They plan on going down eight inches from the existing foundation and put in the drive. It leaves approximately a foot and we will use a six inch (6") curb to keep people in that lane. There is a drive that wraps around for through traffic and there will be approximately a foot drop. The existing driveway will slope out. There's approximately a six inch (6") curb on one side and a buffer going down about a foot. He will make sure a truck can get through.

Commissioner Pack asked what his plans were for the existing Icebox location.

Troy Dennett stated they will vacate it and open it up for some sort of retail space.

Commissioner Anderson stated it appears he has addressed the traffic concerns.

Commissioner Murphy stated the building looks good.

Dale Coulam noted there is no written list of conditions because most of this already exists and is already covered by ordinances or other health regulations. The only condition he suggested was that it be built consistent with the materials that were presented.

MOTION: Commissioner Bryan Pack moved to approve an Amended Class IV Conditional Use on a proposed renovation to Hafen's Nursery Building/Eisenhauer Market into a fast food restaurant located at 27 North 200 East, T J Ventures, LLC, owner, and Troy Dennett, applicant, subject to the condition that construction will be consistent with the materials that has been presented tonight.

SECOND: Commissioner Adel Murphy

VOTE: The motion carried.

Chair Jeffrey Loris	AYE
Commissioner Lance Anderson	AYE
Commissioner Adel Murphy	AYE
Commissioner Bryan Pack	AYE
Commissioner Mike Scott	AYE

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Consider recommendation on Proposed General Plan Amendment to change the Land Use Plan from Low Density Residential to Commercial Resort located adjacent to and north of the Coyote Gulch Commercial Area in the Kayenta Development (Parcels I-7-1-25-3200, 3201, 3202 approximately 7.67 acres)

Commissioner Anderson excused himself to the audience.

Dale Coulam explained that the application is the same. At the Public Hearing, it was suggested that the Planning Commission may want to reduce the size of the land use change. The applicant is not required to provide a plan at this time but to appease some of the residents, he provided a concept plan. At this level there is nothing that binds the applicant to that plan. It shows what could be done if the size of the bubble area was reduced. The applicant made it clear at the Public Hearing that the application stands for the full area. If the Commissioners were to reduce it, the applicant has shown a minimal size that would work for his purposes and still give a buffer to the residents. It's a land use application, and it's the Commission's vision as far as making a recommendation to the City Council and then it's their vision when making the final decision. The previous meeting ended on the note with Judge Shumate suggesting they meet with Terry Marten to see if they could come up with something that would be agreeable. It appears the parties have done that, but the application has not been amended. On the Land Use application it could be approved as applied for, recommend a modification, or recommend denial.

Chair Loris explained that in the previous meeting there was a picture displayed showing an overlay with a bubble. He distributed a colored map that has a black line showing the boundary of Commercial Resort; it shows the river/wash to the culvert, and the existing commercial. He wanted to see how the existing zoning map sits over the commercial area. He explained where the buildings were located in Coyote Gulch including the new buildings. On the west side behind the houses it is already

zoned Commercial Resort Resort. So this area can be used in this application. The area they are trying to extend is to the north. It's approximately 4.2 acres. Inside the loop of the Coyote Gulch, they have used almost the commercial area. On the west side of the road they have quite a bit of commercial and to the south side of Kwavasa they have an area of commercial. The Land Use bubble comes way south down Kwavasa Drive. They have maxed out in some areas, but they do have area to the west. Some of these houses that are residential, regardless of what they want or don't want, it's within the Kayenta Development and they are able to use this area as Commercial Resort regardless of what the decision is tonight.

Kevin Rudd advised that they did receive approval along the western boundary to build some studio type housing in the future similar to an existing live-in studio. The resident could live there but have an attached studio to run his business, etc.

Chair Loris has heard a lot of comments against the Land Use Amendment and asked what the Commission's vision was.

Commissioner Pack stated it's a difficult question when building something in people's backyards. Not in my backyard comes up a lot. The fact that we already have this Commercial Resort and the zoning, the question seems to have already been answered. We are talking about potentially expanding the use, and we are not looking at specific plans in general. He was in favor of the amendment knowing that we still have some control over what goes on in Coyote Gulch with the Conditional Use Permits that have to be obtained in the future. He's okay with modifying it with what the developer feels is sufficient. It could be scaled back and he would be in favor of it.

Commissioner Scott felt the revised plan/scaled back version does help minimize the impact to the residential. Although we are increasing the amount of Commercial Resort as pointed out some of this is already zoned Commercial Resort that is impacting existing homes but it's already zoned Commercial Resort. The expansion still has an impact but less impact especially because it has been cut back. He was in favor of the revised smaller plan.

Commissioner Murphy was also in favor of the revised smaller plan. She appreciates the buffer between residential and commercial. We have said in Mixed Use there has to be a buffer when there is commercial abutting residential. She listened to the comments on the tape about traffic and noise but a lot of it is not dealt with at this forum. That will be addressed during the Conditional Use Permit Application. She doesn't have a problem with the smaller parcel and felt it makes sense in the area. We had a meeting on the cultural center and had a rousing applauses and everybody wanted it. This will help support it. There were comments about people making noise and coming at night and staying up at all hours. One person commented that the people coming are like the people that live there and love the area. The smaller plan is less imposing and there still some Low Density Residential above this area. If they choose to develop, it looks like there could be six houses up above the commercial. She is in favor of the amended version.

Commissioner Scott listened to the tapes and they were concerned about the traffic but this plan improves the traffic situation. There were also comments about flooding and water. He asked if that was being dealt with by the City.

Kevin Rudd stated that they are currently working with the property owners in regards to the wash and retention basins.

Chair Loris commented if the area stays Low Density Residential and we don't approve any of that change, we have the commercial bubble that extends down by the tennis courts and other commercial elements that have access to the Coyote Gulch area. Then why introduce this area to be Commercial Resort or that application when we have these smaller areas and the entire bubble across the intersection to be used for the Commercial Resort?

Commissioner Pack commented that the developer wants to go north and our role is to mitigate some of the impact at the latter stage of the process. Generally, he is in favor of land owners to use their land

as they want and consistent with the vision of what's going on whether it's north or south.
Commissioner Scott commented although the proposed building could change over time he liked the synergy with all the arts concentrated. It's a nice pocket to itself instead of spreading it out, crossing the street and separating it.
Commissioner Murphy stated that we talk about walkability and it's a cohesive unit this way.
Chair Loris commented these are points to bring up not that he wants to go against it. The developer wants to go north but if it is denied he will look at another spot to go. He brought these points up because they were brought up in the public hearing. He's in favor of developing the area to the north. It's a good use of the land and it's an area for a lot of flooding issues to lower areas and with development they would have to do a lot of improvements to make sure that is taken care of. He doesn't like the entire area as Commercial Resort but does like the smaller section. He was originally looking at 40 units but he has cut it down to 32 units. The land owners to the west are already bordering commercial.
Dale Coulam asked if the consensus is a motion to approve a land use change as modified from 7.67 acres to approximately 4.2 acres immediately north of the Coyote Gulch Area.
Chair Loris stated that the four Commissioners are in favor of supporting that recommended change.
Commissioner Pack commented if the question is what's the Commission's or individual Commissioner's vision is, he felt this matches how he sees this area because of the commercial that is already there. If that is the question, then he is in favor of the amended plan of 4.2 acres.
Chair Loris noted that there was a report done by many professionals such as civil engineers, political owners, Washington County and Five Counties in the southern area and they decided what was best for the Washington County and Five Counties as a whole. The majority of aid would come because of the closeness of residential to marketing retail and arts. If they could walk, it could reduce carbon footprint and travel short distances. They would enjoy life better rather than try to living in high rises and travel long distances by car to get to entertainment, etc. This small area north of the Coyote Gulch would do really well to make sure that vision happens in this small community. We would benefit greatly to have short areas to walk to. It's a good idea and matches the vision of Ivins and entire southern corridor of Utah.
Dale Coulam stated that from what he has heard the recommendation would be to approve the General Plan Amendment from Low Density to Commercial Resort and modified from 7.67 acres to approximately 4.2 acres.
MOTION: Commissioner Bryan Pack moved to recommend a Proposed General Plan Amendment to change the Land Use Plan from Low Density Residential to Commercial Resort located adjacent to and north of the Coyote Gulch Commercial Area in the Kayenta Development (Parcels I-7-1-25-3200, 3201, 3202 approximately 7.67 acres) with the modification that we are dealing with the 4.2 acres opposed to the 7.67 acres.
SECOND: Commissioner Mike Scott
VOTE: The motion carried.

Chair Jeffrey Loris	AYE
Commissioner Lance Anderson	AYE
Commissioner Adel Murphy	AYE
Commissioner Bryan Pack	AYE
Commissioner Mike Scott	AYE

B. <u>Consider recommendation on Proposed amendments to Chapters 18 (Multi-Family Design Guidelines) and 19 (Site Plan and Building Design Requirements) of the Ivins City Zoning Ordinance (Title 16). Ivins City, applicant</u>