IVINS CITY
PLANNING COMMISSION
MINUTES
June 16, 2020
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 Bryan Pack, Commissioner Jeff Loris, Commissioner Bob Morris, Commissioner Lance Anderson, and Commissioner Doug Clifford.

Staff Attending: Dale Coulam-City Manager/Attorney, Mike Rodriguez-Building and Zoning Administrator, Lane Mecham-Director of Finance, and Sharon Allen-Deputy City Recorder were all in-house. Chuck Gillette-City Engineer attended through Zoom.

Audience Attending: Joe Platt, Patrick Manning, Claudette Larsen were in-house. CJ Koharcheck was through Zoom.

***NOTICE: This meeting will be held electronically, with some staff located at City Hall as the anchor location. You may listen to the live audio feed by going to www.ivins.com, clicking on the "Government" tab, clicking on the word "HERE" under the words Planning Commission, and under the "Upcoming Events" at the top of that page, when the meeting is live, it will reflect "In Progress" - click on the "In Progress" link to listen to the meeting live. The direct link to listen to the meeting is below: http://ivins.granicus.com/GeneratedAgendaViewer.php?view_id=2&event_id=870 For those desiring to make public comment at the public hearing, you can sign into this Zoom Webinar link: https://us02web.zoom.us/j/89745912911 Webinar ID: 897 4591 2911**

A. Acknowledgement of Quorum

B. Invocation--Chairman Bryan Pack

C. Disclosures-None

2) REPORTS AND PRESENTATIONS --None

3) BUSINESS LICENSES -None

4) PUBLIC HEARING AND ACTION ITEMS—

A. Public Hearing on a proposed Class V Conditional Use Application at approximately 3052 Snow Canyon Parkway. Enlaw, LLC-Owner. Patrick Manning-Applicant.

Mike Rodriguez stated this is the Black Desert Resort of Entrada and we have seen similar discussions in the past for the conditional use permit for the temporary trailers on the site. This is the large parcel south of the horse roundabout and leaving Ivins. Patrick Manning will be giving us a description of the project. We did have this item with Sensitive Lands Committee on the agenda for this morning. **Chuck Gillette** stated yes, the sensitive lands map exhibit shows rock outcroppings. The rule in our ordinance says that any outcropping greater than 8000 sq ft is considered to be sensitive lands and essentially needs to be protected. In the past we have identified the lava fields as a grouping of multiple rock outcroppings instead of one single large outcropping due to the fact that the rock is covered by silty sand in many places and the rock doesn't necessarily pop out of the ground everywhere. We suggested it would be less effort on the applicant's part if he wanted to consider it to be one big rock outcropping. It could backfire if

it does not fall into the requirements of disturbance limitations. The applicant is confident that there will be little disturbance even considered as one big rock outcropping and so that is how the amount of sensitive lands was quantified on this project. The gray hatch marks is the rock outcropping and the table shows that according to this map 80% of the rock outcropping is undisturbed and 20% of the rock outcropping is disturbed; 16% is disturbed by the golf course. 2% by the ponds and lakes, 1% by paths and 1.4% roads. In the Sensitive Lands Committee meeting we discussed whether the Western Corridor should be part of that disturbance and we felt like it should be so they suggested that before going to City Council for approval so we will need an exhibit showing the disturbance of the Western Corridor. The ordinance doesn't even consider disturbance as something to worry about until it gets over 30%, after that it suggests that you can decrease densities. Basically this proposes zero density in the lava fields. There is no density issue going on there. We are encouraged by the effort of the applicant to preserve the lava fields. Clearly, he has the right to disturb more of it and still meet our sensitive lands ordinance, but just to make sure that we follow proper procedures, we want to show that Western Corridor. We also asked in our motion this morning that he include additional disturbance for what would be required to construct the golf course and he has agreed to re-do this exhibit to show that. At Sensitive Lands meeting, it was recommended to move it forward with that motion. **Chairman Bryan Pack** inquired as far as the total percent of disturbance, do you feel those numbers are generally accurate? **Chuck Gillette** stated yes, other than the Western Corridor and some of the disturbance that might occur during construction, and even disturbance of what he has here will probably be restored. There is an argument that he is not destroying any vegetative area. Basically blasting rock outcroppings is what we would consider to be disturbance. They are not doing that. Blasting, putting dirt or grass on it, or putting a pond over it is disturbing it. He feels good about the numbers and he has met the requirements of the ordinance. Patrick Manning stated the purpose of this agenda item is a Class V Conditional Use Permit across the Ivins portion of Black Desert Resort of Entrada with focus on Phase 1, our resort center. A Development Agreement would require us to bring in beyond the first phase of the resort center, all of the appropriate items on the checklist for the Conditional Use Permit. **Mike Rodriguez** stated this is the introduction of this item after it was presented to TRC and Sensitive Lands Committee. There will be a number of discussions to go over the conditions that will need to be placed on the Conditional Use Permit and this is an opportunity to show what is being planned for the portion that resides in Ivins City. Patrick Manning stated this is roughly a 600 acre development that spans the southern part of Ivins across the lava flow and down to Pioneer Parkway through Santa Clara. The total acreage within Ivins is just under 250 acres. Of those 250 acres, we have 71% open space and 29% we consider developable area. That corresponds with the map just displayed. of the 168 acres of that lava preserve, we are looking to have just under 80% undisturbed. The whole purpose of Black Desert is to preserve that lava flow, not only as an icon for this resort, but to also be enjoyed by the public. Our plan includes a lot of trails through the lava flow that connect and interconnect with existing city trails including in to the Sand Hollow Wash and up to Johnson's Arch and Scout Cave and those trails will all be open to the public. Eventually, hopefully a trailhead right off the Western Corridor to allow easy access into those lava flows. Of the developable area, Resort Center which is Phase 1 is a 150-room hotel pushed back off of the horse roundabout and right up to the lava flow. Area 11 is a 150 room hotel and the first phase also includes the Tom Wieskopf designed golf course that is all the way through construction drawings now. There are three pools in Phase 1, one is roughly the length of a football field. There are 297 resort residences within Phase 1, and the overall

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density for this project in Ivins, even though there is not a density in resort commercial, we are what would generally be considered low and medium density at about 5 dwelling units per acre. Beyond the resort center, which has 24000 sq ft of convention space, multiple pools and multiple restaurants, the 297 residences, well-done spa, fitness and all the typical higher-end things you'd find in a resort center. Outside of the resort center, we have a series of villages. Stay and Play Village is a golf village that has golf-specific amenities like our Black Desert golf simulators and people can come in, even at night to come play the course. One simulator is completed so come by and play the Black Desert golf course virtually. Area 9 is the Corporate Retreat, where business corporations in northern Utah want a getaway for their employees, VIPs, investors, etc. Family Village with an almost 1200-ft-run lazy river that is bookended by two large pools with black sand beach entry pools. Culinary Village is where we have shops and restaurants on the first floor and higher-end focus on chefs' kitchen residences above and we are in serious negotiations with Wolf Sub-Zero about having a culinary school within this area. Everything along Parkway Village is limited to 17 ft height, flat roof, on one floor right as you come in. Everything beyond that is 15 ft so aggressively low-profile. Hide-away Village is a no-kids area with their own pool and fitness area at the quiet side of Black Desert. The lake off of the pool and hotel is the 19th green. His favorite part is that from the southern portion of the Family Village you can walk all the way through all the shops and retail, over a pedestrian bridge, over 3000 feet without going across a single vehicular street. So a very pedestrian-friendly desert boardwalk. As we come off the roundabout the road gently slopes down and by the time it gets to the pedestrian bridge, it is 14 feet below grade so 14 feet above roadway, and then reaches 15 to 20 feet below the roundabout before you get to the porte cochere of the hotel. **Chairman Bryan Pack** stated as far as shops, are those open to the public? Patrick Manning stated yes absolutely. Usually when you go to a town with millions of visitors per year there is an area that everyone knows about. We view this as delivering that area for the greater St. George and Zion area. This is very inclusive, the fun side of Entrada and the only thing that will be closed to the public would be the golf course after a few years when it matures it will become a resort course, which means you have to own there or be a guest at the hotel. The fitness center won't be open to the public. Otherwise all the restaurants and shops will be open to the public and very encouraged. In the Dropbox link that the City has, we have the application, the narrative with all the numbers and all the uses, which are hotel, golf course and related services, convention center, spa, fitness and wellness maybe light medical procedures and restaurants, retail-all boutique. Intentionally omitted from our uses are things like gas stations, grocery stores or any big-box type of retail. Culinary school, kids club which is kind of an adventure hub for resort guests and children and then things like vocal schools. We have the drainage report by Kuma Engineering. We have our plant list. Traffic and parking studies and utility impact studies and the narrative for all of those, and all updated consistent with this site plan. He then showed pictures to give a brief idea of how Resort Center would look. It is a minimalist and contemporary design. There is a glass staircase that goes up to the fine dining restaurant. All walls open to incorporate the pool and there is an area between the open air restaurant and the fine dining restaurant like a steakhouse. That is all looking into Snow Canyon and the red mountain. There is no visible parking. It is all underground and you won't see lots of cars. That was important to us to accomplish. There is a covered walkway leading from the convention center back toward the front door, to the porte cochere to the lobby/registration area. So this Resort Center is the only one we are looking to build that has three stories but it will be shielded from Snow Canyon Parkway because we have one story showing and as we get back to Resort Center we are about 18 feet below grade. You

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will not know it is three stories until you drive up onto it. **Chairman Bryan Pack** inquired are we far enough along and have enough information to have a public hearing? **Mike Rodriguez** suggested opening the public hearing because we have people that want to address the Commission and have some input on this and then continue it to hold it open for a future meeting and meanwhile we will start drafting some conditions for the Conditional Use Permit. It will take an extended Public Hearing. Patrick mentioned that parking will be mostly below grade, however in the parking study it states that one of their intentions is to have the service workers transported and bussed in. Patrick Manning stated that some of the issues with the site is that it has no back so it is hard to hide trash and employee parking and delivery stuff, so we have a six-acre piece by the substation in Santa Clara that will house employee parking and their cafeteria and delivery and distribution and resort laundry, deliver for golf course and maintenance for golf course all down behind that substation. Our goal is no eighteen-wheelers in Ivins. We will take smaller trucks into Ivins to deliver. **Chairman Bryan Pack** stated he wants to note that he has received two emails from Lisa Rutherford and CJ Koharcheck and he asks that if you have concerns express them, but this is not a question and answer session. We can consider those concerns and address them and will keep a list of the issues. Please keep comments brief. He read the emails into the record, stating that Lisa Rutherford is concerned with water and where it is all coming from. She wondered how many visitors, how much traffic will be generated and will the roundabout handle those numbers? CJ Koharcheck wondered about workforce housing and how many employees there will be? How can we help address the affordable housing issue for these employees through this project if possible to do so? He then opened the public hearing. Claudette Larsen stated she is concerned about water and also what percent will be rentals? With all the rock formations there, will there be a way to prevent people from taking or disturbing the rock? CJ Koharcheck zoomed in and stated that she lives on Puerto. This resort is beautiful and she is glad it is going to be partially open with respect to the trails. There are going to be a lot of low-wage jobs and she doesn't think it is fair to the City of Ivins to have to change the zoning of the rest of the City to accommodate needs for affordable housing. When they all look for places to live according to our moderate housing plan, Ivins is on the hook with the State of Utah to change zoning, as one of our strategies. It is not fair to the City as a whole to expect that we will need zoning changes in other areas to accommodate the low-wage workers that will be here at the resort. Hearing no further comments, **Chairman Bryan Pack** stated that we will continue this Public Hearing to have another opportunity as plans are fully developed.

B. <u>Discuss and consider recommendation on a proposed C Class V Conditional Use Application at approximately 3052 Snow Canyon Parkway. Enlaw, LLC-Owner. Patrick Manning-Applicant. Several attachments on dropbox: https://www.dropbox.com/sh/76kvfazw71vc88x/AABUzEH5nBxRFjDeuw6QiS8Ma?dl=0</u>

Chairman Bryan Pack inquired if there were any other issues that Planning Commission has identified for consideration of this Class V Conditional Use Permit? **Commissioner Doug Clifford** inquired if this would be phased or one massive project? **Chairman Bryan Pack** stated Phase 1 is Resort Center. **Commissioner Bob Morris** inquired will the golf course or the commercial area come first? Patrick Manning stated that Resort Center with its commercial retail and hotel will be done concurrently with the golf course. **Mike Rodriguez** inquired what is the estimated time of construction? Patrick Manning stated that the golf course timeline is 18 months and Resort Center is 25 months. Internally we are conflicted on what Phase 2 will be and some believe it should be the family village because it is the most requested, but he would like to do

the commercial retail off the roundabout first because he doesn't want to build a hotel and then years later start digging holes for underground parking right off the roundabout. That is what he is pushing for is the retail and the culinary village. It has not been decided yet. But they want to start with the main amenity hub and the golf course as Phase 1 so there will be less hammering on what would go in up front. **Chairman Bryan Pack** inquired if the phasing will be finalized with the development agreement? **Dale Coulam** stated there will be flexibility in the phasing so we anticipate that they may identify the first couple of phases but it may identify what those uses are on the site plan, but timing may be market-driven in the future so there will be flexibility to the phasing. Patrick Manning stated that there are ongoing discussions on how to solve that problem long-term. We are looking at some affordable housing in the Santa Clara portion of Black Desert, however a small piece we sold off 17 acres just north adjacent to the Harmon's has been master plan approved with 188 units of rentals and just north of that is another plat going through Santa Clara that is an additional 211 rental apartments, and then another project approved for 250 so we are watching that to see if we need to provide housing or if the neighbors are handling that for us**.** All of that is in Santa Clara. **Chairman Bryan Pack** inquired how many employees do you expect when it is fully built out? Patrick Manning stated between 600-650. **Commissioner Bob Morris** stated will those will be purchased or rented? Patrick stated that in the Resort Commercial, it implies the ability to rent, but he is a firm believer that you cannot allow people to rent their own units and that degradation happens fast. They are in final negotiations with Marriott to be in the background and let them do the reservations. They would not be shown on our building, and our CCRs and rental agreement program state that you cannot rent your unit except through the front desk, and it will all be operated through one desk. As far as who would rent we don't know how many people would want to rent through the pool and about 250 residences pre-sold and most of those want to be in the family village, but not necessarily rentals. **Commissioner Lance Anderson** inquired if the sitework would be disturbed or will it only be done in areas? Patrick Manning stated Judd Palmer will be doing the work and believes he can disturb just what needs to be. He has been out there 30 times and just disturb only the permanent areas, even in the resort area. On the water issue, we own the rights to 450 acre ft of water that is provided by the City of St George and is irrigation water through an irrigation line and they have the right to bring the water from three different sources, Gunlock Reservoir, well or reuse. **Commissioner Jeff Loris** stated that regarding low-income housing, if we were a stand-alone city it would make sense, but most people travel in to work. He travels to St George and knows people that travel from LaVerkin and Toquerville, and with the size of this resort, we may see Cedar City employees coming to work here. It is not just all on Ivins to be responsible for all the housing for these workers. We are under restriction by the State but we are not on the hook for the entire area. We will work with our neighbors and make this resort work out well. **Mike Rodriguez** stated that at this point we will have TRC meeting and staff will continue to work with the applicant to draft conditions. We will have some standard conditions as well as some that are specific to this project and taking recommendations from the Planning Commission and Sensitive Lands Committee, TRC and members of the public so we can sort through those and have an in-depth staff report at a future meeting. Take a look at what has been submitted thus far and give staff your feedback to communicate back to the applicant. Familiarize yourself with this project.

5) DISCUSSION AND POTENTIAL ACTION ITEMS—

A. <u>Discuss and consider amendments to Density Allowances for Multi-Family.</u>

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Chairman Bryan Pack stated this is his drafted handiwork and is consistent with what we talked about at t our last meeting. There are Still some blanks there for us to fill in for the different types of improvements. **Commissioner Jeff Loris** stated he went through the numbers with Kanta Village, Movara, Encanto and Sage Villas, the items of open space and recreational space, he is not sure what those are considered to be, but he guesstimated and looked at 1%, 2% and 3% of the total lot size as usage for recreation area and calculated those. Most areas in Movara and Kanta, not so much Sage Villas, were around 3% of the entire gross area size that was used for the entire recreational area. If you split that into units by square foot per unit, it ends up being 100 sq ft per unit and 100 sq ft per unit, and that is around 3% and 4% of the total lot size used for recreational space. **Chairman Bryan Pack** stated so all five of these categories would total about 150 sq ft per unit**. Commissioner Jeff Loris** stated yes so if you take each one and so Kanta Village has 80 units, so 80 times 150 is 12000 sq ft is required sq ft recreational area. Red Mountain Vista Townhomes is 145 sq ft per unit times 72. **Chairman Bryan Pack** stated if we want to incentivize more recreational areas for the higher density, maybe we need to go higher. **Commissioner Jeff Loris** stated but if you look at Red Mountain Vista Townhomes, the entire central core is all recreational. Kanta Village has a tiny pool but lots of walking trails and open space. What is the number of incentivizing for it to not be a taking? **Commissioner Doug Clifford** stated that he loves how it is broken down into the areas. Meeting rooms are actually used quite a bit in some of these places. That could be another option to put in. A basketball or tennis court is about 4-5000 sq ft. Pickleball is about 2000 sq ft. The average pool for an apartment complex is 20 x 40. The pool itself is just a piece of it and the surrounding area like deck chairs and dressing areas, etc, almost doubles the square footage for the pool amenity. So maybe 1500 to 2000 sq ft. This works so that a smaller complex could put in a smaller pool and still get credit. At 15%, and if you run the numbers with 20% held out for roads and parking etc, you end up with about 10 units per acre, maximum allowable density would be up to 15 per acre but that would be almost entirely recreational. **Chairman Bryan Pack** stated in an R-1-5 zone that is that is 8-9 units in an acre, less the 20% for roads, so that fits. **Commissioner Doug Clifford** stated this is consistent to what is being done, and reflects some of the better things we see happening in the city with the amenities people are putting in. **Chairman Bryan Pack** stated he had in that you can get more density if you limited the height. Is 18 ft an appropriate height for single-story? **Commissioner Jeff Loris** stated yes. That is a nice single-story flat style like Kayenta or Entrada does. **Commissioner Bob Morris** stated that you can't fit a two-story in 18 feet. **Chairman Bryan Pack** stated that we need to identify the lengths in the bonus improvements section. Can we consider it over the next two weeks and then finalize it? **Commissioner Doug Clifford** stated it shows 40% under outdoor activities. So with that, 4% is the minimum. **Chairman Bryan Pack** stated the intent there is to total allow them to have a menu here to pick from. The total of all five of those would add up to more than 100% and so they can pick and choose and still get their maximum density. **Commissioner Doug Clifford** stated that one other thing he found interesting while researching is that people in apartments look for as an amenity was pet-friendly. The idea of a pet park or area may really be exciting for a lot of people. **Chairman Bryan Pack** stated that would be included under outdoor recreation under other amenities intending to be used for simple recreation. That would count if someone came in with that kind of a plan. **Chairman Lance Anderson** inquired what is the basis of the 15% on? **Chairman Bryan Pack** stated that density calculated is by taking the cross-section of all residential structures and adding that up and comparing that to the total square footage of the parcels, and getting 15%. Multi-Family could build up to 15% of the square

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footage of their developable parcel as residential structures with our normal ordinance on height restriction. If they are willing to have single-story on the outside portion of their development, they could get up to 20% of the square footage of their parcels developed into residential structures. These are the same numbers we have been kicking around for several weeks now. **Commissioner Doug Clifford** stated the average for apartments in terms of their footprint is about 800 sq ft with a multi-level apartment. If you take that and run the numbers, again leaving out 20% for roads and parking, you get 10 per acre, so that is the base number, and it leaves 35000 sq feet of open space left. If you go up to 25 maximum and run the numbers you come back to 14 units per acre as an average. **Commissioner Bob Morris** inquired how do we feel about the square footage per unit? **Commissioner Jeff Loris** stated that maximum number is 150 sq ft per unit to be used as recreational area as he looked at it. **Commissioner Bob Morris** inquired that is fair to a developer, right? **Commissioner Jeff Loris** stated yes that is 10% open space and 20% roads and so they are down to 70% and we ask them to cover only 25-30% of their land. There is a lot of area left for open space to dedicate square footage to recreational areas is a really good choice to improve on the area. **Chairman Bryan Pack** stated so 150 sq ft of amenities per unit and those four categories and if they build out to 100% of the density bonus and it totals 125%; if we look at amount of square footage per unit, the recommendation should add up to 150%, recognizing that they don't get it all. They get about 4/5 of what is being offered if they build out. **Commissioner Doug Clifford** but they only get 100%. **Chairman Bryan Pack** stated so if we get the option to go up to 175% recognizing they are only going to get 4/5 of that we are looking at 140 square feet. So maybe we build out to 180% so that they come in at about 150 square feet. **Commissioner Bob Morris** stated that would get them down to 150%. **Commissioner Jeff Loris** stated we could do 200%. **Commissioner Doug Clifford** stated we should do some examples. **Chairman Bryan Pack** stated he is okay with going higher because the incentive is that the more they build, the more dense they get, so the difference is if we use 200 as our number and then we get down to 160, he is comfortable with that. So the assignment is to use 200% to total these different items in the ordinance and recognizing that if anybody builds out they are not going to get 200%, they will only get about 160%. He took out the open space 10% requirement unintentionally, so that needs to be put back in. **Commissioner Lance Anderson** stated pickleball was inside or outside improvements. **Chairman Bryan Pack** stated they did that on purpose. An outside one qualifies for an outside improvement, and the inside one would qualify for the indoor improvements. The thought process was that if it is an indoor amenity, they are putting up another building so the benefit of having it look less dense disappears because now there is another building making it look more dense. **Commissioner Doug Clifford** stated that it is almost like a Conditional Use Permit because we have a defined size, for some items, but a lot of them don't. We talked about pools and what would classify. We need some definition and then when we get to indoor improvements, it is all over the map. Having the square foot requirement is good for the number of people but we probably need some limits to that. **Chairman Bryan Pack** stated these are just recommended numbers to get the full bonus. If it is a smaller amenity, it is a smaller bonus. He would like to see the market still drive these decisions. **Commissioner Jeff Loris** stated he did not take square footages, he took the area that they use for recreation from fence line to fence line. **Commissioner Bob Morris** stated on indoor improvements should we shrink our number down? **Chairman Bryan Pack** stated there is room for that in this framework. You could say a certain number of square footage for each category. **Commissioner Bob Morris** stated he thinks the outdoor improvements are right on at 200%. **Commissioner Lance Anderson** stated that we

need to leave a level of reasonability, when someone submits an application, and in Ivins we only have a few times to make mistakes and then we are done. There are only 3-4 parcels of property to even apply this to. **Chairman Bryan Pack** stated we will move it forward to think it through and come back next meeting. He will add that open space and then send this back to talk about next meeting. **Commissioner Lance Anderson** stated he would like Mike Rodriguez to take it as it is written and apply it to a subdivision. **Mike Rodriguez** stated he can take a look at that.

B. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for June 2, 2020.

MOTION: Commissioner Bob Morris moved to approve the Ivins City Planning Commission Meeting Minutes for June 2, 2020.
SECOND: Commissioner Jeff Loris
VOTE: The motion carried.

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

6) REPORTS

A. Planning Commission

B. Chairman

C. Building and Zoning Administrator, Mike Rodriguez

Mike Rodriguez stated that we will continue the discussion for the Black Desert project and we didn't receive some of that information until late last night after hours so Staff will review all that and we will try to get information to the Planning Commission as quickly as possible so they have a chance to review it. We will be meeting with TRC about the list of conditions.

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 Jeff Loris
VOTE: The motion carried.

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

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