



# CITY COUNCIL MEETING AGENDA



THURSDAY, DECEMBER 7, 2023

AGENDA

## ATTACHMENTS

- [2023.12.07 AGENDA PACKET](#)
- [2023.12.07 AMENDED AGENDA PACKET](#)

NOTICE OF WORK MEETING OF THE CITY COUNCIL  
 OF THE CITY OF ST. GEORGE,  
 WASHINGTON COUNTY, UTAH

Public Notice

Public notice is hereby given that the City Council of the City of St. George, Washington County, Utah, will hold a work meeting in the Administrative Conference Room at the St. George City Offices located at 175 East 200 North, St. George, Utah, on Thursday, December 7, 2023 commencing at 4:00 p.m.

The agenda for the meeting is as follows:

1. Request a closed session to discuss litigation, security, property acquisition or sale or the character and professional competence or physical or mental health of an individual.
  
2. ADJOURN AND RECONVENE IN A REGULAR MEETING OF THE CITY COUNCIL.

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\*\* THE COUNCIL WILL MOVE TO  
 THE CITY COUNCIL CHAMBERS FOR  
 THE CITY COUNCIL REGULAR MEETING\*\*

NOTICE OF REGULAR MEETING OF THE  
 CITY COUNCIL OF THE CITY OF ST. GEORGE,  
 WASHINGTON COUNTY, UTAH

Public Notice

Public notice is hereby given that the City Council of the City of St. George, Washington County, Utah, will hold a regular meeting in the City Council Chambers at the St. George City Offices located at 175 East 200 North, St. George, Utah, on Thursday, December 7, 2023, commencing at 5:00 p.m.

The agenda for the meeting is as follows:

Call to Order

Invocation

Flag Salute

**1. Mayor's recognitions and updates.**

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**a. Citizen recognition.**

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**b. Read a Proclamation proclaiming December 16, 2023 as Wreaths Across America Day.**

**2. Comments from the public.**

The Open Comment Period provides an opportunity to address the Mayor and City Council regarding concerns or ideas about the City which the Council may choose to address. Comments pertaining to an agenda item that includes a public hearing or public input should be given as that item is being discussed during the meeting.

Up to ten (10) members of the public will be given a limit of two (2) minutes per person. The Council will not respond to comments or questions but will take the comments under consideration for possible discussion at another time. If there are more than 10 individuals wishing to provide public comment, speakers will be selected by random draw.

Rules for making comments:

- You must be a resident of the City of St. George.
- Public input shall not be allowed on any agenda item or pending land use application.
- Comments should relate to City business.
- Speakers shall be courteous and show respect. Comments shall not include obscene or profane language, nor contain attacks on any individual.

In order to provide an opportunity for a broader scope of residents to provide public comments, any person selected to provide comments at a meeting will not be able to provide public comments again for three (3) months (once per quarter); however, written comments may be submitted anytime to the City Recorder at 175 East 200 North, St. George, UT 84770 or [publiccomments@sgcity.org](mailto:publiccomments@sgcity.org).

The Mayor and City Council encourage civil discourse for everyone who participates in the meeting.

**3. Consent Calendar.**

**A. CONSIDER APPROVAL OF PURCHASING THREE (3) PAVILIONS VIA STATE CONTRACT WITH SONNTAG**

**RECREATION FOR JC SNOW PARK.**

BACKGROUND AND RECOMMENDATION: THIS PURCHASE IS TO REPLACE THE THREE (3) EXISTING PAVILIONS AT JC SNOW PARK. THE EXISTING PAVILIONS WERE BUILT IN THE LATE '70S ABOUT 45 YEARS AGO. THEY ARE DETERIORATING AND BECOMING A SAFETY HAZARD. THE REPLACEMENT PAVILIONS ARE ROUGHLY THE SAME SIZE AS THE EXISTING PAVILIONS. THE LARGER REPLACEMENT PAVILION NEXT TO THE PLAYGROUND IS 30'X60' AND THE TWO OTHER REPLACEMENT PAVILIONS ARE 30'X45'. THE REPLACEMENT PAVILIONS STYLE

WILL BE 2 TIERS, 6:12 ROOF PITCH, 8' EVE HEIGHT, AND STANDING SEAM METAL ROOF. THIS IS THE SAME STYLE AS THE NEW PAVILION ON THE SOUTHWEST CORNER OF VERNON WORTHEN PARK. STAFF RECOMMENDS PURCHASING THE PAVILIONS FROM SONNTAG RECREATION IN THE AMOUNT OF \$302,918.82.

**B. CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT CHANGE ORDER FOR ALLIANCE ENGINEERING FOR THE BLOOMINGTON HILLS IRRIGATION TANK AND 1450 SOUTH IRRIGATION LINE EXTENSIONS.**

BACKGROUND AND RECOMMENDATION: ALLIANCE ENGINEERING IS PROVIDING DESIGN AND CONSTRUCTION ENGINEERING SERVICES FOR THE BLOOMINGTON HILLS IRRIGATION TANK AND 1450 SOUTH IRRIGATION LINE EXTENSIONS. THE PROJECT WAS ORIGINALLY BID IN 2022 AND WAS OVER BUDGET. THE ENGINEER MADE SOME CHANGES TO THE PROJECT TO BRING THE COSTS DOWN AND THE PROJECT WAS REBID THIS YEAR AND IS UNDER CONSTRUCTION NOW. THIS CHANGE ORDER INCLUDES ADDITIONAL FUNDS FOR THE REDESIGN AND REBID OF THE PROJECT IN ADDITION TO FUNDING TO CHANGE THE PROJECT FROM A 4-MONTH SCHEDULE TO A 9-MONTH SCHEDULE. WHILE THE EXTENDED SCHEDULE ADDED COST TO THE ENGINEERING FOR THE PROJECT IT BROUGHT DOWN CONSTRUCTION COSTS. STAFF RECOMMENDS APPROVAL OF THE CHANGE ORDER IN THE AMOUNT OF \$104,615.

**C. CONSIDER APPROVAL OF THE MINUTES FROM THE MEETINGS HELD ON NOVEMBER 9, 2023; NOVEMBER 16, 2023; AND NOVEMBER 21, 2023.**

**4. PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 2023-040 TO VACATE A PORTION OF A MUNICIPAL UTILITY EASEMENT LOCATED IN COMMON AREA AROUND LOT 3, AVENIDAS AT HIDDEN VALLEY.**

BACKGROUND AND RECOMMENDATION: THE FINAL PLAT FOR AVENIDAS AT HIDDEN VALLEY WAS APPROVED BY THE CITY OF ST. GEORGE LAND USE AUTHORITY ON THE 21ST DAY OF MARCH, 2023. RECORDED ON THE 24TH DAY OF MARCH, 2023 AS DOC. NO. 20230007971. THE JOINT UTILITIES COMMISSION RECOMMENDED APPROVAL.

5. CONSIDER APPROVAL OF ORDINANCE NO. 2023-041 AMENDING TITLE 8, CHAPTER 6, SECTION 2 AND SECTION 3, STORMWATER SERVICES OF THE CITY CODE TO CLARIFY AND ADJUST THE EQUIVALENT RESIDENTIAL UNIT (ERU) CALCULATION.

BACKGROUND AND RECOMMENDATION: THE STORMWATER SERVICES ORDINANCE (TITLE 8, CHAPTER 6) DEFINES AN ERU (EQUIVALENT RESIDENTIAL UNIT) OF 2,000 SQUARE FEET OF IMPERVIOUS SURFACE AND EXPLAINS ASSOCIATED CALCULATION FOR DETERMINING DRAINAGE UTILITY FEES FOR COMMERCIAL PROPERTIES. THE CURRENT ADOPTED FEE IN THE BUDGET ADJUSTED THE ERU TO 3,000 SQUARE FEET, WHICH REDUCES THE DRAINAGE FEE FOR COMMERCIAL PROPERTY. THIS ORDINANCE UPDATES THE ERU DEFINITION TO 3,000 SQUARE FEET.

6. CONSIDER APPROVAL OF ORDINANCE NO. 2023-042 AMENDING AN APPROVED PD-C (PLANNED DEVELOPMENT COMMERCIAL) AND ADOPTING A DEVELOPMENT AGREEMENT ON APPROXIMATELY 2.23 ACRES, LOCATED AT 1685 EAST RED HILLS PARKWAY FOR THE PURPOSE OF ADDING A 6,900-SQUARE FOOT ADDITION TO AN EXISTING COMMERCIAL BUSINESS FOR A PROJECT TO BE KNOWN AS FACTORY POWERSPORTS. CASE NO. 2023-PDA-019

BACKGROUND AND RECOMMENDATION: ON AUGUST 6, 2020, FACTORY POWERSPORTS SUCCESSFULLY CHANGED THEIR ZONING FROM C-2 (HIGHWAY COMMERCIAL) AND RE-12.5 (RESIDENTIAL ESTATES 12,500 SQ. FT. MINIMUM LOT SIZE) TO PD-C DESIGNATION IN PREPARATION FOR THIS ADDITION. THE NEW ADDITION WILL BE APPROXIMATELY 6,900 SQUARE FEET. IT WILL BE BUILT ON THE WEST SIDE OF THE EXISTING BUILDING. ON SEPTEMBER 26, 2023, THE PLANNING COMMISSION HELD A PUBLIC HEARING ON THIS ITEM. AT THAT TIME A DISCUSSION ENSUED CONCERNING THE PROPERTY TO THE WEST THAT THE APPLICANT OWNS AND WOULD BE DEVELOPING IN THE FUTURE. A DEVELOPMENT AGREEMENT WOULD BE NEEDED FOR THE DEVELOPMENT OF THAT PROPERTY AND THIS PROPERTY; THEREFORE, THE ITEM WAS CONTINUED. ON NOVEMBER 14, 2023, THIS ITEM ALONG WITH A DEVELOPMENT AGREEMENT WAS BROUGHT BEFORE THE PLANNING COMMISSION AT A PUBLIC HEARING WHERE THE PLANNING COMMISSION RECOMMENDED APPROVAL.

7. CONSIDER APPROVAL OF ORDINANCE NO. 2023-043 AMENDING AN APPROVED PD-C (PLANNED DEVELOPMENT COMMERCIAL) ON APPROXIMATELY 18 ACRES, GENERALLY LOCATED ON THE SOUTHEAST CORNER OF RIVER ROAD AND GEORGE WASHINGTON BOULEVARD FOR THE PURPOSE OF AMENDING THE ELEVATIONS ON FIVE OF THE PREVIOUSLY APPROVED BUILDINGS AND APPROVING SIX OF THE BUILDING ELEVATIONS NOT PREVIOUSLY APPROVED AND APPROVING A LEGISLATIVE EXCEPTION FOR A REMOVAL OF A WALL ON THE SOUTH END OF THE SITE, FOR A PROJECT KNOWN AS RIVER CROSSING, WITH CONDITIONS FROM THE PLANNING COMMISSION.

BACKGROUND AND RECOMMENDATION: IN 2016, THE BOULDER CREEK COMMONS PD WAS ESTABLISHED WITH A GENERAL LAYOUT OF THE PROPERTY AND A USE LIST. IN 2021, THE NAME OF THIS DEVELOPMENT NAME WAS CHANGED TO RIVER CROSSING AND A REVISED CONCEPTUAL SITE PLAN WAS APPROVED FOR PHASE ONE. PHASE TWO FOLLOWED IN 2022. WITH APPROVAL OF BOTH PHASES, THE GENERAL LAYOUT AND SOME BUILDING ELEVATIONS OF THE SITE WERE APPROVED. THE APPLICANT IS PROPOSING REVISIONS OF SOME BUILDING ELEVATIONS AND APPROVAL OF THE ELEVATIONS NOT YET APPROVED. AT THEIR MEETING HELD ON NOVEMBER 14, 2023, THE PLANNING COMMISSION HELD A PUBLIC HEARING AND RECOMMENDED APPROVAL WITH CONDITIONS.

8. CONSIDER APPROVAL OF A HILLSIDE DEVELOPMENT PERMIT TO MAKE MODIFICATIONS TO THE RIDGELINE ALONG THE SOUTHEAST SLOPE OF THE TECH RIDGE DEVELOPMENT. CASE NO. 2023-HS-002

BACKGROUND AND RECOMMENDATION: THIS IS A REQUEST TO OBTAIN A HILLSIDE DEVELOPMENT PERMIT TO PERFORM WORK ALONG THE HILLSIDE LOCATED ON THE SOUTHEAST PORTION OF THE TECH RIDGE DEVELOPMENT, ADJACENT TO THE PROPOSED SOUTHEAST ACCESS ROAD THAT LEADS FROM 250 WEST STREET TO THE TECH RIDGE DEVELOPMENT. ON JANUARY 1, 2023 AND NOVEMBER 1, 2023, THE HILLSIDE REVIEW BOARD HELD A PUBLIC MEETING FOR THIS REQUEST. AT THEIR MEETING HELD ON NOVEMBER 14, 2023, THE PLANNING COMMISSION HELD A PUBLIC MEETING AND RECOMMENDED APPROVAL.

9. **CONSIDER APPROVAL OF A HILLSIDE DEVELOPMENT PERMIT TO CONSTRUCT THE SOUTHEAST ACCESS ROAD FROM 250 WEST STREET TO THE TECH RIDGE DEVELOPMENT. CASE NO. 2023-HS-003**

BACKGROUND AND RECOMMENDATION: PART OF THE REQUIRED IMPROVEMENTS FOR THE TECH RIDGE DEVELOPMENT IS TO PUT IN A SOUTHEAST ACCESS ROAD. THIS HILLSIDE DEVELOPMENT PERMIT IS FOR THE FUTURE CONSTRUCTION OF THIS ROAD FROM 250 WEST STREET TO THE TECH RIDGE DEVELOPMENT. ON JANUARY 1, 2023, AND ON NOVEMBER 1, 2023, THE HILLSIDE REVIEW BOARD HELD A PUBLIC MEETING REGARDING THIS CASE. AT THEIR MEETING HELD ON NOVEMBER 14, 2023, THE PLANNING COMMISSION HELD A PUBLIC MEETING AND RECOMMENDED APPROVAL.

10. **CONSIDER APPROVAL OF THE PRELIMINARY PLAT FOR TECH RIDGE AREA 1.6 SUBDIVISION, A 15-LOT AND 6 PARCEL COMMERCIAL PRELIMINARY PLAT ON APPROXIMATELY 17.78 LOCATED AT APPROXIMATELY 650 SOUTH TECH RIDGE PARKWAY. CASE NO. 2023-PP-040**

BACKGROUND AND RECOMMENDATION: THIS PARCEL OF LAND IS LOCATED ON TECH RIDGE PARKWAY WITHIN THE TECH RIDGE PROJECT. THIS PRELIMINARY PLAT WILL CREATE 15 NEW LOTS READY FOR COMMERCIAL DEVELOPMENT. IN ADDITION, THIS PRELIMINARY PLAT WILL CREATE 6 PARCELS. THREE OF THE PARCELS WILL BE USED FOR SHARED PARKING FOR THE COMMERCIAL DEVELOPMENT. TWO OF THE PARCELS WILL BE DEDICATED TO OPEN SPACE AND TRAIL USE. THE RIDGELINE TRAIL WILL BE BUILT AT THIS LOCATION ON THE WESTERN RIDGELINE. AT THEIR MEETING HELD ON OCTOBER 24, 2023, THE PLANNING COMMISSION HELD A PUBLIC MEETING AND RECOMMENDED APPROVAL.

11. **CONSIDER APPROVAL OF THE PRELIMINARY PLAT FOR THE DESERT COLOR PICKLEBALL COURTS SUBDIVISION, A SINGLE LOT, 1.49-ACRE SUBDIVISION LOCATED GENERALLY TO THE SOUTH OF THE DESERT COLOR CLUBHOUSE BETWEEN LAGOON PARKWAY AND AKOYA PEARL ROAD. CASE NO. 2023-PP-036**

BACKGROUND AND RECOMMENDATION: IN MAY OF 2022, THE CITY COUNCIL APPROVED A PD AMENDMENT ON THE SUBJECT PROPERTY. THIS AMENDMENT WAS TO ALLOW PICKLEBALL BOCCE BALL COURTS AS WELL AS A

GRASSY AREA FOR DESERT COLOR RESIDENTS AND THEIR GUESTS. AT THEIR MEETING HELD ON NOVEMBER 14, 2023. THE PLANNING COMMISSION RECOMMENDED APPROVAL OF THE PLAT WITH A 6-0 VOTE AND NO CONDITIONS.

12. CONSIDER APPROVAL OF THE PRELIMINARY PLAT FOR THE DIRT ROAD RANCH SUBDIVISION, A SINGLE LOT, 2.48-ACRE PRELIMINARY PLAT LOCATED ON THE SOUTH SIDE OF SEEGMILLER DRIVE AT APPROXIMATELY 2650 EAST. CASE NO. 2023-PP-059

BACKGROUND AND RECOMMENDATION: ON NOVEMBER 2, 2023, THE CITY COUNCIL APPROVED A ZONE CHANGE WHICH FIXED A SPLIT ZONING ISSUE ON THE PROPERTY. THE PROPERTY IS NOW ENTIRELY ZONED A-1 (AGRICULTURAL, ONE ACRE MINIMUM LOT SIZE). AT THEIR MEETING HELD ON NOVEMBER 14, 2023, THE PLANNING COMMISSION RECOMMENDED APPROVAL WITH A 7-0 VOTE AND NO CONDITIONS.

13. CONSIDER APPROVAL OF THE PRELIMINARY PLAT FOR THE FIELDS AT MALL DRIVE LOT 5 SUBDIVISION, A 3-LOT, 5.17-ACRE SUBDIVISION LOCATED AT APPROXIMATELY 2700 EAST MALL DRIVE (NORTH SIDE OF THE STREET). CASE NO. 2023-PP-058

BACKGROUND AND RECOMMENDATION: ON OCTOBER 5, 2023, A PD AMENDMENT WAS APPROVED FOR A PORTION OF THIS PROPERTY WHICH WILL ALLOW WALGREENS TO BE BUILT. THE APPLICANT NOW DESIRES TO DIVIDE THE PROPERTY INTO THREE LOTS. AT THEIR MEETING HELD ON NOVEMBER 28, 2023, THE PLANNING COMMISSION RECOMMENDED APPROVAL OF THE APPLICATION 7-0 WITH CONDITIONS.

14. CONSIDER APPROVAL OF THE PRELIMINARY PLAT FOR THE RUSTIC ESTATES SUBDIVISION, A 4-LOT, 2.26-ACRE SUBDIVISION LOCATED GENERALLY ON THE SOUTHEAST CORNER OF RUSTIC DRIVE & RIVER ROAD. CASE NO. 2023-PP-034

BACKGROUND AND RECOMMENDATION: IN MARCH OF 2021, THE CITY COUNCIL APPROVED A REQUEST FOR A PRELIMINARY PLAT ON THE SUBJECT PROPERTY. THAT PLAT DIVIDED THE PROPERTY INTO SIX LOTS, INCLUDING THE EXISTING HOME ON RIVER ROAD BUT EXCLUDING THE MT. STATES TELEPHONE & TELEGRAPH COMPANY PARCEL NEXT TO THAT HOME. NEARLY THREE YEARS LATER, THAT PLAT HAS EXPIRED. AT THEIR MEETING HELD ON NOVEMBER 14, 2023. THE PLANNING COMMISSION RECOMMENDED APPROVAL OF THE PLAT WITH A CONDITION.

**15. CONSIDER APPROVAL OF THE PRELIMINARY PLAT FOR RED INDUSTRIAL, A 3-LOT SUBDIVISION LOCATED IN FORT PIERCE AT 1630 EAST COMMERCE DRIVE. CASE NO. 2023-PP-041.**

BACKGROUND AND RECOMMENDATION: THE APPLICANT IS PROPOSING TO DIVIDE THE PROPERTY INTO THREE LOTS. THE PROPERTY IS A SALVAGE YARD IN FORT PIERCE INDUSTRIAL PARK. THE PARENTS HAVE PASSED AWAY AND THE PROPERTY IS IN THE FAMILY TRUST. THE TRUST HAS DECIDED TO SUBDIVIDE THE PROPERTY AND SELL TWO OF THE LOTS. AT THEIR MEETING HELD ON NOVEMBER 14, 2023 THE PLANNING COMMISSION HELD A PUBLIC MEETING AND RECOMMENDED APPROVAL.

**16. APPOINTMENTS TO BOARDS AND COMMISSIONS OF THE CITY.**

**17. Reports from Mayor, Councilmembers, and City Manager.**

**18. Request a closed session to discuss litigation, security, property acquisition or sale or the character and professional competence or physical or mental health of an individual.**

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Christina Fernandez, City Recorder

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Date

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




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