Listed below are the materials recommended for imported fill.

Area	Fill Type	Recommendations
Foundations/slabs	Site grading/ structural fill	-200 <35%, LL <30% Maximum size: 4 inches Solubility < 1%
Underslab (upper 4 inches)	Base course	-200 < 12% Maximum size: 1 inch Solubility < 1%

<sup>-200 =</sup> Percent Passing the No. 200 Sieve

LL = Liquid Limit

The on-site silty sand to sandy silt, fill and properly processed bedrock, free of organics, debris and material greater than 6 inches in size, are suitable for use as site grading fill, structural fill, wall backfill and utility trench backfill. The bedrock should be processed such that the maximum particle size is 6 inches and at least 40 percent of the material passes the No. 4 sieve.

#### 5. <u>Compaction</u>

Compaction of materials placed at the site should equal or exceed the following minimum densities when compared to the maximum dry density as determined by ASTM D-1557:

Area	Percent Compaction
Subgrade	90
Footings/building pad	95
Site grading	95
Utility trenches	95
Wall backfill	95

To facilitate the compaction process, the fill should be moisture conditioned to within 2 percentage points of the optimum moisture content as determined by ASTM D-1557 prior to placement. Fill should be placed in loose lift thicknesses which do not exceed the capacity of the equipment being utilized. Generally, 6 to 8-inch loose lifts are adequate. Lift thicknesses should be reduced to 4-inches for hand compaction equipment.

#### 6. Surface Drainage

Positive site drainage should be maintained during the course of construction. After construction has been completed, positive drainage of the surface water away from the buildings in each direction must be maintained. To reduce infiltration adjacent to foundations we recommend the following:

- a. A minimum slope of 6 inches in the first 10 feet from the perimeters of the structures should be provided.
- b. Roof gutter systems should be installed around the perimeters of the structures. Roof downspouts should discharge away from the buildings so as to prevent ponding adjacent to foundations. We recommend piping roof drains to the curb and gutter downslope from the structures.
- c. Placement of 3 to 4 foot wide concrete aprons around the perimeters of the structures.
- d. Landscaping requiring water should not be placed adjacent to or within5 feet of foundations.
- e. We also recommend that desert landscaping, which requires no water, be used adjacent to concrete walls and masonry walls or other cement containing elements which will be backfilled to reduce salt migration of soluble salts and the subsequent salt weathering on cement containing elements. Further, the below grade portions of walls/fences which are backfilled with soil should be protected with an impermeable membrane and a subsurface drain. A gravel covered, perforated PVC pipe should also be placed at the base of the wall to carry water to a discharge point. This is intended to reduce the potential for salt weathering on concrete/masonry.

#### 7. <u>Subsurface Drainage</u>

We recommend placement of a perimeter subdrain around the basement walls due to possible presence of future groundwater which may become perched on the underlying bedrock resulting from development. The drain should consist of a 4 inch perforated PVC pipe placed around the perimeter of the of the basement footings. It should be placed such that the bottom of the pipe is at least 12 inches below the finished floor elevation and should slope at a 2% minimum grade to drain by gravity or to a sump. A sump pump should be placed, if necessary, to remove water which may become present in the future. The perforated pipe should be backfilled with 1 inch minus crushed gravel to an elevation at least 1 foot above the highest anticipated groundwater level. Prior to backfilling the basement walls with properly compacted fill, Mirafi 140N filter fabric should be placed over the gravel to prevent sand from migrating into the gravel.

#### B. Foundations

This report does not address swimming pools. Support of proposed pools should addressed with a lot specific subsurface investigation and report to provide pool support recommendations. Recommendations for design of conventional spread and spot footing are provided below.

#### 1. Bearing Material

The proposed residences may be supported on conventional spread and spot footings bearing on directly on the underlying bedrock or on properly compacted structural fill underlain by a properly prepared subgrade. Specifically, the subgrade should be prepared during site grading by removing the full depth of unsuitable, loose soils (½ to 2 feet) as recommended in the Subgrade Preparation section of this report. Basement footings may be supported on a minimum of 1 foot of properly compacted structural fill or directly on bedrock.

#### 2. Bearing Pressure

Footings bearing on properly compacted structural fill may be designed for a net allowable bearing pressure of 2,500 psf. The net allowable bearing pressure may be increased to 3,500 psf for footings which will be supported directly on bedrock.

#### 3. Footing Width and Embedment

Footings should have a minimum width of 18 inches and should be embedded at least 12 inches below the lowest adjacent grade.

#### 4. <u>Temporary Loading Conditions</u>

The allowable bearing pressures may be increased by one-half for temporary loading conditions such as wind or seismic loads.

#### 5. <u>Settlement</u>

We estimate that settlement will be approximately 1 inch for footings designed as indicated above due to the load of the structure. Differential settlement is estimated to be approximately ½ inch.

#### 6. Foundation Base

The base of excavations should be cleared of loose or deleterious material prior to placement of fill or concrete.

#### 7. Foundation Setback

Foundations supporting the residences should be set back from the crest of the top ridge at least 30 feet.

#### C. Concrete Slab-on-Grade

#### 1. Slab Support

Concrete slabs may be supported on a zone of properly prepared (overexcavated) and compacted fill as stated in the Subgrade Preparation section of this report with a minimum thickness of at least 12 inches.

#### 2. Underslab Base Course

A 4-inch layer of properly compacted base course should be placed below slabs to provide a firm and consistent subgrade and promote even curing of the concrete.

#### 3. Vapor Barrier

A vapor barrier should be placed below slabs in areas which will receive sensitive floor coverings or coverings which are impermeable. Vapor barriers also provide protection from salt and sulfate attack.

#### D. Lateral Earth Pressures

#### 1. <u>Lateral Resistance for Footings</u>

Lateral resistance for spread footings is controlled by sliding resistance developed between the footing and the subgrade soil. An ultimate friction value of 0.45 may be used in design for ultimate lateral resistance of footings bearing on properly compacted on-site soils.

#### 2. Retaining Structures

The following equivalent fluid weights are given for design of subgrade walls and retaining structures. The active condition is where the wall moves away from the soil. The passive condition is where the wall moves into the soil and the at-rest condition is where the wall does not move. We recommend the basement walls be designed in an at-rest condition.

The values listed below assume a horizontal surface adjacent the top and bottom of the wall.

Description	Active	At-Rest	Passive
Imported or on site granular backfill (sand or gravel)	35 pcf	55 pcf	325 pcf
Imported or on site granular backfill - Earth pressure coefficient	0.28	0.44	-

The above values account for the lateral earth pressures due to the soil and level backfill conditions and do not account for hydrostatic pressures or surcharge loads.

Lateral loading should be increased to account for surcharge loading using the appropriate earth pressure coefficient and a rectangular distribution if structures are placed above the wall and are within a horizontal distance equal to the height of the wall. If the ground surface slopes up away from the wall, the equivalent fluid weights should also be increased.

Care should be taken to prevent percolation of surface water into the backfill material adjacent to the retaining walls. The risk of hydrostatic build up can be reduced by placing a subdrain behind the walls consisting of free-draining gravel wrapped in a filter fabric.

#### 3. Seismic Conditions

Under seismic conditions, the equivalent fluid weight should be modified as follows according to the Mononobe-Okabe method assuming a level backfill condition:

Lateral Earth	Seismic Modification		
Pressure Condition	(2% PE in 50 yrs)		
Active	20 pcf increase		
At-rest	O pcf increase		
Passive	41 pcf decrease		

The seismic increases and decrease assume a peak ground acceleration (PGA) of 0.23g and a 1 second period ground acceleration ( $S_1$ ) of 0.17g using the Mononobe-Okabe pressure distribution. The resultant of the seismic increase should be placed up from the base of the wall a distance equal to  $\frac{1}{3}$  the height of the wall.

#### 4. Safety Factors

The values recommended assume mobilization of the soil to achieve the assumed soil strength. Conventional safety factors used for structural analysis for such items as overturning and sliding resistance should be used in design.

#### E. Seismicity, Liquefaction and Faulting

1. Seismic design parameters are provided below:

	Seismic Parameter
Description	2,500 yr event (≈2% PE in 50 yrs)
2015 IBC	С
Site Latitude	37.0435°
Site Longitude	-113.5223°
PGA - Site Class B	0.23g
$\mathrm{S_{s}}$ (0.2 second period) - Site Class B	0.5 <b>6</b> g
S <sub>1</sub> (1 second period) - Site Class B	0.17g
F <sub>pga</sub> - Site Class Factor	1.17
F <sub>a</sub> - Site Class Factor	1.18
F <sub>v</sub> - Site Class Factor	1.63

#### 2. <u>Liquefaction</u>

Based on subsurface conditions encountered in the test pits, the subsurface soils observed are non-liquefiable to the depths investigated during a seismic event.

#### 3. Faulting

Based on a review of available geologic literature, there are no mapped faults extending near or through the site.

#### F. Soil Corrosion

Laboratory test results completed on samples collected at the site indicate water soluble sulfates concentrations ranging from 5,700 to 5,940 parts per million (ppm). Therefore, we recommend concrete elements that will be exposed to the on-site soils be designed in accordance with provisions provided in the American Concrete Institute Manual of Concrete Practice (ACI) 318-II. Table 4.2.1 and 4.2.1 of ACI 318-11 should be referenced for design of concrete elements utilizing a Sulfate Exposure Class of S2, and a sulfate exposure severity of "severe".

Consideration should also be given to cathodic protection of buried metal pipes. We recommend utilizing PVC pipes where local building codes allow.

#### G. Pavement

#### 1. Subgrade Support

We anticipate that the subgrade materials beneath the pavement areas will consist of properly compacted silty sand to sandy silt. Prior to placement of road base, the subgrade should be prepared as recommended in the subgrade preparation section of this report. A California Bearing Ratio (CBR) of 7 percent was assumed for a properly compacted sandy silt subgrade for purposes of design.

#### 2. Pavement Thickness

Based on the assumed traffic loadings and St. George City traffic indexes, a 20-year design life, and AASHTO design methods, the following pavement sections are recommended.

Roadway	Asphalt (in.)	Base Course (in.)
45 foot right-of-way	2 1/2	6
Banded Hills Drive	3	6

#### 3. Pavement Materials

The pavement materials should meet City of St. George specifications for gradation and quality. The pavement thicknesses indicated above assume that the base course is a high quality material with a CBR of at least 50 percent and the asphaltic concrete has a minimum Marshall stability of 1,800 pounds. Other materials may be considered for use in the pavement section. The use of other materials may result in other pavement material thicknesses.

#### 4. <u>Drainage</u>

The collection and diversion of drainage away from the pavement surface is extremely important to the satisfactory performance of the pavement section. Proper drainage should be provided.

#### H. Construction Testing and Observations

We recommend the following testing and observations be done as a minimum as required by the City of St. George.

- 1. Observe grubbing and verify removal of soil containing roots and organics.
- Verify that recommended overexcavation depths are achieved in the building pads and beneath roadways. The lateral extent of the building pad should be located by survey (not included in AGEC's Scope of Services) and includes an area which extends at least 5 feet beyond the buildable area as per city setback requirements.
- Verify that recommended structural fill depths are provided below foundations and slabs.
- 4. Conduct compaction testing on fill placed below foundations and in building pads. We recommend testing each foot of fill placed.
- Conduct construction materials testing on city improvements at a frequency which meets or exceeds St. George City requirements.

#### I. Geotechnical Recommendation Review

The client should familiarize themselves with the information contained in this report. If specific questions arise or if the client does not fully understand the conclusions/recommendations provided, AGEC should be contacted to provide clarification.

#### LIMITATIONS

This report has been prepared in accordance with generally accepted soil and foundation engineering practices in the area for the use of the client for design purposes. The conclusions and recommendations included within the report are based on the information obtained from the test pits excavated, the referenced report, the data obtained from laboratory testing, and our experience in the area. Variations in the subsurface conditions may not become evident until excavation is conducted. If the subsurface conditions or groundwater level are found to be significantly different from those described above, we should be notified to reevaluate our recommendations.

If you have any questions or if we can be of further service please call.

APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS, INC.

Arnold DeCastro, P.E.

Reviewed by JRH, P.E.

AD P:\2017 Project Files\2172400\2172452 - GT Banded Hills Subdivision\2172452.Report.wpd

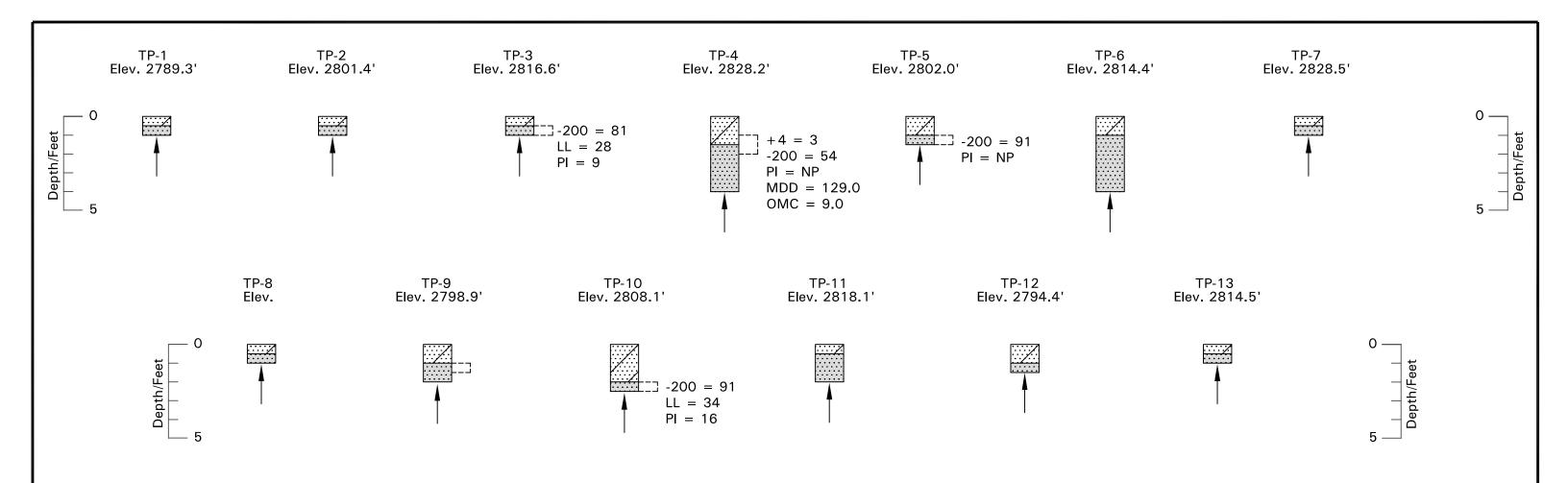




BANDED HILLS SUBDIVISION ST. GEORGE, UTAH

Not to Scale

2172452



LEGEND:

Silty Sand (SM); loose, dry to slightly moist, and reddish brown in color.

Bedrock; interbedded sandstone, siltstone and shale bedrock, moderately hard, dry, and red/brown in color.

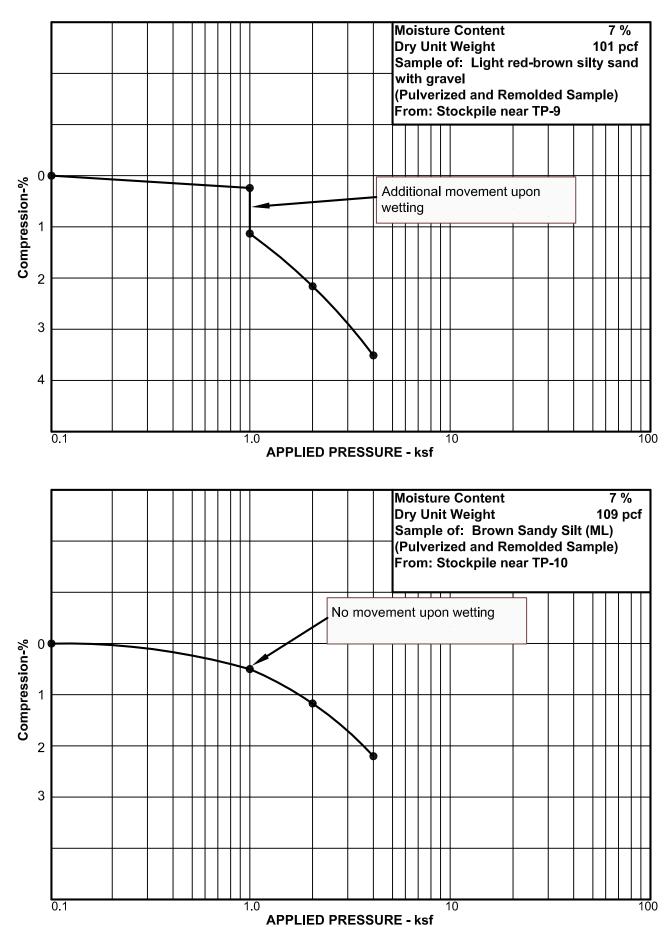
Indicates disturbed sample taken.

Indicates practical backhoe refusal on sandstone bedrock.

#### NOTES:

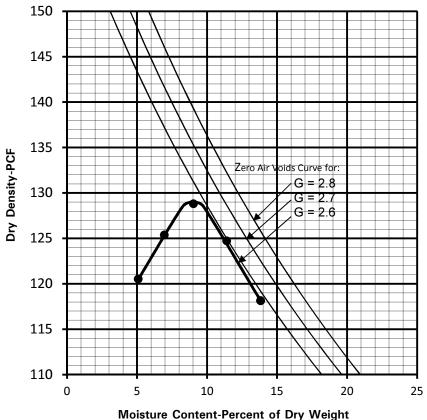
- The test pits were excavated on January 24, 2018 with a mini excavator.
- 2. The locations of the test pits were measured by pacing from features shown on the site plan, Figure 2.
- The elevations of the test pits were estimated using a hand level and are based on the benchmark shown on Figure 2.
- The test pit locations and elevations should be considered accurate only to the degree implied by the method used.
- The lines between the materials shown on the test pit logs represent the approximate boundaries between material types and the transitions may be gradual.
- Free water was not encountered in the test pits at the time of excavation.
- +4 = percent retained on the No. 4 sieve,
  - -200 = percent passing No. 200 sieve;
  - LL = liquid limit (%);
  - PI = plasticity index (%);
  - NP = non plastic;
  - MDD = maximum dry density (pcf);
  - OMC = optimum moisture content (%).

### Applied Geotechnical Engineering Consultants, Inc.





## Applied GeoTech Project: Banded Hills



Sample Date: 1/24/18 Sample No. 180126D Maximum Dry Density: 129.0 Optimum Moisture: 9.0

Atterberg Limits

Liquid Limit:

Plasticity Index: Non-Plastic

<u>Gradation</u>

Reviewed By: TT

5

Figure:

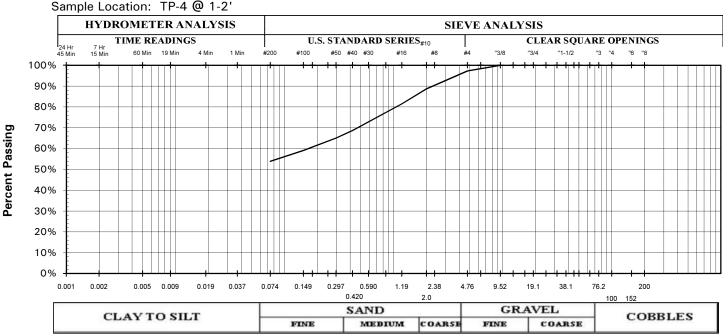
3% Gravel: Sand: 43% Silt & Clay: 54%

Moisture - Density Relationship Test Procedure: AASHTO T-180 B

USCS Classification: sandy silt (ML)

AASHTO Classification: A-4 Sample Location: TP-4 @ 1-2'

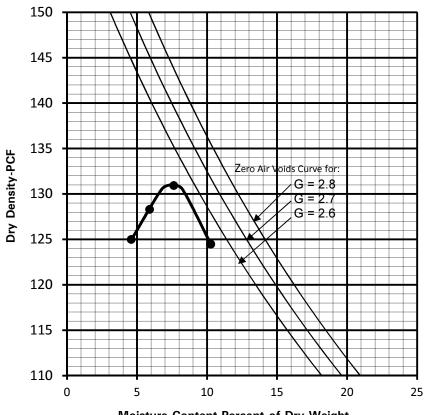
Project No.: 2172452



GRADATION AND MOISTURE-DENSITY **RELATIONSHIP RESULTS** 



# Applied GeoTech Project: Banded Hills



Sample Date: 2/5/18 Sample No. 180206B Maximum Dry Density: 131.0 7.5 Optimum Moisture:

Atterberg Limits

Liquid Limit:

Plasticity Index: Non-Plastic

<u>Gradation</u>

25% Gravel: Sand: 32% Silt & Clay: 43%

Figure:

6

Moisture Content-Percent of Dry Weight

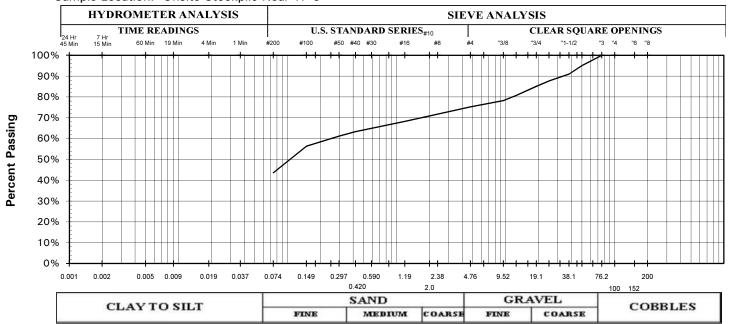
Moisture - Density Relationship Test Procedure: AASHTO T-180 B Reviewed By: TT

USCS Classification: Light red-brown, Silty Sand with Gravel (SM) Rock Corrected

AASHTO Classification: A-4

Project No.: 2172452

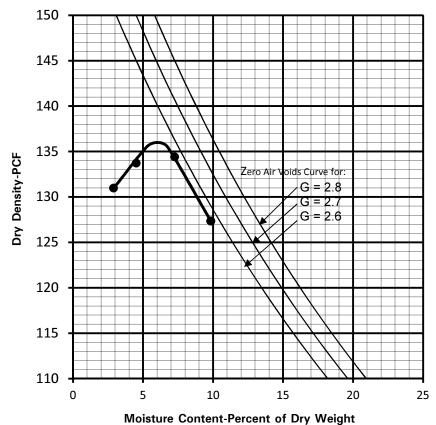
Sample Location: Onsite Stockpile Near TP-9



GRADATION AND MOISTURE-DENSITY **RELATIONSHIP RESULTS** 



# Applied GeoTech Project: Banded Hills



Sample Date: 2/5/18 Sample No. 180206A Maximum Dry Density: 136.0 Optimum Moisture: 6.0

Atterberg Limits

Liquid Limit:

Plasticity Index: Non-Plastic

<u>Gradation</u>

Reviewed By: TT

7

Figure:

2% Gravel: Sand: 39% Silt & Clay: 59%

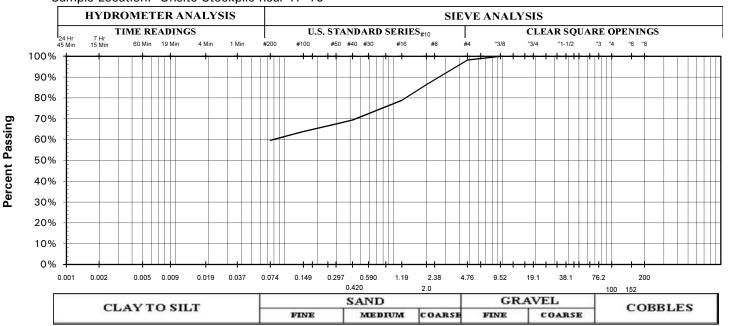
Moisture - Density Relationship Test Procedure: AASHTO T-180 B

USCS Classification: Brown, Sandy Silt (ML)

AASHTO Classification: A-4

Project No.: 2172452

Sample Location: Onsite Stockpile near TP-10



GRADATION AND MOISTURE-DENSITY **RELATIONSHIP RESULTS** 

### Applied Geotechnical Engineering Consultants, Inc.

### **Table 1 - Summary of Laboratory Test Results**

Banded Hills Subdivision Project No. 2172452

Sample Loca	tion				Gradati	on	Atterbei	g Limits	Moisture-De	ensity Relationship		
Test Pit No.	Depth (ft)	Natural Moisture Content (%)	Natural Dry Density (pcf)	Gravel (%)	(%) Sand	Silt/Clay (%)	Liquid Limit (%)	Plastic Index (%)	Maximum Dry Density (pcf)	Optimum Moisture Content (%)	Water Soluble Sulfates (ppm)	Soil Type
TP-3	1/2					81	28	9				Shale Bedrock
TP-4	1-2			3	43	54		NP	129.0	9.0		Sandy Silt (ML)
TP-5	1					91		NP				Siltstone Bedrock
TP-10	2					91	34	16				Shale Bedrock
Stockpile near TP-9		7		25	32	43		NP	131.0	7.5	5,700	Fill - Silty Sand with Gravel (SM)
Stockpile near TP-10		7		2	39	59		NP	136.0	6.0	5,940	Fill - Sandy Silt (ML)

### **Exhibit D**

HILLSIDE REVIEW BOARD AGENDA REPORT: 04/18/2018

#### HILLSIDE DEVELOPMENT PERMIT

**Banded Hills** 

Case No. 2018-HS-002

**Request:** A request for a Hillside Development Permit to allow development of a

proposed single family residential development on "Banded Hills Drive."

**Project:** The purpose of this project is to develop eleven (11) residential lots in

compliance with the hillside ordinance.

**Owner:** Quality Development

**Representative:** Steve Kamlowski

**Engineer:** Development Solutions Group

**APN:** SG-5-3-15-121-STL (SG-5-3-15-311)

**Location:** Located at approximately 2915 E Banded Hills Drive (generally located

between Copper Cliff Drive and Banded Hills Drive)

**Acreage:** Site area = 9.12 acres

Disturbed area = 7.93 acres

**Zone:** R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size)

**Adjacent zones:** North = OS & R-1-10

South = ASBP (Airport)

East = OSWest = R-1-10

**Powers & Duties:** Section 10-13A-12.B.1 of the "Hillside Review Board Powers and Duties"

states that the hillside board can make recommendations for approval, conditional approval, and denial to the Planning Commission (PC) and

City Council (CC).

**Permit required:** Section 10-13A-6:A requires that all major development (i.e, cut greater

than 4', etc.) on slopes above 20% requires a 'hillside development permit' granted by the City Council upon recommendation from the

Hillside Review Board and the Planning Commission.

HSRB 2018-HS-002 Banded Hills Page 2 of 22

**Geotech:** 

A Geological Hazard Assessment and Preliminary Geotechnical Report was prepared by AGEC (*Applied Geotechnical Engineering Consultants, Inc.*) on February 23, 2018 (*Project No. 2172452*). The report includes a summary of conditions and recommended investigations and mitigations to occur with development.

**Rockfall:** 

AGEC prepared a rockfall report with recommendations for mitigations; its included in the "Geologic-Hazard Study" report dated February 13, 2018.

**Drainage:** 

A "Drainage Study" dated March 26, 2018, was prepared by Development Solutions Group, Inc. The report is an analysis of on-site and off-site hydrology under current conditions and with proposed development of the site. The report addresses proposed mitigations for handling drainage.

#### **Applicable Ordinance(s):**

(Selected portions)

#### 10-13A-1: Purpose

The city finds that the health, safety and the general public welfare of the residents of the city will be promoted by establishing standards for the development and excavation of hillside and slope areas located in the city so as to minimize soil and slope instability and erosion, to minimize the adverse effects of grading, cut and fill operations, to preserve the character of the city's hillsides, and to otherwise supplement and amplify the city subdivision and zoning ordinances. The provisions herein are designated to accomplish the following:

- A. Prohibit development of uses which would likely result in a hazardous situation due to slope instability, rock falls or excessive soil erosion.
- B. Provide for safe vehicular circulation and access.
- C. Encourage the location, design and development of building sites in a manner that will minimize the scarring and erosion effects of cutting, filling and grading of hillsides.
- D. Encourage preservation of open space by encouraging clusters or other design techniques to preserve the natural terrain.
- E. Where hillside excavation does occur, require that buildings be located in the cut area to minimize the visual effects of scarring. (1998 Document § 10A-1)

Section 10-13A-4: Density and Disturbance Standards

A. Schedule: In furtherance of the purposes set forth above, density and site disturbance within the hillside development overlay zone shall comply with the following schedule. Any portion of a development parcel having a slope greater than forty percent (40%) shall not be included in the calculation of the area of such parcel for the purposes of determining conformity with the density requirements below:

Percent	Dwelling Units (DU) / Acre
Natural	
Slope	
0-19	See underlying zone
20-29	2 DU/acre, provided the units are clustered on 30 percent (30%) or less of the land
	area within this slope category. 70 percent of this slope category shall remain
	undisturbed. The 70 percent area is based upon the overall area/development rather
	than per lot. Also see subsections A1, A2, and A3 of this section.
30-39	1 DU/10 acres, provided no more than 5 percent (5%) of the site is disturbed, and 95
	percent of the site remains undisturbed. If the cumulative area is at least 1 acre but
	less than 10 acres, the cumulative area shall be allowed 1 DU.
40	Development is not permitted (0%), except as provided for in subsection A4 of this
	section.

- A.<u>4</u>.
- The city council, after considering the recommendation from the hillside review board, and from the planning commission may approve the removal of small hills which contain slopes forty percent (40%) or greater subject to determining the application conforms to all of the following requirements:
- a. The hill is not contiguous to nor part of a major hillside formation, andb. The removal of such landform will not create a negative aesthetic
- impact in the opinion of the city council, and
- c. The land area is zoned for residential, commercial, or industrial development. (Ord. 2013-01-001, 1-3-2013)

#### Section 10-13A-5: Slope and Slope Areas Determined

- B. Procedure: The location of the natural twenty percent (20%), thirty percent (30%) and forty percent (40%) slopes for the purposes of this article shall be determined using the following procedure: (Ord. 2005-07-007, 7-21-2005)
  - 3. Determination of Slope Areas for Density Calculations: Using the contour maps, slopes shall be calculated in intervals no greater than forty feet (40') along profile lines. Points identified as slopes of twenty percent (20%), thirty percent (30%), and forty percent (40%) shall be located on the contour map and connected by a continuous line. That area bounded by said lines and intersecting property lines shall be used for determining dwelling unit density. Small washes or rock outcrops which have slopes

distinctly different from surrounding property and not part of the contiguous topography may be excluded from slope determination if, in the opinion of the hillside review board, the exclusion of such small areas from slope determination will not be contrary to the overall purpose of this article. For the purpose of determining developable areas and allowable densities, previously disturbed hillside areas shall be considered on a pre-disturbance natural slope basis, where feasible, as proposed by the applicant's engineer and approved by the hillside review board. Where a property owner restores a previously disturbed area to a natural or near natural condition, the area may be included within a required no disturbance area. (Ord. 2005-07-007, 7-21-2005)

#### **Comments:**

If the HSRB recommends approval of a hillside permit, then the permit request advances forward to the Planning Commission (PC) for review and recommendation and then on to the City Council (CC) for approval or denial.

If approved, staff would work with the applicant for submittal of a SPR (Site Plan Review) application with the required accompanying civil engineering plan set (*for plan review*).

- 1. <u>Hillside Permit</u> A hillside permit is required per ordinance and the HSRB will make recommendations to the PC & CC.
- 2. Zoning For this project, no zone change is proposed because the project would fit into the existing R-1-10 zone.
- 3. <u>Development</u> It's proposed to develop eleven (11) single family residences. A thirty (30) foot setback line from an established ridge line will be required as presented. Retaining walls will be incorporated. No disturb (*no build*) areas will be established on lots 1 thru 8 as presented. The 'Minor Hills' may be removed as presented (*minor hills and/or cuts left over from the Banded Hills Road construction*).
- 4. <u>Drainage</u> Drainage shall comply with the 'Drainage Study' dated March 26, 2018 by Development Solutions Group.
- 5. <u>Geotechnical Investigation</u> All earthworks shall comply with the recommendations and mitigations presented in AGEC Geotech Report for project #2172452 dated February 23, 2018.
- 6. <u>Rockfall</u> Rockfall hazards shall be mitigated in compliance with the recommendations found in the AGEC "Geologic-Hazard Study" report dated February 13, 2018.

#### **HSRB Motion:**

The following are examples of possible motions;

1. <u>Denial</u> - This application is recommended for denial because

2. <u>Table</u> – This application is recommended to be tabled to allow the applicant an opportunity to provide the following information

3. Approval - A motion to recommend approval to remove insignificant slope areas to allow development of a proposed single family residential development off of Banded Hills Drive. The recommended areas to be removed are depicted on Sheet SAM-1 titled "Slope Analysis Map" (dated 3/26/2018). This removal is justified with the **findings** that the areas within the identified "limits of disturbance" per Section 10-13A-4.A.4.a) are <u>not</u> contiguous nor part of a major hillside formation, b) the removal of such areas will <u>not</u> create a negative aesthetic impact in the opinion of the City Council, and c) the land area <u>is</u> zoned for residential development. The applicant shall work with staff during the construction plan review process to address any rockfall hazards, geotech hazards, and drainage and sediment issues, and will follow the recommendations of the drainage report, geotechnical report, and rockfall report.

## **Street Photos – Banded Hills**







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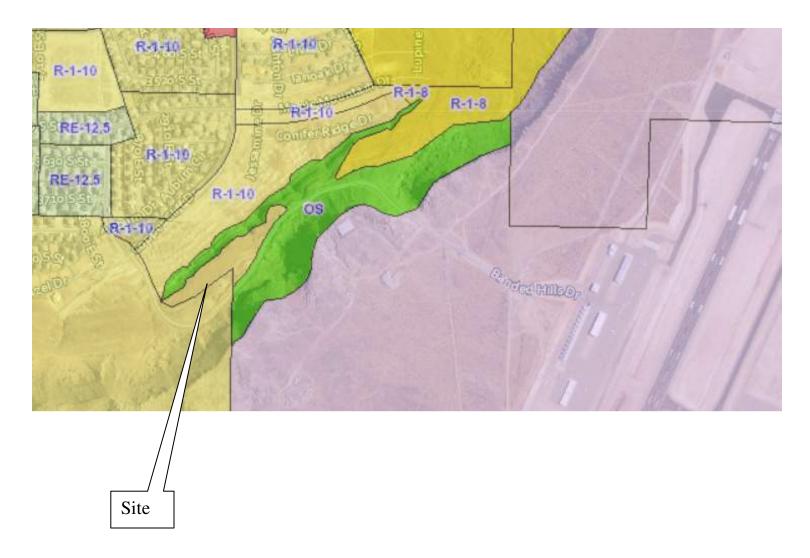




# Vicinity - Aerial Map



## **Zoning Map**

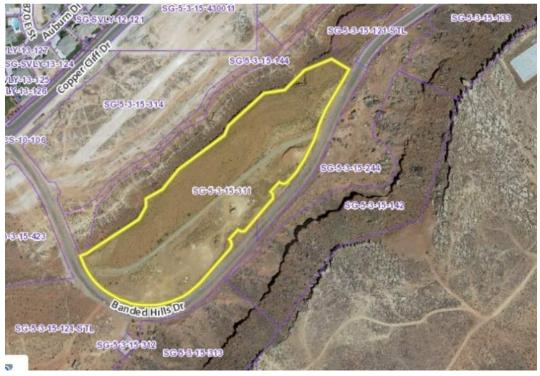


## **Property**

City GIS



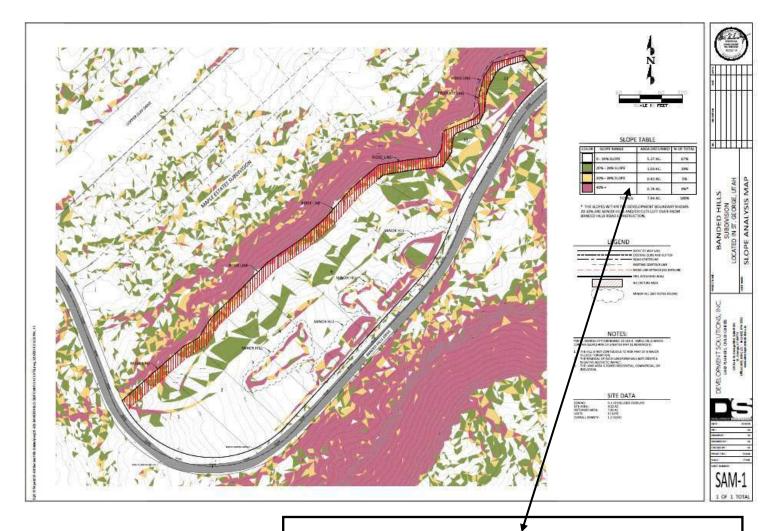
Washington County



### Slope Map – Full Sheet

(Colored Contour Map)

(Full size plan is in the HSRB packet)



### SLOPE TABLE

COLOR	SLOPE RANGE	AREA DISTURBED	% OF TOTAL	
	0 - 19% SLOPE	5.27 AC.	67%	
	20% - 29% SLOPE	1.50 AC.	19%	
	30% - 39% SLOPE	0.42 AC.	5%	
	40% +	0.74 AC.	9%*	
	TOTALO	7.00.40	4000/	

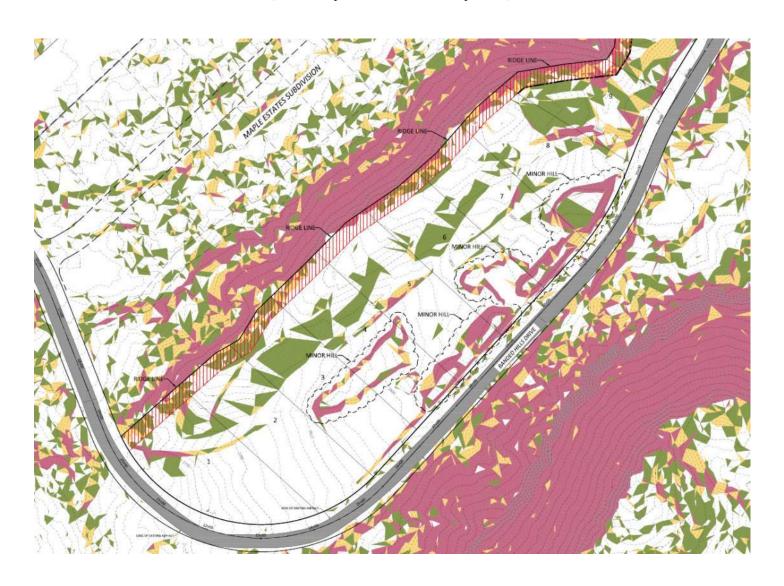
TOTALS: 7.93 AC. 100%

<sup>\*</sup> THE SLOPES WITHIN THE DEVELOPMENT BOUNDARY SHOWN AS 40% ARE MINOR HILLS AND/OR CUTS LEFT OVER FROM BANDED HILLS ROAD CONSTRUCTION.

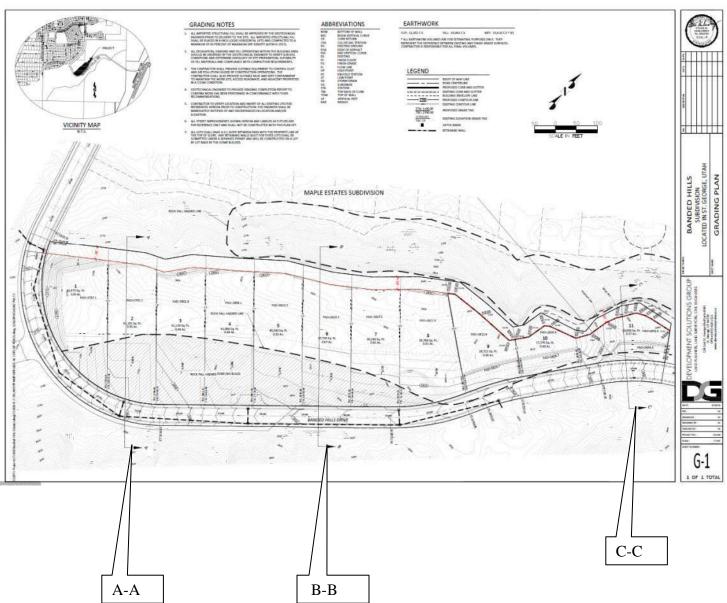
## Slope Map – Detail

(Colored Contour Map)

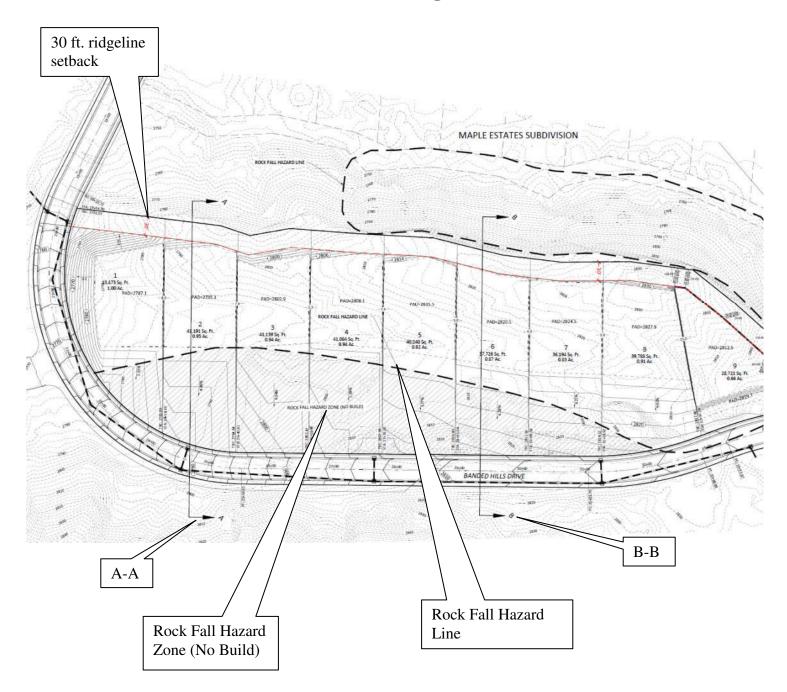
(Full size plan is in the HSRB packet)



## **Grading Plan**

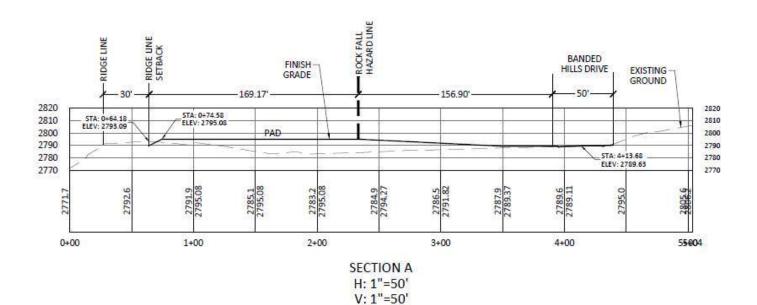


# **Detail – Grading Plan**

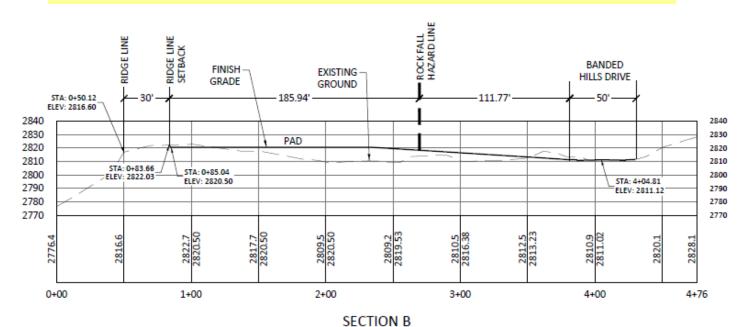


### **Cross Sections**

### A-A

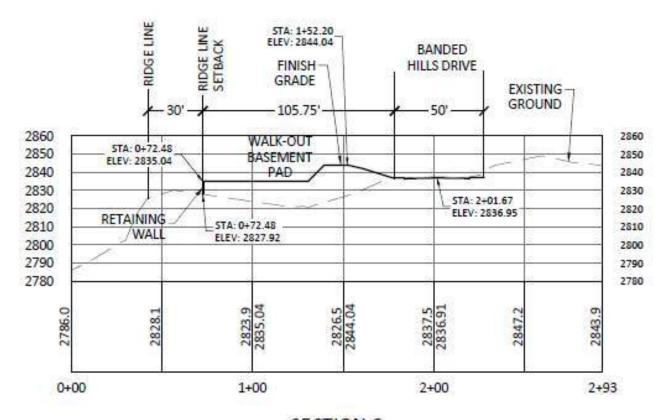


### B-B



H: 1"=50' V: 1"=50'

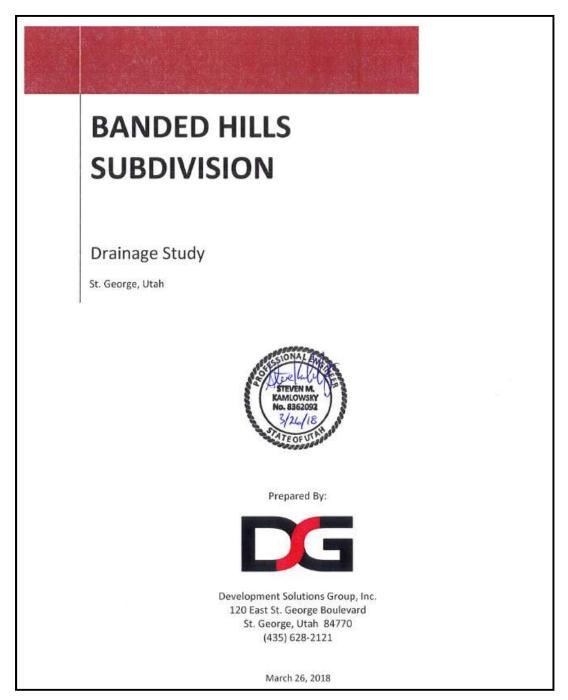
### C-C



SECTION C H: 1"=50' V: 1"=50'

# **Drainage Report**

(Only the cover is shown; the full report is 26 pages and is in the HSRB packet and in the project case file)



# **Geotechnical Report**

(Cover only is shown; the full report is 30 pages long and is in the HSRB packet and in the project case file)



GEOTECHNICAL INVESTIGATION

BANDED HILLS SUBDIVISION

ST. GEORGE, UTAH

PREPARED FOR:

DEVELOPMENT SOLUTIONS 120 E ST. GEORGE BOULEVARD #300 ST. GEORGE, UTAH 84770

ATTENTION: STEVE KAMLOWSKY, P.E.

PROJECT NO. 2172452

FEBRUARY 23, 2018

1420 South 270 East • St. George, Utah 84790 • (435) 673-6850 • FAX (435) 673-1044

### Hazard - Rock Fall Report

(Only the cover is shown; the full report is 6 pages and is in the HSRB packet and in the project case file)



February 5, 2018

Development Solutions 120 East St. George Blvd. #300 St George, Utah 84770

Attention: Steve Kamlowsky

Subject: Geologic-hazard Study

Banded Hills Subdivision Banded Hills Drive St George, Utah Project No. 2172453

#### Gentlemen:

Applied Geotechnical Engineering Consultants, Inc. (AGEC) was requested to perform a geologic-hazards study for the proposed Banded Hills Subdivision located below the airport bluff, northwest of Banded Hills Drive in St. George, Utah (see Figure 1).

#### PROPOSED CONSTRUCTION

We understand the area is planned for single-family residences. The approximate area planned for development is shown on Figure 1.

#### GEOLOGY

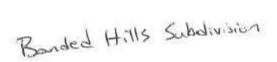
The geology for the area was mapped by Hayden and Willis (2011) to consist of the upper unit of the Triassic-age Moenkopi Formation. This unit consists of interbedded siltstone and sandstone. The Triassic-age Shnabkaib Member of the Moenkopi underlies this unit and consists predominantly of siltstone. The Shinarump Conglomerate Member of the Chinle Formation overlies the Moenkopi Formation and makes up the rock near the top of the bluff southeast of the site, the source of the rockfall for the southeast portion of the property. The bedrock exposed on the property is that of the Moenkopi Formation. The bedrock in the area dips down toward the southeast at approximately 17 degrees.

#### **GEOLOGIC-HAZARD EVALUATION**

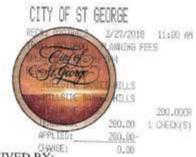
Low-sun-angle aerial photographs from 1960 and aerial photographs from 1938 were reviewed along with site reconnaissance to determine what potential geologic hazards may affect the proposed development. Rockfall and faulting are the two geologic hazards that

600 West Sandy Parkway • Sandy, Utah 84070 • (801) 566-6399 • FAX (801) 566-6493

# Application



# HILLSIDE REVIEW APPLICATION



		20
FILE # 200 45 002 FEE: \$200 APPLICANT INFORM. LEGAL OWNER(S) OF SU	FEES PAID:	RECEIVED BY:
MAILING ADDRESS: 147	2 E. 3950 S. St. Georg	e, UT 84790
PHONE: 634-0111	CELL:	FAX:
(If different than owner)		St. George, UT 84770
TOTAL CONTROL OF STREET AND A PARTY OF STREET AND A STREE		FAX:
CONTACT PERSON/REPR (If different than owner) MAILING ADDRESS:		Kamlowsky
PHONE:	CELL:	FAX:
PROPERTY INFORMA STREET ADDRESS OF PR ASSESSOR'S PARCEL NU	OPERTY: 2915 E. Ba	
		: LDR
LEGAL DESCRIPTION: (A		
EXISTING USE: None Use	of property and/or Building	38
PROPOSED USE: Single Use	Family Residential of property and/or Building	25

#### SUBMITTAL "CHECK LIST"

Note: The applicant is responsible for familiarizing themselves with Title 10, Chapter 13-A "Hillside Development Overlay Zone" of the St. George City Code Zoning Regulations from which this check list was condensed.

#### Density and Disturbance Standards

Any area greater than 40% will not be reviewed for development.

No portion of the parcel having a slope greater than 40% shall be included in the calculations for conformity with the density requirements shown below.

Complete the following checklist:

Submitted

Yes	No	N/A		
1			1-19%:	See the underlying zone.
V		n	<u>20-29%</u> :	2 d.u. per acre, provided clustering is done on 30% or less of the land in this category.
<u> </u>	in so	_	30-39%:	70% remained undisturbed. <ol> <li>d.u. per 10 acres, provided no more than</li> <li>of the site is disturbed. 95% is to</li> <li>remain undisturbed.</li> </ol>

40% +: Development is not permitted.
 Contour intervals, maps and calculations prepared by a professional civil engineer.

Engineer's certification and signature on reports and plans.

#### Slope Determination

The location of the natural 20%, 30%, or 40% is determined by a professional licensed engineer or surveyor who is to prepare contour maps, conduct a field survey, and calculate the slope area.

<u> </u>	Slope Analysis Map
<u> </u>	Contours at intervals no greater than five (5) feet.
<u> </u>	Scale to be drawn at one-inch equals one hundred (1"= 100") feet scale maximum.
Lot Size	
	Lot size determined
Site Plan	

A grading plan showing existing and proposed contours extending at least 100 feet beyond property has been submitted.

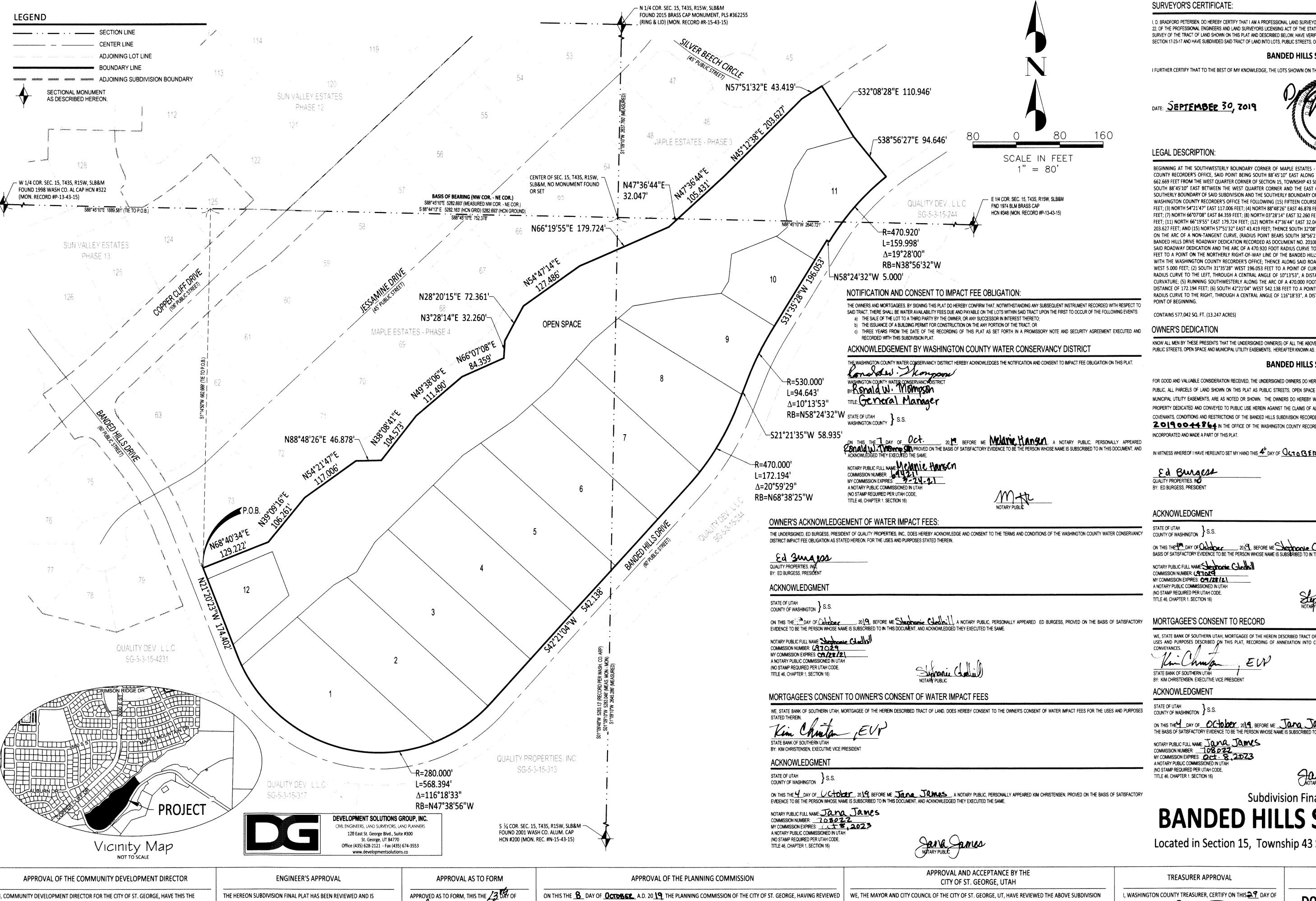
All excavations and fills conform to Appendix "K" of the Utah Uniform Building Standards Act rules and the current adopted edition of the International Building Code. The height of cut(s) does not exceed 10'. (Combined height of cuts and fills does not exceed 20')

#### HSRB 2018-HS-002 Banded Hills Page 22 of 22

1			Detailed plans of all surface and sub-	destance.		
_	_		Detailed plans of all surface and subsurface drainage systems are shown.			
1			Location of existing and proposed streets, bu	aildings		
- Marian		<del></del>	structures, and easements have been shown.	mungs,		
1	72.00	22.00	Detailed site plans and elevation drawings sl	nowing the		
1			location of all structures and mitigation of co			
V	-	_	Cross sections provided			
Eartl	h Movi	ng Plan (Sh	all be prepared by a licensed Civil Engineer and s	hall		
inclu	de but n	ot be limite	d to the following items)			
1777		948	Topography. 2' for tableland, 5' for steep sle Terrain details	opes.		
7	-	-				
1				Proposed earth-moving details  Description of the method used to dispose of earth, etc.		
1		5 2	A time table for each step of the project has	boon		
minoran .	_	_	submitted. This shall include the starting an			
			dates.			
Drain	nage		(ANY A)			
1		_	A drainage control plan (study) has been pre	pared by a		
			licensed Civil Engineer.			
\\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\	wing ite	<u>-</u> -	Slope stability analysis. Foundation investigation. Location and yield of springs. Structural features. Existence of surface hazards. Conclusions and recommendations regarding geological conditions.	g effect of		
Land	scape &	& Vegetatio	on Plan (Shall be prepared by a qualified profession	mal		
prior	to Final	Plat and ap	proved) (A landscape and vegetation plan shall in following items)	clude		
out in	or oc mi	Inted to the	Replant disturbed areas.			
	-	J	Types of retention to be used			
		V	Sprinkler plans and projected water usage.			
Stree	t Design	n				
/	_	_	Street design conforms to City standards.			
Subn	nitted b	y	1/21			
Ste	eve K	amlowsk	ey Strelhely	3/26/18		
	Name)		(Signature)	(Date)		
			( )	(asino)		

Last revised: May 22, 2006

# **Exhibit E**

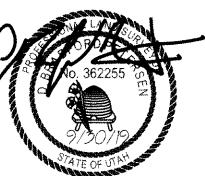


SURVEYOR'S CERTIFICATE:

I, D. BRADFORD PETERSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 362255, IN ACCORDANCE WITH TITLE 58, CHAPTEI 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, HAVE VERIFIED ALL MEASUREMENTS, HAVE PLACED MONUMENTS AS SHOWN IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, PUBLIC STREETS, OPEN SPACE AND MUNICIPAL UTILITY EASEMENTS HEREAFTER KNOWN AS:

### **BANDED HILLS SUBDIVISION**

I FURTHER CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, THE LOTS SHOWN ON THIS PLAT MEET THE CURRENT ZONING ORDINANCE.



BEGINNING AT THE SOUTHWESTERLY BOUNDARY CORNER OF MAPLE ESTATES - PHASE 4 SUBDIVISION, AS RECORDED AND ON FILE WITH THE WASHINGTOI COUNTY RECORDER'S OFFICE, SAID POINT BEING SOUTH 88'45'10" EAST ALONG THE SECTION LINE A DISTANCE OF 1889.581 FEET AND SOUTH 1'14'50" WES' 662.669 FEET FROM THE WEST QUARTER CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE & MERIDIAN, (BASIS OF BEARING BEING SAID ROADWAY DEDICATION AND THE ARC OF A 470.920 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 19°28'00", A DISTANCE OF 159.99 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE BANDED HILLS DRIVE ROADWAY DEDICATION RECORDED. AS DOCUMENT NO. 2009002191 RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 10°13'53", A DISTANCE OF 94.643 FEET; (4) SOUTH 21°21'35" WEST 58.935 FEET TO A POINT O CURVATURE; (5) RUNNING SOUTHWESTERLY ALONG THE ARC OF A 470.000 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 20°59'29". DISTANCE OF 172.194 FEET; (6) SOUTH 42°21'04" WEST 542.138 FEET TO A POINT OF CURVATURE; (7) RUNNING WESTERLY ALONG THE ARC OF A 280.000 FOO' RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 116°18'33", A DISTANCE OF 568.394 FEET; AND (8) NORTH 21°20'23" WEST 174.402 FEET TO TH

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) OF ALL THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS

#### **BANDED HILLS SUBDIVISION**

FOR GOOD AND VALUABLE CONSIDERATION RECEIVED, THE UNDERSIGNED OWNERS DO HEREBY DEDICATE AND CONVEY TO THE CITY OF ST. GEORGE FOR PERPETUAL USE OF THE PUBLIC, ALL PARCELS OF LAND SHOWN ON THIS PLAT AS PUBLIC STREETS, OPEN SPACE AND MUNICIPAL UTILITY EASEMENTS. ALL LOTS, PUBLIC STREETS, OPEN SPACE AND MUNICIPAL UTILITY EASEMENTS, ARE AS NOTED OR SHOWN. THE OWNERS DO HEREBY WARRANT TO THE CITY OF ST. GEORGE, IT'S SUCCESSORS AND ASSIGNS, TITLE TO ALL PROPERTY DEDICATED AND CONVEYED TO PUBLIC USE HEREIN AGAINST THE CLAIMS OF ALL PERSONS. THE LOTS SHOWN ON THIS PLAT ARE SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE BANDED HILLS SUBDIVISION RECORDED ON THE 29 DAY OF OCTOBER , 2019 AS DOC. NO 20190044864 in the office of the Washington County Recorder. Said Declaration of Covenants, conditions and restrictions is hereby INCORPORATED AND MADE A PART OF THIS PLAT.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS 4 DAY OF OCTOBER , 2019

ON THIS THE M DAY OF OCTOBER 12019, BEFORE ME SCHOOLS GLOWN, A NOTARY PUBLIC, PERSONALLY APPEARED ED BURGESS, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: Sectionic Coledn: Commission number: (97029 MY COMMISSION EXPIRES: 09/28/2) A NOTARY PUBLIC COMMISSIONED IN UTAH (NO STAMP REQUIRED PER UTAH CODE,



### MORTGAGEE'S CONSENT TO RECORD

WE, STATE BANK OF SOUTHERN UTAH, MORTGAGEE OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY GIVE OUR CONSENT OF SAID TRACT OF LAND TO BE USED FOR TH

BY: KIM CHRISTENSEN, EXECUTIVE VICE PRESIDENT

ON THIS THE DAY OF OCTOBER 2019, BEFORE ME JONG JOINS, A NOTARY PUBLIC, PERSONALLY APPEARED KIM CHRISTENSEN, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: JONA JAMES
COMMISSION NUMBER: 108 D 22
MY COMMISSION EXPIRES: OCT . 8, 2023 A NOTARY PUBLIC COMMISSIONED IN UTAH (NO STAMP REQUIRED PER UTAH CODE,

Jana Sameo

Subdivision Final Plat for

# BANDED HILLS SUBDIVISION

Located in Section 15, Township 43 South, Range 15 West, SLB&M SHEET 1 OF 2

WASHINGTON COUNTY RECORDER

**RECORDED NUMBER** 

BDAY OF OCC A.D. 20 19, REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND RECOMMENDED THE SAME FOR ACCEPTANCE BY THE CITY OF ST. GEORGE, UT.

Oct A.D. 20/9 APPROVED IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE THIS 28 DAY OF OCTO BER , A.D. 20 19

CITY OF ST. GEORGE

CITY OF ST. GEORGE

THE ABOVE SUBDIVISION FINAL PLAT AND HAVING FOUND THAT IT COMPLIES WITH THE REQUIREMENTS OF THE CITY'S PLANNING ORDINANCES, AND BY AUTHORITY OF SAID COMMISSION HEREBY APPROVE SAID SUBDIVISION FOR ACCEPTANCE BY THE CITY OF ST GEORGE, UT.

CHAIRMAN PLANNING COMMISSION ATTEST: CITY RECORDER CITY OF ST. GEORGE

DAY OF OTOBEL A.D. 20 19 HEREBY ACCEPT SAID FINAL PLAT WITH ALL COMMITMENTS AND OBLIGATIONS

PERTAINING THERETO CITY OF ST. GEORGE

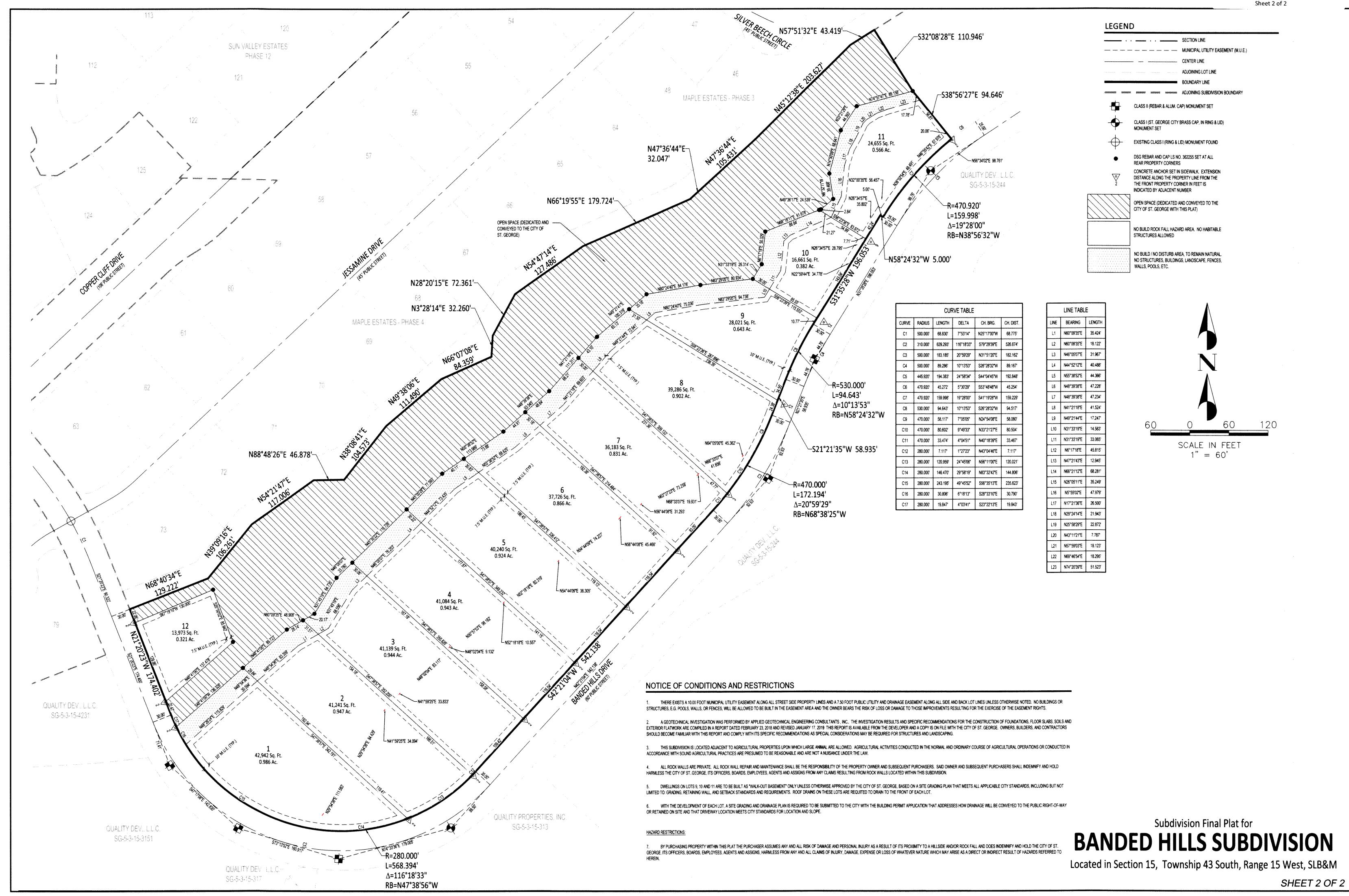
I, WASHINGTON COUNTY TREASURER, CERTIFY ON THIS 🏖 🕇 DAY OF October A.D. 20/9THAT AL

WASHINGTON COUNTY

DOC # 20190044863

Map (Conveying Property) Page 1 of 3
Russell Shirts Washington County Recorder
10/29/2019 02: 42:48 PM Fee \$ 124.00
By SOUTHERN UTAH TITLE CO 

4273





### Preliminary Plat Amendment

#### PLANNING COMMISSION AGENDA REPORT: 05/18/2023

#### PRELIMINARY PLAT

Moorland Park Phases 5 & 8 Preliminary Plat Amendment

Case No. 2023-PP-018

**Request:** The applicant is requesting approval of an amendment that will add

an additional six lots to the Moorland Park Phases 3-9 Preliminary

Plat.

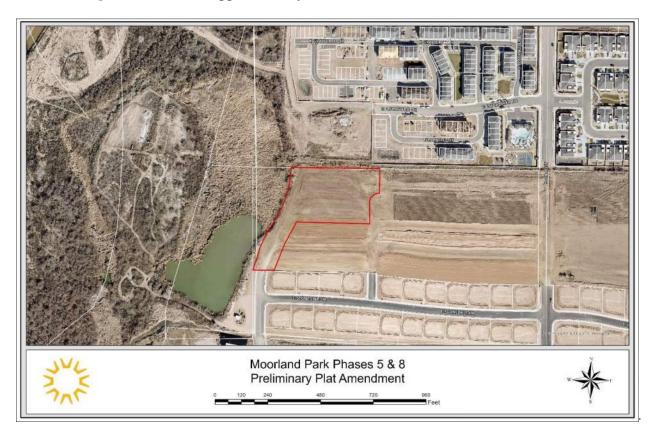
**Representative:** Logan Blake (DSG Engineering)

**Parcel Number:** SG-5-2-34-42001

**Location:** The property is generally located north of the 2580 East dead end at

approximately 930 South.

**Total Acreage:** Approximately 2.49 acres



PC 2023-PP-018 Moorland Park Phases 5 & 8 Preliminary Plat Amendment

**Existing Zoning:** General Plan:

Page 2 of 4

R-1-10 (Residential Single-Family, 10,000 sq ft minimum lot size)

LDR (Low Density Residential)

**Adjacent zones:** 

North - A-20 (Agriculture 20-acre minimum lot size), PD-R

(Planned Development Residential)

West – A-20 (Agriculture, 20 acre minimum lot size)

South & East – R-1-10 (Residential Single-Family, 10,000 sq ft

minimum lot size)

**Background & Analysis:** 

In December of 2018, the City Council approved the Moorland Park Phases 3-9 preliminary plat. To date, phases 1-4 have been recorded. As part of the preliminary plat, of phase eight, approximately 2.28 acres was set aside for a park. The parks department has determined that the park should be consolidated and shifted north to the property adjacent to Woodland Estates phase 2. With the change in park location, the subject property is available for development.

The applicant is proposing to add six 10,000 ft<sup>2</sup> plus lots to fill in the abandoned park lot. This will take the density of phases five and eight, from 2.37 units per acre to 2.73 units per acre and from 39 units to 45 units.

**Recommendation:** 

Staff recommends approval of this preliminary plat.

**Alternatives:** 

- 1. Recommend approval as presented.
- 2. Recommend denial.
- 3. Table the proposed preliminary plat to a specific date.

**Sample Motion:** 

"I move that we forward a positive recommendation to the City Council for the Moorland Park Phases 5 & 8 Preliminary Plat amendment request, application number 2023-PP-018, based on the findings noted in the staff report.

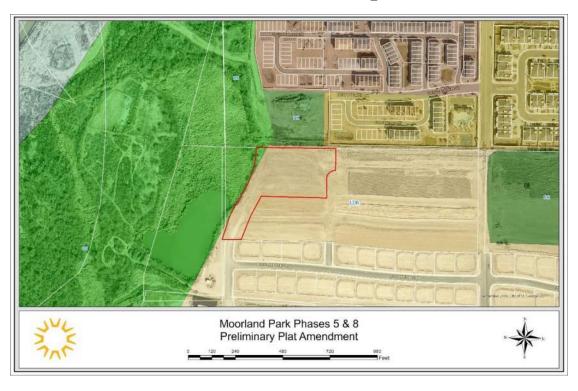
**Possible Findings:** 

- 1. That the plat is consistent with and compliant to the zoning on the property.
- 2. That the plat will not leave any remnant property unaccounted for.
- 3. That the proposed amendment is consistent with the rest of the Moorland Park development.
- 4. That the park that was proposed on the property has been shifted north and consolidated as proposed by the Parks Department.

# **Zoning Map**



# **General Plan Map**

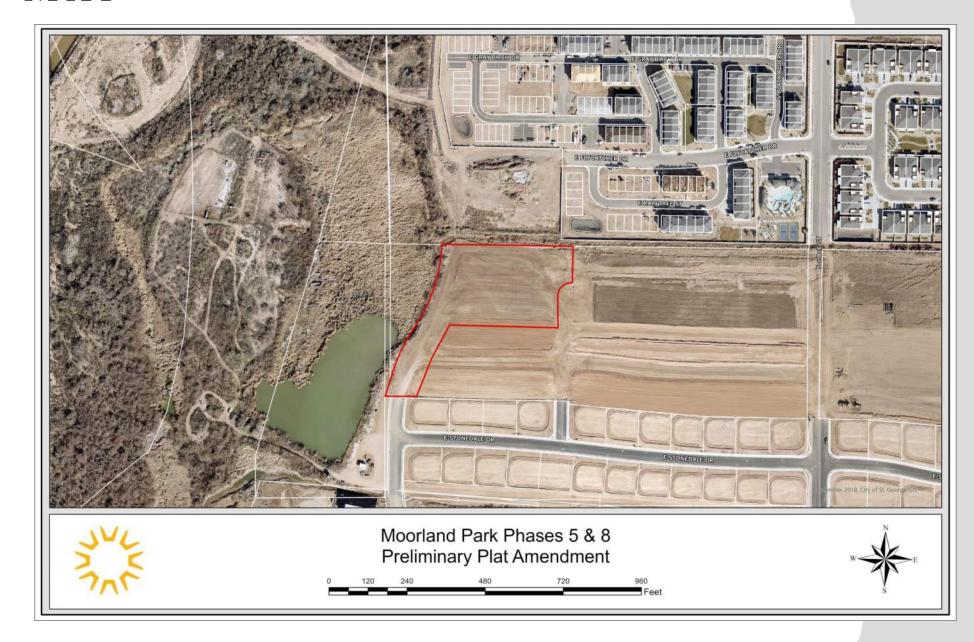


PC 2023-PP-018 Moorland Park Phases 5 & 8 Preliminary Plat Amendment Page 4 of 4

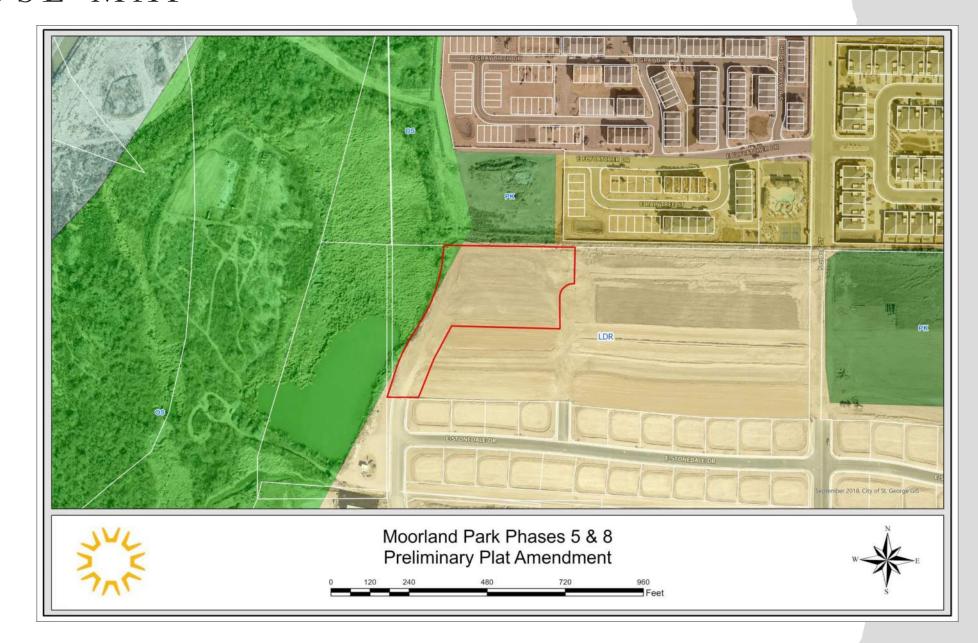
# **Presentation**



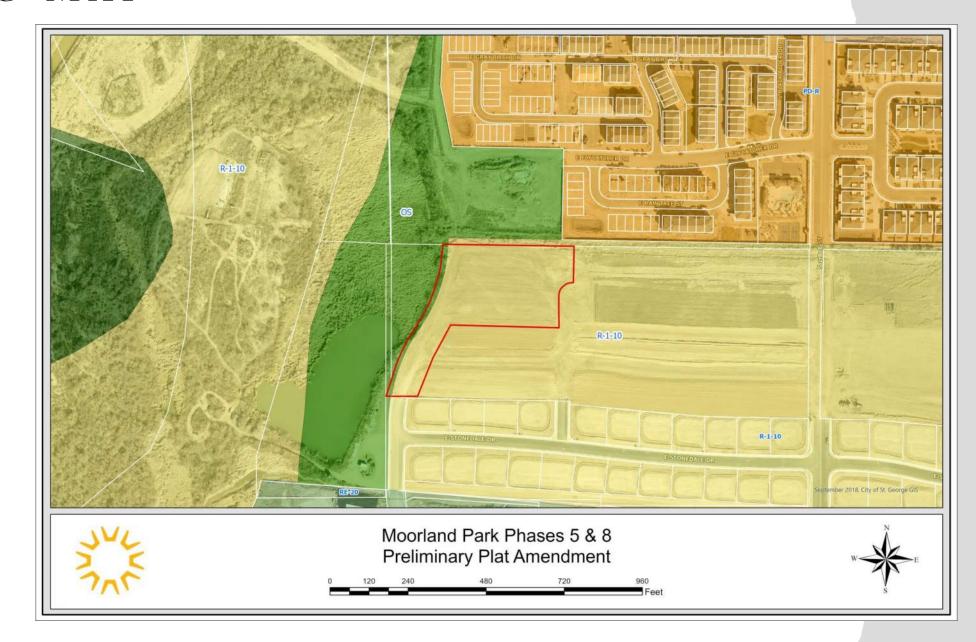
# AERIAL MAP



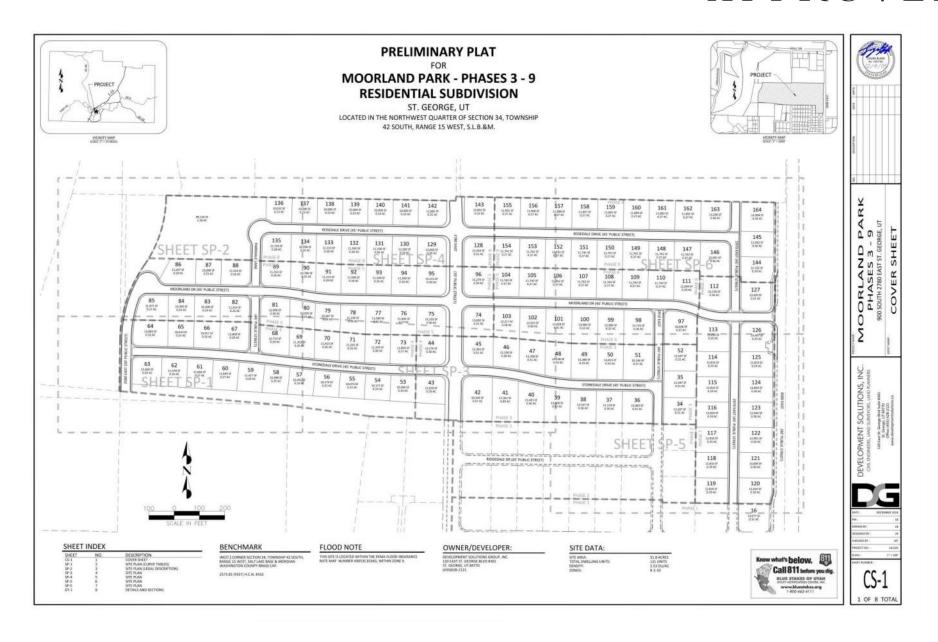
# LAND USE MAP



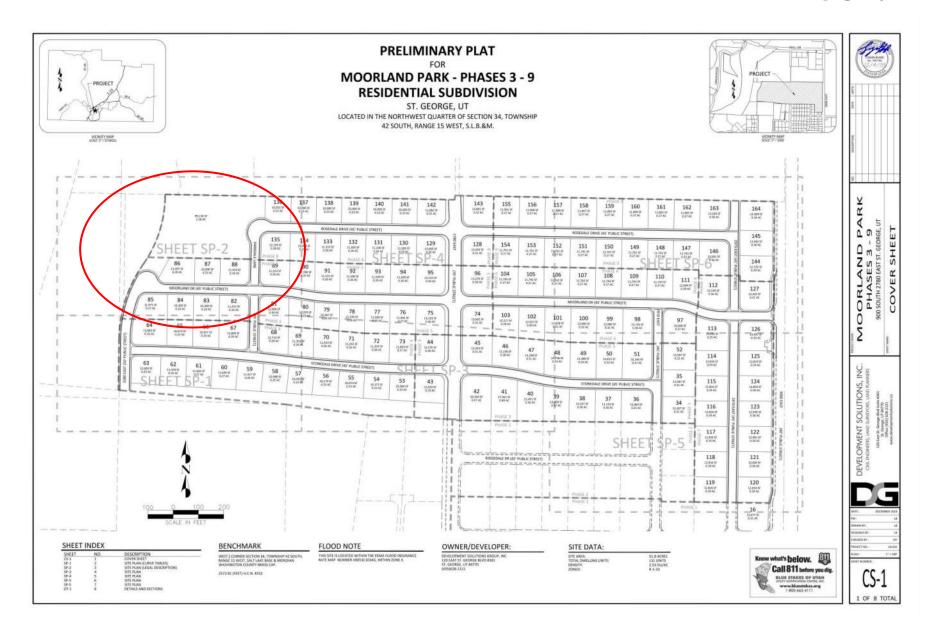
# ZONING MAP



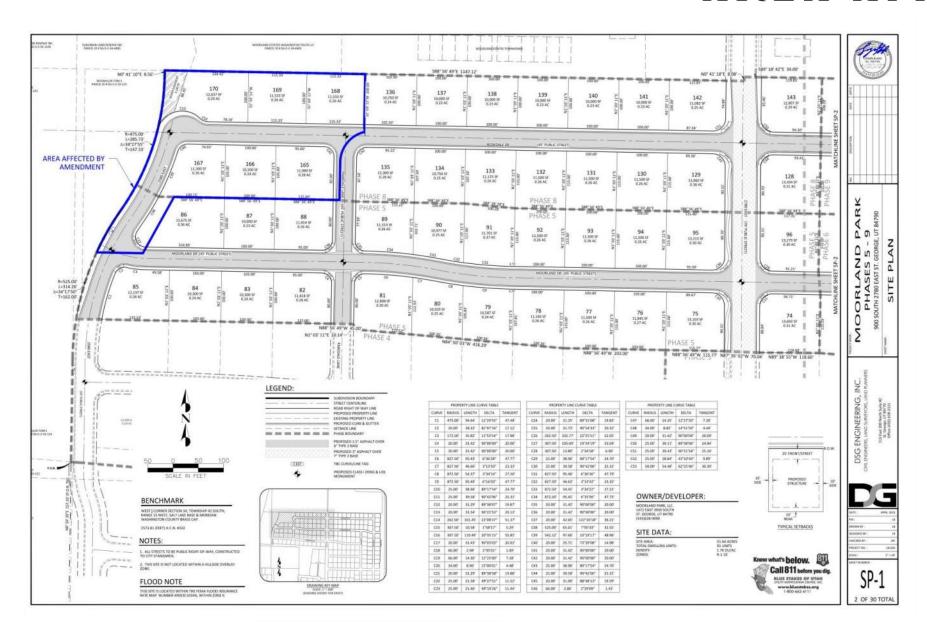
# APPROVED PLAT



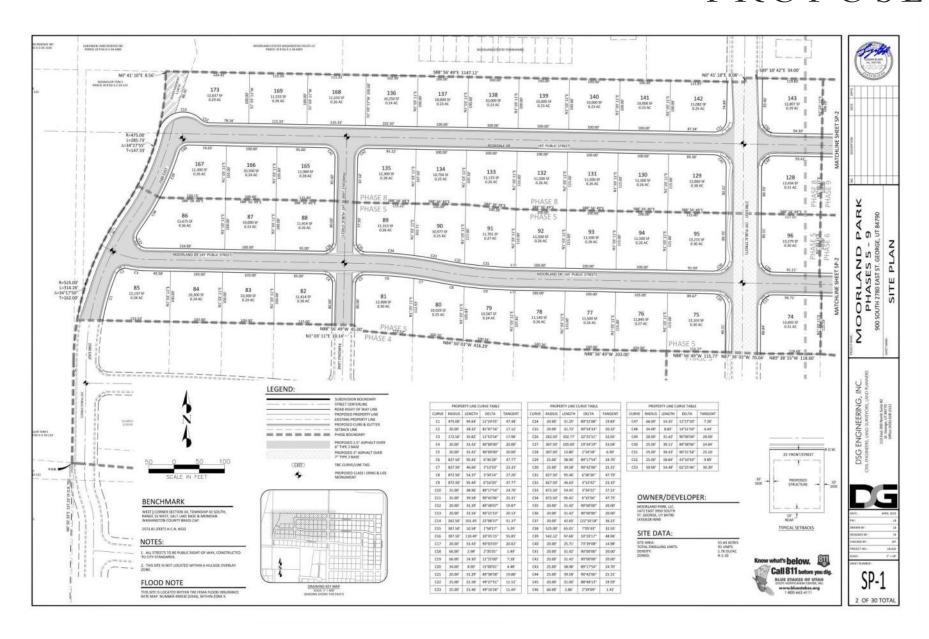
# APPROVED PLAT



# AREA AFFECTED



# PROPOSED PLAT



# 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 <u>Planning Commission</u> meeting in the City Council Chambers, 175 East 200 North, St George, Utah, on <u>Tuesday, May 9, 2023</u>, commencing at <u>5:00 p.m.</u>

**PRESENT:** Chair Steve Kemp

Commissioner Nathan Fisher Commissioner Emily Andrus Commissioner Ben Rogers

#### **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 Lori Chapman

Commissioner Austin Anderson

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

#### 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)

Mike Hadley presented the following:

Mike Hadley – The general plan is MDR, the zoning is PD-R with a portion of R-1-12. It is in the floodway/floodplain. They have gone through FEMA and got approval for this. They provide parking with 61 guest stalls; they do meet the overall parking. This project will require 3 amenities at 50% of build out. There are 6 elevations proposed for the project.

Chair Kemp - Will these be public streets?

Mike Hadley – Yes, I believe so, you may want to ask the applicant.

Commission Andrus – Is this going to be a part of the PD-R next to it?

Mike Hadley – No, it will be its own PD-R.

Commissioner Rogers – Will it have the same density as Desert Playa?

Mike Hadley – Yes.

Commissioner Fisher – Will these be public streets or private?

Curt Gordon – They will be public streets. The density of this project is more in tune with what is around the Desert Canyons school. What is around the church is about 6 units an acre, this is a little less. These are a little bit bigger units than what is around the church. Just to clarify, the floodplain map that was shown isn't correct anymore. This isn't in the floodplain at all.

Chair Kemp opened the public hearing.

Chair Kemp closed the public hearing.

MOTION: Commissioner Fisher made a motion to recommend approval of Item 1B.

**SECOND:** Commissioner Rogers

**ROLL CALL VOTE:** 

**AYES (4)** 

Chair Kemp

**Commissioner Rogers** 

Commissioner Fisher

**Commissioner Andrus** 

NAYS(0)

Motion Carries unanimous vote

#### 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).

Mike Hadley presented the following:

Mike Hadley – This is the preliminary plat that is accompanying the proposed zone change.

MOTION: Commissioner Rogers made a motion to recommend approval of Item 2A to the

City Council as presented.

**SECOND:** Commissioner Fisher

**ROLL CALL VOTE:** 

AYES (4)

Chair Kemp

**Commissioner Rogers** 

Commissioner Fisher

**Commissioner Andrus** 

NAYS (0)

Motion Carries unanimous vote

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)

Carol Winner presented the following:

Carol Winner – The general plan shows this as a traditional neighborhood with the zoning as RCC. The applicant would like to remove this house and the conglomeration of sheds then split the property into 4 lots. The lots do fit in with the RCC sizes.

Commissioner Fisher – What is the frontage on the lots on the left?

Carol Winner – They are 40 feet.

Commissioner Andrus – Will they be accessing from 200 West?

Carol Winner – They will, the other lot with the house that will remains will access off of 400 South.

Discussion on setbacks for the RCC zone.

MOTION: Commissioner Andrus made a motion to recommend approval of Item 2B based on the findings in the staff report.

SECOND: Commissioner Fisher

**ROLL CALL VOTE:** 

AYES (4)

Chair Kemp

**Commissioner Rogers** 

Commissioner Fisher

Commissioner Andrus

NAYS(0)

Motion Carries unanimous vote

#### 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)

Carol Winner presented the following:

Carol Winner – Right now we allow food trucks, we don't allow food truck parks. We don't really have a place where they would be able to gather in one spot. This is to allow for permission to allow this. We looked into adding it to the Commercial Districts and we decided to add it to the PD-C section. We will need to change the code for that section as well as the permitted with standards section and the off-street parking section as well.

Chair Fisher – I thought you said you talked about adding to the commercial zones, why just the PD-C zones?

Carol Winner – If we put it in the PD-C zones it allows the Council to control what will be put in and to add any conditions that they may require. Carol went through the proposed requirements that are included in the packet. The regulations that you are seeing are regulations that the applicant has put forth, then staff worked with, and these are what staff is comfortable with. I do know that the applicant has some issues with the operating hours, and he will present his case after I finish. The reason why staff indicated that trucks cannot be at the food truck park between 12:00 am and 6:00 am is 1. They have a chance to do the proper disposal at the proper disposal station for their waste and 2. It obviously keeps the food trucks mobile, because food trucks are mobile in nature, and we don't want it to be a permanent structure there and 3. We feel if a food truck was allowed to stay in the park then we would need to drastically increase the parking requirement. You no longer have a food truck going and bringing their group with them, the staff would be driving cars to get to the food truck to work.

Commissioner Fisher – Would it be fair to summarize that they are required to provide the same things a building would need to provide?

Carol Winner – Yes.

Yori Ludvigson – Here are some of the advantages of a food truck park. We would build a commercial kitchen. This will allow food trucks to prep food here, right now there is only one place in town Catering Concepts that everyone is trying to use now. There really won't be a need for the trucks to

leave at night because you will have everything onsite. They will be able to dump onsite because we will have utilities, kitchen, and bathrooms onsite. We will have 2 food trucks that we run and then there will be others that will rotate through. As we met with the City and the Public Health Department then they wanted a commissary kitchen onsite.

Chair Kemp – But you don't need that onsite, most Commissary kitchens are in the Industrial Parks.

Jami Brackin – It's actually more than just a dump for sewer. That is what we are going to clarify. It is specific waste water that has to be separated from the regular waste water which is why you have the grease separator and why they require that they dump at the Waste Water Treatment Plant right now. They may or may not be able to get that kind of treatment onsite.

Yori Ludvigson – They wouldn't have to move their truck every night because they would have everything right there. It would be just like Catering Concepts, there is a dump right in front of the building and everybody dumps there. Looking at other Cities it's helpful that you have one place for the health department to check trailers. It would help here because everybody is hunting for spots, everybody is in the same boat that way.

Chair Kemp – How many stalls can you fit on there?

Yori Ludvigson − 8 stalls.

Chair Kemp – How will you rotate them through? Will it be who will pay the most, how will it work?

Yori Ludvigson – They will rotate through. I have about everyone in town talk to us already. Obviously, we will leave our trucks there.

Commissioner Rogers – If you have this planned, do you have circulation for a truck pulling a trailer to circulate through and park the trailer?

Yori Ludvigson – Yes. A lot of BBQ trucks are big. Our plan was a 30 x 30 table seating under covered seating. It's a place to hang out. It's clean, it's safe, it's a place to hang out. I don't see the point of making them move every day if they have everything there that they need.

Chair Kemp – How would you feel if you didn't have to leave every night, but you need to rotate them to a different spot every week or two. I think the staff is trying to ensure that it does not become a permanent location on wheels. So instead of saying you have to leave from midnight to 6:00 am, they can stay but they have to rotate to a different spot so that keeps them mobile.

Commissioner Rogers – But if they do that it creates additional parking requirements because it puts a strain on the design to fit everything in there. You park your food truck, then the people working the food truck have to drive their vehicles to the site every day.

Jami Brackin – When we were drafting these we talked to our Waste Water and I'm not sure that they will be able to dump the waste water onsite, all the waste dumped in one location can be a big stress on the system. I'm not sure they are going to approve a dump site. The waste water department may want them to dump it at the waste water department. These trucks may have to leave to go dump

anyway and if they have to leave to go dump they may as well go home and keep the mobility of the process.

Commissioner Kemp – We are requiring Mr. Ludvigson 99%, maybe 105% of what we are a brick-and-mortar business. It would be easier to build a small building and have a bunch of outdoor seating, which gets you completely away from the concept of a food truck park. The fact that the pads have to be paved, I don't see why the pads have to be paved. Does the car park have to be paved?

Yori Ludvigson – In other locations it's gravel plus.

Jami Brackin – Food trucks have to be on pavement, under the current regulations.

Discussion continued regarding mobility of the trucks and whether they should be required to move each night.

Commissioner Rogers – I think the rest rooms are a great idea. The commissary kitchen I don't think is necessary, that puts more stress on the developer.

Chair Kemp – This is a proposal you have made and now we are looking at making it code. Every food truck will have to use your recommendations from now on or it will have to change the code.

Yori Ludvigson – My recommendation wasn't to do all that at first, but after talking with the City and the Health Department that has been here is what you need to do. So, we are willing to do that.

Chair Kemp – So if you build all of that then it will be a permanent thing. That's what it will be from now on.

Yori Ludvigson – Yes, so why would I move my truck?

Jami Brackin – The question is what makes this different than a restaurant? Does it need a Commissary, no, that was the proposal, but what are the public safety, health, and welfare that we want? We try to look at this for every possible property. As we go through this and make these recommendations how do you balance the mobility and the fixed site. Also, to balance the parking regulations. In terms of regulating food trucks, the state statute prevent us from regulating the number of days, but not the hours.

Commissioner Fisher – This is an ordinance, it will affect him, and we should listen to what he is trying to propose. But then we should discuss this as an ordinance and see what we are trying to accomplish. It may be that we say that a commissary kitchen isn't necessary.

Yori Ludvigson – It may be that a commissary kitchen wouldn't need to be required maybe make minimum requirements and then if they want to go above and beyond that it's up to them. The average parking spaces throughout the industry for a food truck park is 1.5 spots per truck, we went to 3 because that will be better. We talked with the fire department and made the lanes wider so that we could get the fire trucks through.

Chair Kemp opened the public hearing.

Sydni Ludvigson – I like how you mentioned the integrity, innovation, and efficiency. I think to support your ideas and find creative solutions is great and I think that is exactly what the food truck park is here to do. I love that you guys are willing to work with it and to find the creative solution cause that's what we need. I think right now it's hard to follow the rules. They are already putting out seating. I think a food truck park would make it easier for them to follow the rules. I like what you brought up about having the minimum requirements.

Chair Kemp closed the public hearing.

Commissioner Rogers – I think the idea is a great idea. I am in support of the ordinance minus the specific requirement of a commissary kitchen.

Chair Kemp – It feels like we are creating a restaurant with a big open area, the commissary kitchen would make it like that. Bathrooms, I feel that would be important otherwise you're talking about port a potties. And if you're going to bring bathrooms in then you are already bringing in water, power, and sewer. It feels like there is a lot of stuff in here that makes this not a food truck park, that makes it more of a permanent situation.

Commissioner Andrus – I agree, I think the way that this is written now, they basically meet all the requirements for any other commercial building. I think at the very least they should be able to park their trucks overnight. For me, the bare minimum for a food truck park would be paved pads for the trucks, trash disposal, restrooms, and minimum utilities. I don't know how I feel about landscaping and permanent seating. I like the idea of permanent seating. I think it would be cool to have. The same with landscaping, it would be nice, but I don't necessarily think you have to have it either.

Commissioner Kemp – How do you feel about the garbage requirement? Requiring people to haul off their garbage is required now.

Commissioner Fisher – One thing we need to be careful of is, I get that we are trying to not impose too much burden on what seems to be a transitory business. But the reality is that a park is going to be permanent and that there is always going to be at least one truck will be there. If that is the case, it seems like that everything that would come with a commercial site needs to be there. As far as the commissary kitchen is concerned, the only question I have is it seems like we are requiring it but if Jami is saying that Waste Water isn't going to allow the dumping there.

Jami Brackin – I think they are saying that what would be required to allow all the trucks to dump at the same site is going to be prohibitively expensive and I don't know that the Waste Water folks would approve anything less than that. If you just have a paved lot and you have trucks that come on, that is a commercial enterprise. We still need to have parking and trash and all of those other things that even if it's a paved quarter acre, you are still going to need things. What are you going to have to do? Is that really where you want to store all the vehicles? The public is going to be invited. What will you need?

Commissioner Fisher – If we don't think that it's likely that the Waste Water Treatment would like to see a dumping facility there or that what they would have to put in is very expensive, it seems like to me, if we require the Commissary kitchen then if they can dump I don't know why they would move. Unless as a City we don't want to see another site where they can dump. So really it's two issues, 1.

An area where other trucks can come and dump, whether they are serving there or not. 2. Just a location for food trucks to come and conduct business. If there is no kitchen on a park, then the ordinance needs to be different then what it would be if there were a kitchen. And if there is a kitchen then I think there needs to be an additional ordinance that addresses the dumping portion. I don't know that we are there yet with this ordinance. I think we need to decide if we say a kitchen or not.

Chair Kemp – I think the kitchen is a good idea. When we had the food truck discussion there was a concern about driving out to Bloomington to dump because it was a significant time and expense for a truck that gets 4 miles to the gallon. I think you would need to put the bathrooms in, and I think if everyone is going to dump there then you will need to put in a trash enclosure and have the trash dumped.

Commissioner Rogers – I agree with having the dumpster enclosure, but I don't agree that if you are going to have a commissary kitchen that you need to have additional dump sites for the trucks. That increases significantly the cost of the grease separator, and it puts undue stress on the developer. If you put the kitchen in you can put in the sand oil separator for just that kitchen.

Discussion continued regarding dumping.

Commissioner Fisher – It seems to me that we are at separate ordinances. There is no reason to add the expense of the kitchen if we figure out a way to manage the conditions that are created by one or several food trucks in one park with regards to the permanency of that. As much as we want to consider this transitory, it is not, it is permanent. I think we have to have an ordinance that addresses all of those things that are the concerns, just like a commercial building. We want it to be someplace nice, so it's not an eyesore, so we don't see trash. In fact, I think there are more issues concerning these outsidetype services than we will have in an actual restaurant because a lot of things can be contained within the walls, and you don't see them. I really think that the burden is going to be a little bit more severe on this type of area because so much will be outside the trucks. That is ok, it is all manageable, but it seems to me that as to the kitchen and the dumping area, we need to separate it into two different ordinances. I think as we analyze it separately we will start to see more issues than just trucks and dumping. I would rather anticipate the potential problems before we take them out. I think if we don't do that we will create an eyesore. Will it be convenient for people? Sure, but it won't be what we want to see when we are driving down Bluff Street or down the Boulevard. What I would suggest is this might be a little early in the stages. We could perhaps get some more drafting. We need to see it independent of a project and deal with it as a City. I worry about all those areas that are traditional zones that are not PD zones, and they want to have this.

Chair Kemp – What happens when someone wants to do one of these out in one of the industrial parks? I think that the commissary kitchen and some of these other issues, I agree with Nathan, there needs to be some separation to where the code says you can do this but if you want to do more, or if you are in these certain areas, which we will control because it's PD-C then you need to up your game to this and this.

Commissioner Rogers – I am in big support of landscaping trees and tables. In addition to that, if you have that many trucks coming, I think there needs to be a manager's office at the location so that they are there the entire time to manage the trucks. That would be more critical to me than a commissary kitchen, to have somebody onsite. I think that's problematic if you don't, especially if the developer is taking responsibility for the site, for the cleanup.

Discussion on hours of operation or leaving the trucks onsite overnight.

Commissioner Rogers – I see that there could be temporary locations. Washington City is doing a temporary food truck park on Telegraph and Main Street.

Chair Kemp – Maybe staff could take into account temporary or permanent locations.

MOTION: Commissioner Rogers made a motion to continue this item.

**SECOND:** Commissioner Fisher

**ROLL CALL VOTE:** 

AYES (4)

Chair Kemp

**Commissioner Rogers** 

Commissioner Fisher

Commissioner Andrus

NAYS (0)

Motion Carries unanimous vote

#### 4. MINUTES

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

MOTION: Commissioner Andrus made a motion to approve the minutes.

SECOND: Commissioner Fisher

**ROLL CALL VOTE:** 

AYES (4)

Chair Kemp

**Commissioner Rogers** 

Commissioner Fisher

Commissioner Andrus

NAYS(0)

Motion Carries unanimous vote

#### 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

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- 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

#### 6. ADJOURN

MOTION: Commissioner Fisher made a motion to adjourn

SECOND: Commissioner Andrus

**ROLL CALL VOTE:** 

AYES (4)

Chair Kemp

**Commissioner Rogers** 

Commissioner Fisher

Commissioner Andrus

NAYS (0)

Motion Carries unanimous vote