

NOTICE OF MEETING
PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH

Public Notice

Notice is hereby given that the Planning Commission of the City of St. George, Washington County, Utah, will hold a **Planning Commission** meeting in the City Council Chambers, 175 East 200 North, St George, Utah, on **Tuesday, May 9, 2023**, commencing at **5:00 p.m.**

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.

<p>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</p>
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- 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.

<p>MOTION: Commissioner Andrus made a motion to recommend approval of Item 2B based on the findings in the staff report.</p>
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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 than 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 outside-type 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

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