IVINS CITY
PLANNING COMMISSION
MINUTES
March 13, 2018
435-628-0606

1) WELCOME AND CALL TO ORDER

A. Acknowledgement of Quorum

CHAIRMAN AND COMMISSIONERS: The meeting was called to order at 05:30 p.m. All present included Commissioner Adel Murphy, Commissioner Mike Scott, and Commissioner Lance Anderson.

Staff Attending: Dale Coulam-City Manager/Attorney, Mike Rodriguez-Building and Zoning Administrator, Sharon Allen-Deputy City Recorder.

Audience Attending: Molly Kay and Gerard Cote, Cliff and Leann Gustin, Logan Blake, Stacy Young, Mike and Karen Martinez, Larry and Shannon Butler, Vinnie Pisani, Dan Satterfield, Cheri Jameson, Gail Brimner and Ron Stoops, Rich and Debra Ward, CJ Unzen, as well as others who did not sign in.

B. Flag Salute--Commissioner Mike Scott

C. Invocation--Commissioner Lance Anderson

D. Disclosures

Commissioner Lance Anderson stated that his son has a plat on item 5A of the agenda. He is also neighboring the property on Normandy Road that is up for a Public Hearing tonight, as well as advised his friend William Craig on the Purple Sage subdivision, although this is just a concept plan report. NO other conflicts.

2) REPORTS AND PRESENTATIONS --

A. Concept Plan Report for Purple Sage Subdivision, located at approximately 141 West 200 North. William Craig-Owner/Applicant.

Mike Rodriguez stated that this is an existing single family home that fronts 200 North and they want to subdivide into two parcels to create a flag lot in the back. They meet the requirements and minimum access width to be able to create that lot. He showed an exhibit roughly where they want to put the new home.

3) BUSINESS LICENSES -None

4) PUBLIC HEARING AND ACTION ITEMS-

A. Continued Public Hearing on recommendation to approve a proposed Land Use Amendment from School to MDR (Medium Density Residential) and a proposed Zoning District Change of RA-5 (Low Density Residential Agriculture District-5 acres) to R-1-10, with lot averaging overlay (Residential Single-Family District average lot size 10,000 sq ft) on 7.65 acres at approximately 580 West Normandy Road. Quality Development, LLC-Owner. Development Solutions Group, Inc. Applicant.

Mike Rodriguez stated this is a concurrent land use and zone change. The applicant is seeking Medium Density Residential and looking at doing residential single family lots averaging 10,000 sq ft per lot. This is East of Indigo Trails subdivision on the South side of Highway 91 with access off Highway 91 and Earl Road. **Commissioner Adel Murphy** opened the Public Hearing. Hearing no comments, **Commissioner Adel Murphy** closed the Public Hearing.

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B. Discuss and consider recommendation of Continued Public Hearing to approve a proposed Land Use Amendment from School to MDR (Medium Density Residential) and a proposed Zoning District Change of RA-5 (Low Density Residential Agriculture District-5 acres) to R-1-10, with lot averaging overlay (Residential Single-Family District average lot size 10,000 sq ft) on 7.65 acres at approximately 580 West Normandy Road. Quality Development, LLC-Owner. Development Solutions Group, Inc. Applicant.

Commissioner Mike Scott inquired on what the density of housing is surrounding this property. **Mike Rodriguez** stated Indigo Trails is Low Density housing at 15000 sq ft and nothing else developed there and the lots on the other side are an acre or larger. Off of Guy lane next to Ryders service center we approved a Multi-Family project. There will be townhomes developed there. Sometime in the future there will be lower density homes up on the hillside just south of this proposed development. **Commissioner Lance Anderson** stated that he owns property to the west. **Commissioner Adel Murphy** stated on the last meeting we needed to know what the lot averaging percentage is. **Mike Rodriguez** stated you can have no more than 25% be below the minimum, so 75% or more have to be 10,000 sq ft or larger. 25% can be smaller. That is after 20% improvements. **Commissioner Mike Scott** stated that his only concern is that there is low density all around it and it is close to Highway 91. **Commissioner Adel Murphy** stated that is her concern too. If they want medium density she would go 12.5 or maybe 12.5 with lot averaging, but next to RE-15 she doesn't want to make that big of a jump. **Commissioner Lance Anderson** stated he would agree to 12.5 lot averaging. Indigo Trails is as well. That sounds reasonable. With lot averaging, they would match what is along there. **Commissioner Mike Scott** agreed.

MOTION: Commissioner Mike Scott moved to approve recommendation of Continued Public Hearing to approve a proposed Land Use Amendment from School to MDR (Medium Density Residential) and a proposed Zoning District Change of RA-5 (Low Density Residential Agriculture District-5 acres) to RE-12.5, with lot averaging overlay (Residential Single-Family District average lot size 12,500 sq ft) on 7.65 acres at approximately 580 West Normandy Road. Quality Development, LLC-Owner. Development Solutions Group, Inc. Applicant.
SECOND: Commissioner Lance Anderson
VOTE: The motion carried.

Commissioner Adel Murphy	AYE
Commissioner Mike Scott	AYE
Commissioner Lance Anderson	AYE
Chairman Jeff Loris	ABSENT
Commissioner Bryan Pack	ABSENT

C. Continued Public Hearing on recommendation to approve a proposed Land Use Amendment from School to MDR (Medium Density Residential) and a proposed Zoning District Change of RA-1 (Low Density Residential Agriculture District-1 acre) to R-1-10, with lot averaging overlay (Residential Single-Family District average lot size 10,000 sq ft) on 17.57 acres at approximately 200 West Center Street. DSG Holdings, LLC-Owner. Development Solutions Group, Inc. Applicant.

Mike Rodriguez stated that this is a concurrent application on a land use change from Low Density Residential to Medium Density Residential and a proposed zone change from RA-1 to R-1-10. This is west of Tenaya Estates and bordered by Center Street on the South, 200 North on

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the north side, and 200 West on the East. **Commissioner Adel Murphy** opened the Public Hearing. She noted that they had received a couple of letters which are on file with the City and are available upon request. Both letters stated they wanted 12.5 and the letter from the Lameka's asked for 12.5 with lot averaging. Stacy Young stated he was representing Development Solutions. He stated he is here to respond to the feedback from questions a couple of weeks before. This is a family-owned business who are 5th generation locals and have been doing residential development a long time and platted around 700 residential lots around Washington County. Locally, they did Desert Rose, Cliffrose and Silver Sage. This project came about because the School District had a surplus after the opening of Vista and Ivins demographics; they are failing to keep enrollment up at Red Mountain Elementary. So they did an exchange for the land we had in Little Valley and Ence homes has been looking for land out here for awhile now. They have great track record with 60 years in the business. We hope this can be a positive whether it is the 10000 sw ft lots or 12.5 will be low impact in terms of traffic, noise and light, rather than a school. We looked at the best fit for homes and asked for lot sizes to accommodate those homes. What the site layout will be should be forthcoming but it will be similar to Cantera or Redstone Estates. He would be happy to answer any questions. Cliff Gustin stated he was a resident of Tenaya Estates and the neighbors had their own public hearing and he is here to relay some of those concerns. He has spent 44 years in real estate and is a real estate appraiser and an expert witness in many cases. One thing we have all heard over the years is don't buy the biggest house on the lot. There is a term called economic obsolescence meaning a property suffers value loss because of something external of the lot lines that is causing the value of the property to depreciate. The residents of Tenaya Sands and Tenaya Estates all feel their property will depreciate if R-1-10 is allowed. The Master Plan designates the west end of Ivins for larger lots, 15000 sq ft. Tuscan Grove is RE-20. We are trying to keep that area consistent with larger lot sizes and recognize that the current residents that are vested in this community want that. He reiterated some of the goals in the Master Plan. Goal #1 is to protect the superior quality of life in Ivins and encourage development that enhances the quality and makes living in Ivins desirable. Bigger lot sizes achieve goals #2 and #5 in the General Plan. A low density residential designation ensures larger lot sizes and fewer homes that will minimize privacy intrusion and keeps it open and reduce sources of light, less roof lines and protect uniqueness of Ivins. Goal #5 is farm land and we need to protect the agricultural heritage. Designating the school property low density residential will ensure it doesn't encroach and degrade vistas and views. Goal #6 The Planning Commission has a responsibility for fostering orderly growth compatible with the character of the community and surrounding natural beauty. People retire or raise families here and we know all our neighbors. Protect the uniqueness and keep it rural. Goal #7 Designation to Low Density Residential will promote smaller neighborhoods and maintain openness. We ask that the Planning Commission not to approve the proposed zoning district change but rather RA-15 and it is consistent with abutting properties and the adjoining neighborhood. Dan Satterfield lives in Tenaya Sands and he feels they covered most of his issues, but he believes in the Master Plan. He has lived here for 8 years. He would hate to see us allow higher density homes. He has seen neighborhoods go downhill when that happens. He doesn't want to be like Washington City with so much traffic, congestion and high density and watch our quality of living go downhill. Larry Butler stated that he lives in Tenaya Estates but he is concerned that with all the development that water pressure will go down and how will we address that with the water system? Troy Ence stated he is with Ence Homes. They are locals from forever ago. His Dad and brother were born here. There were 10 families when he was born here. We want it to stay nice.

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It is unique and we love it. This property is surrounded with 10000 sq ft homes. Tenaya is larger. 400 is the point where the City wants to start keeping them larger lots. In his opinion Cantera with 10000 sq ft homes was really nice and turned out well. They will be keeping them single level homes. It fits well here. Stacy Young stated to make bigger lots will add width, not depth, just more side yard. Those are the way the roads stack up. Cliff Gustin stated that having smaller lots against Tenaya means having multiple roof lines. The width may not increase, but the view will be hampered. Dave Thayer stated that his backyard is next to this development. The Planning Commission decided on the prior public hearing and it was ruled 12.5 was appropriate because of the 15000 sq ft lots near it. This is the same logic. If lots need to be smaller then put bigger lots abutting Tenaya Estates and smaller lots on the other parcels. Ron Levandawsky stated he lives at the roundabout. He has an astronomy dome in his backyard. They moved here 2013 and back then the sky quality meter showed 22.5, which is spectacular and we could see the Milky Way every night. In the last 5 years he doesn't see a sky quality reading of 18. Degradation of lights is his concern. Logan Blake stated he is the engineer doing this project. The width of the lots means if you have a wider lot you are going to build a wider house. Ivins City code is a 10 ft side yard setbacks minimum so you will have 20 ft gaps between homes. With R-1-10 you have more openings between the lots and allows him to match grade better with the adjacent development and keep the lots lower by having them be smaller. Larry stated these developers don't live in Ivins they are making money. Are we going to maintain our quality of life or allow them to make more money? Sheri Jameson lived here in different small towns in Southern Utah for 50 years. She noticed that people get so excited for growth they will allow them to build anything. She would like them to consider bigger lots. Hearing no further comments, **Commissioner Adel Murphy** closed the Public Hearing.

D. Discuss and consider recommendation of Continued Public Hearing to approve a proposed Land Use Amendment from School to MDR (Medium Density Residential) and a proposed Zoning District Change of RA-1 (Low Density Residential Agriculture District-1 acre) to R-1-10, with lot averaging overlay (Residential Single-Family District average lot size 10,000 sq ft) on 17.57 acres at approximately 200 West Center Street. DSG Holdings, LLC-Owner. Development Solutions Group, Inc. Applicant.

Dale Coulam stated that East of this development is RE-12.5 in the blue. The School is surrounded by Medium Density. They are asking for a land use change from School to Medium Density Residential and a zone change from RA-1 to R-1-10 with lot averaging. The largest lots in the Medium Density Residential is 12.5. **Commissioner Mike Scott** inquired why does Tenaya Sands show Medium Density Residential but are 15,000 sq ft lots when it should show Low Density Residential because that is the highest in the low density land use. The School property appears to be completely surrounded by Medium Density Residential. **Commissioner Lance Anderson** stated to answer the water pressure concern, we receive water from an elevation from a tank and we just upgraded the tank. It has a lot of connectivity. Go check your pressure reducing valve in your garage. It doesn't have to do with City's infrastructure. **Commissioner Adel Murphy** stated it is surrounded by Medium Density Residential and she is inclined to say what she said on the last property and make them 12.5 with lot averaging. **Commissioner Mike Scott** stated 7.5, 10 and 12.5 are the three densities to choose from. Can we require one story buildings? **Dale Coulam** stated that with lot averaging they can't have more than 25% of the total lots less than the minimum allowed lot size and no single lot shall be less than 75% of the minimum lot size. With the Subdivision Enhancement Overlay you could negotiate single story homes as part of layout and design. **Commissioner Mike Scott** inquired

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can we require larger lots to abut Tenaya Estates? **Dale Coulam** stated no but we can request it. There is nothing we can do at this stage to make their development binding. We are discussing the density issue only. Stacy Young inquired if we could put together a simple Development Agreement along with the zone change? **Dale Coulam** stated that would be conditional zoning but at Preliminary Plan we could work out those details. **Commissioner Mike Scott** stated he agrees with Commissioner Adel Murphy to do Medium Density Residential, and because of Tenaya Estates being larger lots, he would adopt 12.5 with a lot averaging overlay. **Commissioner Lance Anderson** stated he agrees if you get smaller houses you create more viewsheds through them. Bigger houses with bigger lots have no space between them. If he calculated acreage right it would be 48 lots at RE-12.5 and 60 lots at R-1-10. There are some 8,000 sq ft homes in Tenaya Sands so there is a mix. Because of the situation he would say RE-12.5. Stacy Young stated that maybe split the zone and have a row of 12.5 along Tenaya Estates and R-1-10 on the remainder. **Dale Coulam** stated that generally zoning follows the boundary lines and Land Use is a bubble. Stacy Young stated the land use would be Medium Density Residential and the zone change would be modified to define it with the bubble. **Dale Coulam** stated splitting down the length of your parcel may not satisfy the crowd. With lot averaging you select where you put the smaller lots. You could do RE-12.5 along Tenaya and 25% of your lots smaller. It comes close to what you are saying and splits the difference. **Commissioner Lance Anderson** inquired about lots on Center Street. He would have to submit a legal description where he wants his RE-12.5 and his R-1-10. **Commissioner Adel Murphy** we recommend and City Council decides. We do the best we can at our meetings, and she encourages the public to go to City Council meetings as well. **Commissioner Mike Scott** stated he recommends RE-12.5 with lot averaging. **Commissioner Lance Anderson** stated he supports it but he sees that we had unintended consequences with our ordinance definition. They really need more than the 25% to make this work for everyone.

MOTION: Commissioner Mike Scott moved to approve recommendation of Continued Public Hearing to approve a proposed Land Use Amendment from School to MDR (Medium Density Residential) and a proposed Zoning District Change of RA-1 (Low Density Residential Agriculture District-1 acre) to RE-12.5, with lot averaging overlay (Residential Single-Family District average lot size 12,500 sq ft) on 17.57 acres at approximately 200 West Center Street. DSG Holdings, LLC-Owner. Development Solutions Group, Inc. Applicant.
SECOND: Commissioner Lance Anderson
VOTE: The motion carried.

Commissioner Adel Murphy	AYE
Commissioner Mike Scott	AYE
Commissioner Lance Anderson	AYE
Chairman Jeff Loris	ABSENT
Commissioner Bryan Pack	ABSENT

E. Public Hearing on recommendation to approve a proposed Zoning Map Amendment, changing the lots fronting 200 East between 200 North to 300 North from Mobile Home Zoning District (MH) to Single Family Residential, 7,500 sq ft minimum lot size (R-1-7.5). However, the two parcels also abutting 300 North would be changing to Single Family Residential, 5,000 sq ft minimum lot size (R-1-5).

Mike Rodriguez stated that we did the prior Mobile Home sections and this is the remainder of any MH lots and are smaller than the R-1-10 zoning we did last time. These 9 lots front 200 East

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between 200 North and 300 North and there are two smaller lots less than 7500 sq ft. Those lots we recommend to be rezoned R-1-5. **Commissioner Adel Murphy** opened the Public Hearing. Hearing no comments, **Commissioner Adel Murphy** closed the Public Hearing.

F. Discuss and consider recommendation to approve a proposed Zoning Map Amendment, changing the lots fronting 200 East between 200 North to 300 North from Mobile Home Zoning District (MH) to Single Family Residential, 7,500 sq ft minimum lot size (R-1-7.5). However, the two parcels also abutting 300 North would be changing to Single Family Residential, 5,000 sq ft minimum lot size (R-1-5).

Commissioner Adel Murphy stated it sounds reasonable to her. **Commissioner Mike Scott** agreed. **Dale Coulam** stated these were the Single Family Residential zones that most closely fit the lot sizes.

MOTION: Commissioner Mike Scott moved to approve recommendation to approve a proposed Zoning Map Amendment, changing the lots fronting 200 East between 200 North to 300 North from Mobile Home Zoning District (MH) to Single Family Residential, 7,500 sq ft minimum lot size (R-1-7.5). However, the two parcels also abutting 300 North would be changing to Single Family Residential, 5,000 sq ft minimum lot size (R-1-5).
SECOND: Commissioner Lance Anderson
VOTE: The motion carried.

Commissioner Adel Murphy	AYE
Commissioner Mike Scott	AYE
Commissioner Lance Anderson	AYE
Chairman Jeff Loris	ABSENT
Commissioner Bryan Pack	ABSENT

5) DISCUSSION AND POTENTIAL ACTION ITEMS-

A. Discuss and consider approval of Indigo Trails Phase 1-C Final Plat. ANA Enterprises, LLC-Property Owner. Kolby Anderson-Applicant.

Dale Coulam stated under rules of procedure that Commissioner Lance Anderson has disclosed his conflict but he is not the applicant, so he can discuss and vote on this item. **Mike Rodriguez** stated that this is a two lot subdivision plat in Indigo trails. It complies to our City standards.

MOTION: Commissioner Mike Scott moved to approve Indigo Trails Phase 1-C Final Plat. ANA Enterprises, LLC-Property Owner. Kolby Anderson-Applicant.
SECOND: Commissioner Lance Anderson
VOTE: The motion carried.

Commissioner Adel Murphy	AYE
Commissioner Mike Scott	AYE
Commissioner Lance Anderson	AYE
Chairman Jeff Loris	ABSENT
Commissioner Bryan Pack	ABSENT

B. Discuss and consider approval of minutes for February 13, 2018 and February 27, 2018.

MOTION: Commissioner Mike Scott moved to approve minutes for February 13, 2018 and February 27, 2018.
SECOND: Commissioner Lance Anderson
VOTE: The motion carried.

Commissioner Adel Murphy	AYE

Commissioner Mike Scott	AYE
Commissioner Lance Anderson	AYE
Chairman Jeff Loris	ABSENT
Commissioner Bryan Pack	ABSENT

6) REPORTS

A. Planning Commission

B. Chairman

C. Building and Zoning Administrator, Mike Rodriguez

D. City Attorney, Dale Coulam

E. Items to be placed on future agendas

7) ADJOURNMENT

MOTION: Commissioner Lance Anderson moved to approve ADJOURNMENT

SECOND: Commissioner Mike Scott

VOTE: The motion carried.

Commissioner Adel Murphy	AYE
Commissioner Mike Scott	AYE
Commissioner Lance Anderson	AYE
Chairman Jeff Loris	ABSTAIN
Commissioner Bryan Pack	ABSTAIN

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