IVINS CITY
PLANNING COMMISSION
MINUTES
August 30, 2022
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 Dave Robinson, Commissioner Doug Clifford, Commissioner Bob Morris, Commissioner Derek Larsen, and Commissioner Pam Gardiol.

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

Audience Attending: James Barden, Lance Anderson, Dulce Clements, Laura Knowles, Chris Haddad, Dave and Suzy Appel, Angela McVey, Kim Blackman, Patrick Manning, Stephenie Nast, Lisa Ganz, Robert Ence, Brent Ence, Mark McDermaid, Fred Silkey, Linda Brown, Brandon Nelson, as well as others that did not sign in.

A. Acknowledgement of Quorum

B. Flag Salute--Commissioner Bob Morris

C. Invocation--Commissioner Bob Morris

D. Disclosures

Commissioner Derek Larsen stated that he and a business partner have $1000 refundable deposit down for Black Desert Resort. No other conflicts.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS-None

3) PUBLIC HEARING AND ACTION ITEMS

A. Public Hearing on a Zone Amendment from R-1-5 (Residential Single Family, minimum lot size 5,000 sq ft) and RM (Multi-Family) to RC (Resort Commercial) on approximately 9.618 acres located on approximately Guy Lane and Fitness Way. Teancum Properties, LLC-Owner. Lance Anderson/ANA Enterprises, LLC-Applicant.

Mike Haycock stated that this property is located off Highway 91. The land use plan shows Resort Mixed Use and the zone they are asking for is Resort Commercial. There is R-1-5 on the lower section and the current zoning is RM and abuts R-1-7.5 and R-1-5 Medium Density Residential land uses. The portion of the property that is in Resort Mixed Use will not change. It is the portion that is in Resort Commercial. **Chairman Dave Robinson** stated that this is by Ryders. **Dale Coulam** stated that they are asking for Resort Commercial with a Resort Mixed Use land use and right now we are talking about two residential zones, R-1-5 and Multi-Family that are existing under an Resort Mixed Use land use. If we go through the legend, it defines what Resort Mixed Use stands for. For example, Commercial Neighborhood area shows the available zones, and that is the case for every single land use. So Resort Mixed Use says available zones are all residential and commercial zones except Recreational Vehicles. Basically you can have residential zones in a Resort Mixed Use land use and any commercial zone except Recreational Vehicles in a Resort Mixed Use land use. As it exists, the R-1-5 and Multi Family residential zones are in compliance with the land use plan. Their request is legal and complies with the land use plan. It does not say in the ordinance or the legend, that Resort Mixed Use land use has to include a combination of zones. It can be a single residential zone or a single commercial zone. That is all legal. **Chairman Dave Robinson** stated that means that it matches

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the zones. Resort Commercial can be residential as well as business commercial? **Dale Coulam** stated on Resort Commercial, right now it says that dwellings are not allowed unless you get a Mixed Use overlay. The reason for that was because a property owner wanted to expand residential into a resort commercial area that the Council wanted to retain so that notation was added. It has served its purpose but is now getting in the way because we want to encourage the Mixed Use between residential and commercial. That will probably be a change we try to make down the road. **Commissioner Pam Gardiol** stated going to Resort Commercial, everything surrounding it appears to be residential. What are the implications of Resort Commercial on surrounding neighborhoods? **Dale Coulam** stated that there is commercial at Ryders and further east is Movara and Townhomes in between. **Mike Haycock** stated that the Resort Commercial zone has many uses in it. It is the widest use of any allowed. There are compatible uses in it. We have seen that it mixes well with surrounding areas. Depending on their request during development, we would possibly work on a Conditional Use Permit. The question is what is the Table of Uses for that zone? It is hard to state the pros and cons of it until we see their development application. This is the zoning and later on, the applicant would come in with more detail. **Commissioner Pam Gardiol** stated that there is a pretty broad Table of Uses in this zone. If we make this zone change can they do any and all of those uses if the developer decides to come in with something we don't believe is compatible? **Mike Haycock** stated that discussion was already had when the land use was changed to Resort Mixed Use and that opened it up to a lot of different zones. Resort Commercial being one. If you approve Resort Commercial you approve those uses in that table to be allowed. **Commissioner Pam Gardiol** stated so we are looking at application of place where the Resort Commercial zone could be and all those uses come with that zone. **Dale Coulam** stated that all the uses in the Table of Uses are conditional uses. They are allowed but you can impose reasonable conditions to mitigate adverse impacts from that use. When they come forward with a site plan accompanied with a Conditional Use Permit. A Class V Conditional Use Permit is the highest level of review. There would be a Public Hearing at the Planning Commission and then City Council makes the final decision. It depends on the use as far as the process. As a conditional use, there can always be reasonable conditions imposed to mitigate adverse impacts from that use to the surrounding areas. That will all be taken into account when they come forward with their proposed use. You can still maintain some control over any adverse impacts when the site plan comes forward. **Commissioner Pam Gardiol** stated that her experience has been that sometimes Conditional Use Permits are violated and not monitored by the community from variations of those conditions. **Dale Coulam** stated for example, Canyon Crossing had a tent in the parking lot selling honey and he went by the store and told them it wasn't allowed as a use and not to jeopardize their Conditional Use Permit. If we see or get complaints of violations, we talk to the owners. We have done that with Lightfoot's sometimes too. Most of the time it is innocent but we do follow up on code enforcement when needed. **Commissioner Pam Gardiol** inquired if we put the responsibility on the surrounding neighbors to call on violations? The City needs to reply in a timely way and follow through. **Dale Coulam** stated staff doen't always see the violations so that is why it is nice to get calls from the public. **Chairman Dave Robinson** inquired if the dotted yellow line is an offshoot of the corridor? **Mike Haycock** stated he is not sure if that is in the road Master Plan or not, but that would be considered during development. **Dale Coulam** stated it is too far west to be the Western Corridor. It is just a proposed road. **Chairman Dave Robinson** opened the Public Hearing. Lisa Ganz inquired what is the intent of the Resort Commercial change? What does the applicant want with that zone

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change? **Dale Coulam** stated that a zone change is about use and density. They don't have to come forward with a plan. That is at a later stage. The applicant is here if they want to respond, but they are not required to come forward with any kind of a plan. Mark McDermaid stated he lives on Fitness Way four houses from this proposed change. His background is 40 years in commercial construction and has been a developer. What worries him, is the applicant gets the zone change and he freelance maximizes his profits which in most cases is usually High Density in a residential area. Most people here are my neighbors and we are all very concerned. This is a brand new residential community and they are continuing to build homes all the way to the road. We would like to see it remain residential. They are worried about traffic. If this becomes a commercial resort development, we are concerned about the amount of traffic on our small residential roads. Fred Silkey stated he lives on Lantana Way. In my backyard is what we call the hole. There was a remark made earlier about compatibility is addressed after approval of the zoning which is flawed and should be part of the zoning process. You are basically giving carte blanche and then they can come back with anything. All the lots and homes over there are fairly new and the homeowners have spent a lot of money. It is not a good location for what is being applied for. It is a residential area and should be that way. Linda Brown stated that she lives on the corner of Lantana and Fitness Way and moved from Washington Fields to get out of rat race of traffic, someplace that was quiet and away from commercial. She is really discouraged at the zoning because we aren't privy of all the possibilities of what they can do there. How as residents are we supposed to know the adverse affects if we don't have a list of what can be there? Commercial will bring traffic. That is her biggest concern. Fitness Way would be a main street into that area. The area that residents refer to as the pit or the hole is the Resort Mixed Use zone behind Lantana Way, we are having an issue the City needs to take a look at where the land is washing away there behind our brick wall all along that street and has not been adequately reinforced. There is a river that runs down into that pit. One of the heavy equipment operators was back there told me there was a river running out the back of our house. We are the very lowest on the end of that street. The whole slope of Lantana runs off to their property. It is washing out that wall and causing damage there. That property is being neglected behind us and no one is doing anything about it. What will it take? Does the wall have to fall down? Who is responsible for retaining that wall? It was graded to pass inspection. There is a ditch now that has formed from the runoff and a wash has been created. **Commissioner Bob Morris** left at 6 pm. Lance Anderson stated that he lives on Fitness Way and is the applicant. What is happening in that area is that people's landscape water runs too long and then runs through the wall, and down into a ditch to what they consider the pit. They need to fix that so it does not wash out his property. The history on this parcel is he bought the property in 2010 and it was zoned RE-15 with an overlay for Short-Term Rentals. Before that it was going to be a salvage yard. We didn't want that on Highway 91. There was going to be a school right where Mojave is and he bought that property to protect Indigo Trails and the height there. There were 18 lots being proposed over there and they wanted to raise the grade 4-5 feet which made theirs 25 ft with 4 ft of grade. So he bought the property and put zoning in from RE-15, RE-12.5, R-1-10, R-1-7.5 and R-1-5. Tyler Bee and Derek Hafen should have put in all your disclosures that area would be commercial from day one. He did put those in as Resort Mixed Use because he always knew he would be doing something with it as some level of commercial. He is a believer in transitional zoning. Right now, there is confusion with Resort Mixed Use and back with it was established it was for Shan Gubler's subdivision. We have nothing in Ivins where that would be applicable anymore in his opinion. Hence the zone request for Resort Commercial. It was going to be

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apartments and Townhomes down in the hole. That was a good place to put High Density. We are not talking about down in the pit tonight. It is already zoned. This is regarding the 10 acres below Sage Villas. We did all the zoning so when people moved in, there would be no confusion. He may need to come in and ask for R-1-5 and R-1-7.5 once he determines what he needs to do there. It is a complicated little piece and then there is that little piece that Quality owns by Fitness Way. It is complicated, but that is the reason for the Resort Commercial request. Suzy Appel stated that she lives on 200 West and wondered about the process. If the applicant complies currently with what it allowed, what is the point of the Public Hearing? Is it a formality? **Dale Coulam** stated a zone change requires a Public Hearing at both Planning Commission and City Council. Suzy Appel inquired about consideration of the roads. If given the zone change and it could be commercial, do you look at the impact on the roads in those neighborhoods and surrounding areas depending how many units he could get on that property? We want to make sure that these roads can handle the amount of traffic that would stay there seasonal, weekly or residentially. **Chairman Dave Robinson** stated that is later down the road when they present what they are trying to do. Then we determine that. The question now is does this zone fit this area and what we have established as a City? Brandon Nelson stated he lives on Ocotillo Way. If approved, will they be City streets? If they are an HOA can we gate them off so they only access from Guy Lane? **Dale Coulam** stated when they come forward with a plan they will say if they are proposing private streets or dedicating roads to the City. Brandon Nelson inquired can we detour traffic if approved? Or have a cul-de-sac or a gate to keep them from wanting to come through the neighborhood? **Chairman Dave Robinson** stated that will all be part of the next process when they come forward with a design. It gets presented again as Public Hearing and will be addressed at that time. Scott Raine stated that no one was on Zoom. Hearing no further comments, **Chairman Dave Robinson** closed the Public Hearing

B. Discuss and consider recommendation on a Zone Amendment from R-1-5 (Residential Single Family, minimum lot size 5,000 sq ft) and RM (Multi-Family) to RC (Resort Commercial) on approximately 9.618 acres located on approximately Guy Lane and Fitness Way. Teancum Properties, LLC-Owner. Lance Anderson/ANA Enterprises, LLC-Applicant.

Chairman Dave Robinson stated that he can see both sides here. The Resort Mixed Use that we have established really puts a crook in the direction this was designed to go. **Commissioner Derek Larsen** inquired what can the developer do there if zoned commercial as opposed to the zone it is right now? **Mike Haycock** stated on the Table of Uses you have commercial but the RM zone has specific guidelines on height and how dense the property is. The Resort Commercial zone does not have as many guidelines for density and allows 35 ft instead of 25 ft. Resort Hotel is in the Resort Commercial zone, which allows Short-Term Rentals and those are the differences of whether or not you will get apartments. **Chairman Dave Robinson** stated that Resort Commercial gives them more ability to lay out exactly what they are going to do. **Dale Coulam** stated Resort Mixed Use is an unworkable zone. As Lance Anderson indicated, it was put in place for a reason and now it is just a hurdle and an unworkable zone. Councilmember Mike Scott has called it a Catch 22. In Encanto, the land use is Resort Mixed Use and Zoning Resort Commercial. You have homes in a rental pool and a management company for that development so that they have control over it. People also have their homes there. There is no requirement to actually rent their homes. It is up to the owner in what they are going to do whether they are rented or not. Right now it is zoned Multi-Family and we don't make recommendations, but legally the use is High Density Residential and there can be traffic

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generated by its current zone. **Chairman Dave Robinson** stated it is extremely High Density the way it sits now with 5,000 sq ft lots. **Dale Coulam** stated on Conditional Use Permits, the higher the number goes the greater level of scrutiny. If it has an X it is not allowed or if it is not listed as a use it is prohibited. So a Class IV requires a Public Hearing and Planning Commission makes an approval of the Conditional Use Permit. Automotive self-service station is an X so it is not allowed in Resort Commercial. Before, it was. It is allowed in C-1 Commercial. You can't have a bar there. There could be bed and breakfasts which could be homes. They just have to meet the requirements. No carwashes. A church could go there. Daycare and preschools. No kennels or plant nurseries. Commercial recreation indoor is allowed. Outdoor goes to City Council for that Conditional Use with a recommendation from Planning Commission. So you go through that Table 33-2 and look under the Resort Commercial column and go through those uses. Dwellings, condos, they all require a mixed use overlay currently. That needs to be changed because the City would like to see a mix of dwellings with a bit of Commercial. **Chairman Dave Robinson** stated that is our plan as a community is a walkable community. It would lead to that. Again, that would be known later, not in the zoning stage. **Commissioner Doug Clifford** stated that Lance Anderson referred to the reason for abandoning the Resort Mixed Use zone is that this is probably one that we will change when we redo the General Plan. This meets a lot of the requirements and potential housing maybe moderate income housing that we have been talking about. It is placed back away from the road and they have height that could be done where we have homes closer to the road would be lower, where they don't block each other's views. Those are all things they will come back in and talk to us about. The advantage is this does give the City more options because we would have Conditional Use Permit steps to be taken so the project would be in line with our vision of that area. **Chairman Dave Robinson** stated this is currently R-1-5 and that is an extremely high density area as it is. We aren't changing density but adding the effect that it will be Mixed Use and then we can be a walking community with services near them. Not talking grocery stores. No Wal-Mart. He thinks it fits the area and Lance Anderson has progressively moved that distance out which makes sense to him as well. We have done that to a lot of areas in town. **Commissioner Pam Gardiol** stated because this is only the first step, and reviewing the Table of Uses and the oversight that the Commission will have, she tends to lean towards approving this and it will come back to us. **Commissioner Derek Larsen** stated if we zone to Resort Commercial it gives the City more chance to have input into what goes there. **Dale Coulam** stated that the commercial uses could go there that aren't allowed in R-1-5 and are allowed in Resort Commercial. That gives the applicant more choices but it allows us the ability to put conditions on what they are proposing to be developed through the conditional use process. If we see or hear form the public that there are potential adverse impacts, we can put reasonable conditions in place to mitigate those. It depends on your perspective whether it gives us or the applicant more freedom. Staff doesn't make recommendations on zone changes. **Chairman Dave Robinson** stated it gives the applicant more options and gives us more oversight. **Commissioner Pam Gardiol** stated yes that oversight is critical. We live in a very wide open space and that concept of organic connection with community members is not the way in which we live. We have walls that prevent that sense of community. She can see this area as being a gathering point so we get to know neighbors. In Ivins there are very few opportunities to interact with people. This is an opportunity to connect the neighborhoods.

MOTION: Commissioner Pam Gardiol moved to approve recommendation on a Zone Amendment from R-1-5 (Residential Single Family, minimum lot size 5,000 sq ft) and RM

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(Multi-Family) to RC (Resort Commercial) on approximately 9.618 acres located on approximately Guy Lane and Fitness Way. Teancum Properties, LLC-Owner. Lance Anderson/ANA Enterprises, LLC-Applicant.
SECOND: Commissioner Doug Clifford
VOTE: The motion carried.

Chairman Dave Robinson	AYE
Commissioner Doug Clifford	AYE
Commissioner Derek Larsen	AYE
Commissioner Pam Gardiol	AYE
Commissioner Bob Morris	ABSENT

C. Public Hearing on a Concurrent Land Use Amendment from LDR (Low Density Residential), MDR (Medium Density Residential), HDR (High Density Residential) and CN (Neighborhood Commercial) to HDR (High Density Residential; and a Zone Amendment from RE-20 (Residential Estates, minimum 20,000 sq ft lots) RE-15 (Residential Estates, minimum 15,000 sq ft lots), RE-12.5 (Residential Estates, minimum 12,500 sq ft lots) and RA-5 (Residential Agriculture, minimum lot size 5 acres) to RE-20 (Residential Estates, minimum 20,000 sq ft lots) RE-15 (Residential Estates, minimum 15,000 sq ft lots), RE-12.5 (Residential Estates, minimum 12,500 sq ft lots) and lot averaging overlay on approximately 15 acres located at approximately Kwavasa (600 West) to 800 West. Kayenta Development, Inc and RT Marten, Utah LLC-Owners. Lance Anderson-Applicant.

Commissioner Bob Morris returned to the meeting. **Mike Haycock** stated that on the land use at Kwavasa between 200 North and 450 North in the middle there is a Neighborhood Commercial and you can't do an overlay in the Neighborhood Commercial and the applicant is asking to have that overlay continued to where the commercial area is. It would then be High Density Residential. The zone change hashing is where they are requesting lot averaging to have bigger lots in one area and smaller lots in other areas but the average would be for the zone. Part of the application is to change the RE zones on the East side of Kwavasa. Lance Anderson stated that there is a concept plan for Desert Cliffs that will be located here, and this is to help in our environment. We traded property to keep similar type homes out there. On the land use we are saying we can't have an overlay and they are an average of 17,000 sq ft lots and so we want an overlay because some are smaller or bigger but the average is 17,000 sq ft. So we can do the overlay, we are taking the little piece of commercial to High Density Residential to put homes on it and then an overlay on the property overall to allow 25% of those lots to be less but the average is still 17,000 sq ft. The other section is RE-12.5 with an overlay on it. It was commercial in 2008. We are not looking for High Density Residential. The overlay will allow us to have bigger and smaller lots and then asking to change from RA-5 the holding zone to RE-12.5 which is similar to surrounding properties. **Dale Coulam** stated that when he says overlay, he is speaking of lot averaging overlay. **Chairman Dave Robinson** stated this would help create affordable housing. He opened the Public Hearing. Robert Ence stated his family owns the property to the east and to the north. What is the overall plan? Right now it says RA-5. If he gets zoned RE-12.5 eventually they also may want to come in and develop RE-12.5. **Chairman Dave Robinson** stated that RA-5 is what we consider a holding zone. Asking you to do bigger lots is not likely but he can't guarantee that. Our intent is to keep similar zoning throughout. Robert Ence stated there is a lot of ground to the east and to the north. **Commissioner Bob Morris** stated you wouldn't have much trouble matching it, but you may have trouble shrinking

it or asking for smaller lots. This Commission tries to blend and stay the same size. **Chairman Dave Robinson** stated he can't promise, but he doesn't see that would be an issue. **Mike Haycock** stated it is Low Density Residential on the land use already. Lisa Ganz stated there is already some High Density in that area, which is surprising because the Council and Commission like to put similar zones together. The land use if passed with be High Density Residential and then the guy next door will want to do the same and put in apartments, townhomes, and it would be compatible because of the creep, crawl and sprawl. Lance Anderson and Terry Marten have done a fantastic job with the Kayenta look. People in that area probably want a like product. We would be opening it up. The comments about RA-5 being a holding zone should stop saying that because it is a legitimate zone in the Table of Uses and there are places that RA-5 is on the map. **Chairman Dave Robinson** stated it is listed as a holding zone. **Commissioner Bob Morris** stated we could put an asterisk by it. **Chairman Dave Robinson** stated that this is more Medium Density Residential but he understand what she is saying. Scott Raine stated no one was on Zoom. Hearing no further comments, **Chairman Dave Robinson** closed the Public Hearing.

D. Discuss and consider recommendation on a Concurrent Land Use Amendment from LDR (Low Density Residential), MDR (Medium Density Residential), HDR (High Density Residential) and CN (Neighborhood Commercial) to HDR (High Density Residential; and a Zone Amendment from RE-20 (Residential Estates, minimum 20,000 sq ft lots) RE-15 (Residential Estates, minimum 15,000 sq ft lots), RE-12.5 (Residential Estates, minimum 12,500 sq ft lots) and RA-5 (Residential Agriculture, minimum lot size 5 acres) to RE-20 (Residential Estates, minimum 20,000 sq ft lots) RE-15 (Residential Estates, minimum 15,000 sq ft lots), RE-12.5 (Residential Estates, minimum 12,500 sq ft lots) and lot averaging overlay on approximately 15 acres located at approximately Kwavasa (600 West) to 800 West. Kayenta Development, Inc and RT Marten, Utah LLC-Owners. Lance Anderson-Applicant.

Commissioner Doug Clifford stated that this application sounds like what we are going to is Medium Density or even Low Density. There is no High Density on this. **Chairman Dave Robinson** stated it won't show up on the zone. **Commissioner Doug Clifford** stated if you get lot averaging it could be perceived as High Density Residential but the lots are still Medium to Low Density. **Chairman Dave Robinson** stated as described by the applicant the average is 17,000. **Commissioner Doug Clifford** stated that the lot averaging overlay is a reasonable tool on larger properties to vary the size of lots. In a way it helps with the concept of citizens wanting to be part of a broader Ivins. You can get estate type lots. We get variation which would be a great thing to do. **Chairman Dave Robinson** stated he thinks this is a great concept we should look at more and it could help with affordable housing. **Commissioner Pam Gardiol** wanted to reiterate that the statement in our Moderate Income Housing says as a City, planning and zoning for higher density will need to be placed in areas that will have the least impact on residents, but people living in moderate income housing are also residents. We are all a part of this community and need the opportunity to interact with people. Wise planning is creating a sense of place where all residents feel like they belong.

MOTION: Commissioner Bob Morris moved to approve recommendation on a Concurrent Land Use Amendment from LDR (Low Density Residential), MDR (Medium Density Residential), HDR (High Density Residential) and CN (Neighborhood Commercial) to HDR (High Density Residential; and a Zone Amendment from RE-20 (Residential Estates, minimum 20,000 sq ft lots) RE-15 (Residential Estates, minimum 15,000 sq ft lots), RE-12.5

(Residential Estates, minimum 12,500 sq ft lots) and RA-5 (Residential Agriculture, minimum lot size 5 acres) to RE-20 (Residential Estates, minimum 20,000 sq ft lots) RE-15 (Residential Estates, minimum 15,000 sq ft lots), RE-12.5 (Residential Estates, minimum 12,500 sq ft lots) and lot averaging overlay on approximately 15 acres located at approximately Kwavasa (600 West) to 800 West. Kayenta Development, Inc and RT Marten, Utah LLC-Owners. Lance Anderson-Applicant.
SECOND: Commissioner Pam Gardiol
VOTE: The motion carried.

Chairman Dave Robinson	AYE
Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE
Commissioner Derek Larsen	AYE
Commissioner Pam Gardiol	AYE

E. Public Hearing on Building Heights.

Mike Haycock stated that a couple weeks ago we looked at this ordinance and the Commission wanted to move it forward as written. A Public Hearing is required to move this forward. Residential height is 25 ft and commercial height is 35 ft and the height is 18 ft in sensitive lands. **Chairman Dave Robinson** stated there was talk of the City giving an incentive if people agreed with the color chart. Our Commission felt that those were separate issues and we want to maintain it as it is. He opened the Public Hearing. Scott Raine stated that no one had their hand raised on Zoom. Hearing no comments, **Chairman Dave Robinson** closed the Public Hearing.

F. Discuss and consider recommendation on Building Heights.

Commissioner Pam Gardiol inquired under Item 5 on the rear yard setback it states it will be increased 100% when the rear yard is located on the perimeter of the subdivision or adjacent to a minor or major arterial collector. What are the implications that item is stating? **Commissioner Bob Morris** stated as they move back their building the height does not affect it as much. The further away they move from the corridor, the more space of the side yard. **Commissioner Doug Clifford** stated there is a viewshed diagram. **Commissioner Bob Morris** stated it seemed like the Council wanted to use this as a back door incentive to achieve another goal which was to limit color. That was not successful with us. We did not want to do that and that is why we are passing it forward as is.

MOTION: Commissioner Bob Morris moved to approve recommendation on Building Heights to retain the existing verbiage of building heights in our zoning ordinance.
SECOND: Commissioner Doug Clifford
VOTE: The motion carried.

Chairman Dave Robinson	AYE
Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE
Commissioner Derek Larsen	AYE
Commissioner Pam Gardiol	AYE

4) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of Black Desert Villages Phase 1-A Final Plat, located at approximately Snow Canyon Parkway and Hamblin Parkway. Enlaw, LLC-Owner. Patrick Manning-Applicant.

Mike Haycock stated that this is near Snow Canyon Parkway and the future Hamblin Parkway and future Weiskopf Way and since the previous Preliminary Plan this is now phased. We are

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looking at whether we need to adjust the Development Agreement and Sensitive lands Committee will meet Tuesday and we will get their guidance also. This is approving the first two buildings. **Commissioner Pam Gardiol** inquired what is the line of sight of this development from the Parkway? **Mike Haycock** stated it is outside the view corridor. There will be a screened parking area and you are going to be able to see structures from Snow Canyon. **Chairman Dave Robinson** stated it is 1300 feet back to the parking lot and then the structures drop from there. Patrick Manning stated this is the two-story zone in the Development Agreement we protected 185 ft off of the corridor and single story there, and then a road and then a parking lot so 200-350 feet away and there are two story but below our maximum of 31 feet and so we are better than conforming. Ultimately the buildings will not be very visible but they will be the equivalent of a 20 ft building which is shorter than Rocky Vista University as an example. **Commissioner Pam Gardiol** inquired what are the TRC findings? **Mike Haycock** stated that they recommended approval based on the review of the buildings, ordinances and City guidelines. **Dale Coulam** stated they are in conformance with the Preliminary Plan. At final plat we just look at whether it conforms with what you have seen previously and does it vary from ordinances. Each department uses their expertise in reviewing these plans and engineering and zoning looks to see if there are any concerns with infrastructure and phasing. On this particular subdivision, the infrastructure all goes in so there was no reason to amend the Development Agreement. They look at looping for water. We will work on having a staff report to make more findings, but TRC is not required to give a report. The final plat is fairly straight forward. It meets our ordinances and that is what is required. We will bring findings forward from TRC to make it easier to answer your questions. **Commissioner Pam Gardiol** stated there is criteria in which the review takes place. Providing those findings is very helpful.

MOTION: Commissioner Bob Morris moved to approve Black Desert Villages Phase 1-A Final Plat, located at approximately Snow Canyon Parkway and Hamblin Parkway. Enlaw, LLC-Owner. Patrick Manning-Applicant.
SECOND: Commissioner Derek Larsen
VOTE: The motion carried.

Chairman Dave Robinson	AYE
Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE
Commissioner Derek Larsen	AYE
Commissioner Pam Gardiol	AYE

B. Discuss Land Use Section of the General Plan.

Planning Commission chose to move on from this discussion and wait for a couple months.

C. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for August 16, 2022

MOTION: Commissioner Pam Gardiol moved to approve the Ivins City Planning Commission Meeting Minutes for August 16, 2022
SECOND: Commissioner Derek Larsen
VOTE: The motion carried.

Chairman Dave Robinson	AYE
Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE
Commissioner Derek Larsen	AYE

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Commissioner Pam Gardiol	AYE

5) REPORTS

A. Planning Commission

B. Chairman

C. Building and Zoning Administrator, Mike Haycock

D. City Manager/Attorney Dale Coulam

E. Items to be placed on future agendas

Mike Haycock stated that we have some subdivisions trickling in. We will not do land use until we do the General Plan.

6) ADJOURNMENT

MOTION: Commissioner Bob Morris moved to approve ADJOURNMENT

SECOND: Commissioner Derek Larsen

VOTE: The motion carried.

Chairman Dave Robinson	AYE
Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE
Commissioner Derek Larsen	AYE
Commissioner Pam Gardiol	AYE

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