IVINS CITY
PLANNING COMMISSION
MINUTES
April 16, 2019
435-628-0606

1) WELCOME AND CALL TO ORDER

CHAIRMAN AND COMMISSIONERS: The meeting was called to order at 5:30 p.m. All present included Chairman Jeff Loris, Commissioner Bryan Pack, Commissioner Lance Anderson, Commissioner Doug Clifford, and Commissioner Bob Morris.

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

Audience Attending: Derek Larsen, Candice Koharcheck, Boyd Livingston, Harold and Dee Jones, Peggy and Stan Spray, Brett Lovell, Mike and LaDawn Richey, Claudette Larsen, Rich Svien, Lene Morford, Shelley Moeller, Sharon Barton, Tracy Ence, Allen Hall, Pamela Graft, Kris and Allison Kruger, Heather Kunde, Nigel Gillingham, Byron Howard, Darin Hintze, as well as others that did not sign in.

A. Acknowledgement of Quorum

B. Flag Salute--Commissioner Lance Anderson

C. Invocation--Commissioner Doug Clifford

D. Disclosures

Commissioner Lance Anderson stated that he had an item for Taviawk XI and XII Amended Preliminary Plan. **Chairman Jeff Loris** stated that on item 5A he does structural engineering work for his company, but has not done any work regarding the Tuscano subdivision. No other conflicts.

2) REPORTS AND PRESENTATIONS –-

A. Swear in new Planning Commission Member, Bob Morris-Oath of Office

3) BUSINESS LICENSES –None

4) PUBLIC HEARING AND ACTION ITEMS—

A. Public Hearing regarding a Concurrent Land Use/Zoning Amendment from C-1 (Community Commercial) to R-M-TH (High Density Residential Multi-Family Townhouse) on 10.37 acres, located at approximately Hwy 91 and 200 East. Lovell Development Group-Applicant. America First Credit Union-Owner.

Dale Coulam stated these would be four units a building with two car garages. **Commissioner Bryan Pack** opened the Public Hearing. Derek Larsen stated he lives at 231 East 1175 South and he would not want to see this zone change for several reasons such as property values. He looked at a property South of Ryders for a shop he wanted to build for his own business. He met with the City and heard that was really an ill fit for that property because the City was looking for upscale residential. It is disingenuous to deviate from that stated vision for the City. Boyd Livingston stated he lives at 1060 South and has been a resident here 25 plus years. He built in Heritage Estates in 2001 across from the chapel. He is one of the owners and general manager of Coldwell Banker in St George. He is not at all opposed to growth. That is the source of his business. However, something this dense would detract from the overall appearance of Ivins City. 200 East is one of the highest trafficked roads in town. The first thing you are going to see is 120 townhomes. Is that what we want Ivins to look like? The density is too high for this area.

Candice Koharcheck lives at 109 South Puerto and pointed out that the Ivins General Plan land use is supposed to be consistent to the vision encoded in that General Plan. We eat away at this by changing bits and pieces of zoning and it becomes harder to see that connecting vision. She would encourage everyone to think of it in that light, not just this specific corner. Ryan Morford lives at 388 East 1060 South. If this goes through his concern is that 1060 South is already overloaded with cars flying through the neighborhood to get to Harmons faster. That would increase the amount of dangerous traffic. Harold Jones lives at 238 East 1020 South. He bought here 12 years ago with the idea that this would be residential community and see the unobstructed views of the mountains. There are townhomes to the West of us and the other side that are in Santa Clara on 400 East, and their view and lifestyle has changed there. In Reno, we have seen residential coming in and we kept our views and quiet and appreciated that care. We came here with that same idea. We would like to see that stay. Townhome areas should go someplace more conducive to that. Recently, there has been some approved on Hwy 91 further to the West out of town. Chris Kruger lives at 314 E 1020 South. He moved here 5 years ago. They were attracted to the community. It was residential and that everything we read showed it would be kept residential. All these townhomes going in--when does it stop? It will continue, and totally destroy the neighborhood. It is not what was intended in the plan originally. It blocks the view, the traffic flows in and out constantly. It is not what we want where we raise our children. It is the wrong place to put it. Allison Kruger stated she feels strongly and adamantly against this. They have moved a few times in Utah County, where she kept seeing this and moving. She doesn't want to move. She loves her neighbors and neighborhood. We came here for that view we felt safe and protected and like we would never have to move again. If this comes into the subdivision, we will have to move. Heather Kunde stated she lives at 317 East 1175 South and is opposed to high density residential in the area next to Heritage Estates. They lived in Bloomington Hills 17 years ago. Desert Hills area also brought in townhomes. We chose this area specifically to avoid the high density housing. It changes the culture and it changes the traffic. Nigel Gillingham stated he lives at 740 S 200 E #11. In 2007 he sold an upstairs apartment, two bedroom, no yard. He knows how difficult it is to buy your first home. He appreciates what the developer is trying to do. But he went back to that old neighborhood and what was once a very nice neighborhood almost made him cry. The area became very densely populated. In England, we build up a bit, because we don't have the space Ivins has. The area was destroyed. Everybody starts somewhere and it is difficult to come up with funds but we have so much land here. Why build this so close to other homes where it will devalue them? People invest in their homes and spend a lifetime paying for it, and this will easily knock 50k off their value. There is no sense in that. There is land all over for sale. Put in low-priced houses in an area where other houses are built out to it so that they know what they are going to get and what it will be like. Great idea to build houses that are affordable. **Commissioner Bryan Pack** stated that we received an email from Jennifer and Dewey Oberholtz opposing the change. The email is on record by request. He wanted to also remind the audience that the Planning Commission is considering this application, but they are not the ones proposing it. Byron Howard stated he lives at 1024 South 225 East and his backyard would abut to this. His concern is about 1060 South traffic flow, views, and how well they will be maintained, and the devalue of our homes. He wants to keep the investment that he has. We will one day outgrow our home and have to move and he wants the value to still be there. He is not opposed to growth, but not this high density. LaDawn Richey stated she lives at 224 East 1175 South. She moved from the East Coast 17 years ago. They built on 855 South first when the area was a trailer park and a horse field back

then. The beautiful red mountain attracted us and they have loved it here. Nine years ago we bought property at a very high price in Heritage Estates. They have older children and she knows the importance of an area like this, but there are other places it could go and benefit the community. It is important to have commercial in the community. Taking away a spot that is on the highway and accessible is important. Darin Hintze lives at 1139 South 325 East and he came to Ivins in the late 70's and early 80's and then moved to Heritage Estates 14 years ago. Ivins had a stigma as the ghetto and our Planning Commission has done a great job. He doesn't think we want this to be our entrance sign into our great city. Hearing no further comments, **Chairman Jeff Loris** closed the Public Hearing

B. Discuss and consider recommendation of a Concurrent Land Use/Zoning Amendment from C-1 (Community Commercial) to R-M-TH (High Density Residential Multi-Family Townhouse) on 10.37 acres, located at approximately Hwy 91 and 200 East. Lovell Development Group-Applicant. America First Credit Union-Owner.

Chairman Jeff Loris stated it is zoned C-1, and the land use is community commercial. What are the allowances for this area now? **Mike Rodriguez** stated it could be anywhere from some offices to retail, professional office type use. The Western Corridor comes through the parcel as well. That portion will be set aside for that. **Chairman Jeff Loris** stated there is part of their parcel that overlays onto someone else's property. **Mike Rodriguez** stated they have stayed on the C-1 area but the map shows it as off a bit. The Western Corridor is a 5 lane parkway and will have two travel lanes each direction and a center turn lane. **Chairman Jeff Loris** stated it would have a speed of 35-45 mph. There is a very large traffic pattern planned there. Brett Lovell stated he is with Lovell Development Group. UDOT has been spoken to. The reason they are purchasing from America First Credit Union is that this property was listed as commercial for quite some time and couldn't get commercial traction there. This overlay drawing was just a visual. The schematics will be done with engineering. A survey has been done on the property. The Western Corridor will be accommodated. **Commissioner Bryan Pack** inquired on the C-1 designation it currently has. What is Family Dollar's designation, and didn't it have a conditional use? That is an example of a potential use that could be there without having to come back to this body for zoning approval. He has concerns that it is zoned commercial now and we don't have much commercial. There may not be traction for commercial now but as more residential comes in, we may need some. He would hesitate to change this. This will be developed and it won't stay rural pasture. He would prefer it to stay commercial. We as Planning Commission and City Council have a duty to look at what is best for the community and affordable housing is a huge concern. The State Legislature is mandating we put together an affordable housing plan. If he looks at where is the appropriate spot for a high density project, this is a pretty attractive parcel. There is a bus stop right off the highway. Traffic is a concern and an increase in traffic. He does not want to see cars speeding through there. He is against this proposal at this time, but he thinks the time will come when these decisions will have to be made. Water is also a concern and how the City is getting to the point where we need to develop other resources. Every time we change the use to a higher density, it further impacts that. **Commercial Lance Anderson** stated since 2003 he has been to these meetings and in 2005 we had a vision and put through the Hwy 91 corridor plan and everybody gives up 30 ft on each side of the road. We don't want Hwy 91 to look like Sunset or Bluff Street and we are slowly getting there. 400 South used to be the sacred line for RE-25 and we wouldn't think of anything lower than that back then. How many townhomes do we have right now? 157? **Mike Rodriguez** stated right now we have 300 total townhomes that have been built, set to be built or slated to be built. **Commissioner Lance**

Anderson 157 Townhomes right now, and we will need to keep some commercial. Let's see how these townhomes affect our affordable housing before building more. Over the years from a planning standpoint we have tried not to put townhomes in higher density along Hwy 91. We are on a slippery slope. Right now, it needs to stay C-1 with the amount of homes we have planned. Doug Clifford stated this scares him a bit as a singular rezoning. We have not really done the General Plan to set our affordable housing for the City. When we make a decision it sets it in concrete and it becomes a factor in how we do the rest of the zoning. He is a fan of commercial. We have a major artery like Hwy 91 and those are good places to put your higher density. Where else do you put it? It becomes an abnormality in the center of something else. The biggest issue is not seeing the overall vision yet of where we would like them to go, and we do need commercial. **Commissioner Bryan Pack** stated he is not opposed to this being high density residential at some -point. He can see this being a good spot for the City if the affordable housing plan states it as such. Right now he is against it. **Commissioner Lance Anderson** stated Herriman builds in the middle of nowhere and then they build out to them. Let us keep to our highway transportation plan. **Commissioner Bryan Pack** stated on the affordable housing discussion, he is on that commission and his thought is, if not here, where? We need to figure that out. **Commissioner Lance Anderson** stated we have 157 of them currently. 300 townhomes total. How much do we need? **Commissioner Bob Morris** stated that our best crop is our children. This area has turned into a high end place with just older people like himself living here. He has lived in the same place 20+ years with duplexes being built across the street and he did not complain. He would rather see this than a Maverik if he was living in that neighborhood. **Chairman Jeff Loris** stated commercial is important to have. Next to this is a high-density residential area of R-1-7.5 which is like 5 houses per acre. Very dense. Next to that is Desert Rose which is R-1-10 with an enhancement overlay so it is closer to R-1-7.5. North of that is a Mixed-Use Overlay with short-term rental that is high-density residential and this area hasn't penciled out with their numbers and if they wanted to change it out, this could be a potential place for townhomes to be. The RV Park is across the way. This area between Movara and Indigo Trails is all high-density residential. As we look at the transportation plan, it is important to notice that area is high-density residential. We would take away the chance of having a commercial area. There are greater places adjacent and further down the street that would be better suited for high-density residential.

MOTION: Commissioner Bryan Pack moved to recommend denial of a Concurrent Land Use/Zoning Amendment from C-1 (Community Commercial) to R-M-TH (High Density Residential Multi-Family Townhouse) on 10.37 acres, located at approximately Hwy 91 and 200 East. Lovell Development Group-Applicant. America First Credit Union-Owner.
SECOND: Commissioner Lance Anderson
VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Bryan Pack	AYE
Commissioner Lance Anderson	AYE
Commissioner Doug Clifford	AYE
Commissioner Bob Morris	NAY

5) DISCUSSION AND POTENTIAL ACTION ITEMS—

A. Discuss and consider approval of Amendment of the Final Plat for Tuscano Subdivision, located at approximately 100 West Center Street. Macro, LLC/Ence Bros Construction-Owner. Faction, LLC-Applicant.

Mike Rodriguez stated that subdivision has 30 townhome units on Center Street and 100 West. There are 8 buildings on approximately 2.75 acres. The project was approved with three separate building types. One type was duplicated and the two in the center were similar, but they are different sizes and floorplans. The applicant wants to amend the plat to eliminate these two buildings and build the other building type in their place. It will not increase the number of units. It will however change the footprint on four units. **Chairman Jeff Loris** stated these two units are identical. They only push North about five feet. They have turned from being long to being tall. They have just turned those 90 degrees. The reason they are doing it is for pricing. They have two that they have built they have priced down to the penny, so if they do more of those, they have eased their construction costs. The difference in square footages is 1297 sq ft and 1184 sq ft. It is just making it easier to be able to duplicate them. The other thing the applicant is asking is to change the elevation to pitched roof rather than a flat roof. Again for ease of construction they want to pitch the roof and enable them to put the mechanical units in the attic rather than on the roof. **Commissioner Doug Clifford** inquired if there was a height restriction? **Mike Rodriguez** sated these will not be higher than the approved height. They are actually shorter. **Commissioner Lance Anderson** inquired that they have two built right now will these others match that? **Mike Rodriguez** stated those will stay the way they are, and the four units will have a pitched roof and it will ultimately be lower than what is existing. **Chairman Jeff Loris** stated they would be 5/12 instead of 6/12. **Dale Coulam** stated if we look at the amended plat the end of the units will look the same. It is looking east to west that you would notice the additional pitched roof and it still fits with our design guidelines. There is no Conditional Use Permit. It was single phase development so there was no development agreement required. There is nothing in our code that would prevent them from doing this.

MOTION: Commissioner Bryan Pack moved to approve Amendment of the Final Plat for Tuscano Subdivision, located at approximately 100 West Center Street. Macro, LLC/Ence Bros Construction-Owner. Faction, LLC-Applicant.

SECOND: Commissioner Lance Anderson

VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Bryan Pack	AYE
Commissioner Lance Anderson	AYE
Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE

B. Discuss and consider recommendation of an Amended Preliminary Plan for Taviawk Phase XI and XII, located at approximately Tearasinab Way and Paiute Way. Kayenta Development-Owner/Applicant.

Commissioner Lance Anderson recused himself. **Mike Rodriguez** stated that this an amended final plat of 78 lots on just under 60 acres. TRC reviewed the plan and it complies with the City's regulations. It affects a total of 36 lots. The bubbled area is really what is being amended because the two cul-de-sacs will have four lots in each of the cul-de-sacs, and the lots to the East of those will be developed sometime in the future. That will be a future roadway. The total of 36 lots were only affected because they were part of the original preliminary plan. **Chairman Jeff Loris** stated he saw no concerns.

MOTION: Commissioner Bryan Pack moved to approve recommendation of an Amended Preliminary Plan for Taviawk Phase XI and XII, located at approximately Tearasinab Way and Paiute Way. Kayenta Development-Owner/Applicant.

SECOND: Commissioner Bob Morris
VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Bryan Pack	AYE
Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE
Commissioner Lance Anderson	RECUSE

C. Discuss and consider approval of the Ivins City Planning Commission minutes for March 19 and April 2, 2019.

MOTION: Commissioner Bryan Pack moved to approve the Ivins City Planning Commission minutes for March 19, 2019
SECOND: Commissioner Lance Anderson
VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Bryan Pack	AYE
Commissioner Lance Anderson	AYE
Commissioner Doug Clifford	ABSTAIN
Commissioner Bob Morris	ABSTAIN

MOTION: Commissioner Bryan Pack moved to approve the Ivins City Planning Commission minutes for April 2, 2019.
SECOND: Commissioner Doug Clifford
VOTE: The motion carried.

Commissioner Bryan Pack	AYE
Commissioner Lance Anderson	AYE
Commissioner Doug Clifford	AYE
Chairman Jeff Loris	ABSTAIN
Commissioner Bob Morris	ABSTAIN

6) REPORTS
A. Planning Commission
B. Chairman
C. Building and Zoning Administrator, Mike Rodriguez
Mike Rodriguez stated the Affordable Housing Task Force has a meeting scheduled for Monday. There is some new legislation that will be taking effect. He will be Chairing that Committee.
D. City Attorney, Dale Coulam
Dale Coulam stated that the new legislation has passed, but does not come into effect until May 14th. It is Senate Bill 34.
E. Items to be placed on future agendas
Mike Rodriguez stated that affordable housing will become an agenda item as we get further in this discussion.
7) ADJOURNMENT
MOTION: Commissioner Lance Anderson moved to approve ADJOURNMENT
SECOND: Commissioner Bryan Pack
VOTE: The motion carried.

Chairman Jeff Loris	AYE

Commissioner Bryan Pack	AYE
Commissioner Lance Anderson	AYE
Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE