IVINS CITY
PLANNING COMMISSION
MINUTES
January 31, 2023
435-628-0606

CHAIRMAN AND COMMISSIONERS: The meeting was called to order at 5:30 p.m. All present included Chairman Dave Robinson, Commissioner Bob Morris, Commissioner Doug Clifford, and Commissioner Pam Gardiol.
Staff Attending: Dale Coulam-City Manager/Attorney, Mike Haycock-Building and Zoning Administrator, Fred Castagne and Sharon Allen-Deputy City Recorder.
Audience Attending: Stuart and Mindi Palmer, Dave Appel, Creed Jones, Rich and Connie Lewis, Jerry Trueman, Dean Rossiter, William and Maren Egbert, Marcia Delucchi, Sharon Barton, Beverly Garr, Don and Nada Brown, Sharon Gillespie, Gordan and Aprile Beardall, Lance Anderson, Chris Haddad, Shauna Fisher, Tim Anderson, Jordan Whitlock, Lisa Ganz, Jerry Miyahara, Leslie Andrews, Colette Ames, Mark and Jeanne McDermaid, as well as others that did not sign in.

1) WELCOME AND CALL TO ORDER
A. Acknowledgement of Quorum
B. Flag Salute--Commissioner Pam Gardiol
C. Invocation-Commissioner Pam Gardiol
D. Disclosures--None
2) REPORTS, PRESENTATIONS AND APPOINTMENTS-None
3) PUBLIC HEARING AND ACTION ITEMS
A. Public Hearing on a Zone Amendment from RE-43 (Residential Estates, minimum lot size 43,000 sq ft) to RE-12.5 (Residential Estates, minimum lot size 12,500 sq ft). Located at approximately 200 North and 500 East. Kamas-Outback, LLC-Owner. Tim Anderson and Kirton McConkie-Applicants.

Mike Haycock stated this is located on the northern half of the parcel that abuts 200 North. The applicant is asking for RE-12.5 from the current zone of RE-43, which is adjacent to the east and south. RE-25 Planned Development abuts this property as well. The land use is Resort Mixed Use and all residential zones are allowed in that Resort Mixed Use land use designation. **Dale Coulam** stated the RE-25 is a Planned Development and is an overlay so the lot sizes can vary but as they go north would typically get larger. The blue on this map, touching corners with the cross-hatch on it is RE-12.5 with a Subdivision Enhancement Overlay and so that can have varying lot sizes too. They received a density bonus, which can be less than 12.5 because they gave up some open space. There was a wash or a park that was given up for that density bonus. What is being asked for is a minimum lot size of 12,500 sq ft and larger. **Chairman Dave Robinson** stated that this is just half of the parcel. North of Center Street. **Commissioner Pam Gardiol** stated she is noticing the zoning surrounding this of another time when we looked at spot zoning. The usage in that particular place did not have an adjacent parcel that was congruent with this. So only one tiny corner is zoned the same as this petition. **Mike Haycock** stated that typically we have buffered against property lines going gradually from bigger to smaller sized lots. **Commissioner Pam Gardiol** stated she doesn't see the buffering. You are talking about a gradual increase in density. This appears to be an island with surrounding zones. **Dale Coulam** stated that the cross-hatch lines on the map for RE-25 Planned Development is not a

straight 25,000 sq ft. They will be varying lot sizes and will be much smaller and the RE-12.5 touching is not straight RE-12.5 either. That development got a density bonus and may be smaller than 12,500 sq ft. This proposal cannot go smaller than RE-12.5, with the natural buffer being 200 North Street between these developments to separate them. **Commissioner Doug Clifford** stated that Planned Development is not large lots. They are probably around 1/3 acre. Originally this was all planned as large estate lots down to duplexes all the way down to Center Street in the old days. They were staggered lot sizes going up. **Chairman Dave Robinson** stated it looks like it is still that way on the Planned Development. Tim Anderson stated that he is a lawyer with Kirton and McConkie, St George law offices. He represents Kamas-Outback, LLC and Yife Tien that lives in Florida. He is the one that brought us the Rocky Vista medical school. When he acquired that property, he also acquired the property around it to be sure that the area around the medical school would be compatible and what the community wanted. We've been pretty good with that and have turned down a number of carwashes and convenience stores that have approached us about putting something on Center Street. RE-12.5 is the minimum, but if you look at the plan, the smallest lot is 13,200 sq ft up to 21,066 sq ft. We have gone beyond the limitations so they will be large lots for the area. We wanted to avoid a situation for a road to run East/West across this property. They traded some land along Park Avenue to get a commitment that we would not have to have a road that opened up onto Park Avenue. This is extremely compatible with what is across the street on all sides. The entrance positions will not interfere with what we think the prime congestion is with the school. We have had some other ideas on how to use this property, like a City Center, but that didn't seem to carry very well so we tabled that. Large residential lots will be compatible and fit well with the community. As far as future planning, we haven't concluded anything, but we will look at what we want there and what the City would want there. We think this is a really important place and whatever we do, we want it to fit in the community. **Chairman Dave Robinson** opened the Public Hearing. Sharon Gillespie stated she lives on Ridgecrest Circle. On the notice for the Public Hearing it said approximately 200 North and 500 East. We don't have a 500 East and needs to be corrected going forward. She lives in ungated Palisades and we were concerned about lot sizes when the original presentation was made, The lot sizes and design in this plat map seem much more reasonable. We were pleased to see that the entrance to this development will be created off of north 400 East to help traffic flow. She is wondering if these will be single-story single-family homes? Will the lots be sold prior to build or will they be one builder and spec homes. That is a concern to the neighbors. Our biggest concern is traffic. We have a large amount of traffic that comes through Center Street, down 400, coming across 200 and up Park Avenue Way back to Center Street that is a flow in both directions. Obviously, it is significantly higher during drop-off and pick-up for the school, but at one point we couldn't get out of our neighborhood because of it. It concerns her and her husband who has 40 years in Public Safety that there was no way for an emergency vehicle to have gotten into that neighborhood. It has gotten a bit better since the right-hand turn lane. We are concerned about construction traffic along with the school traffic. On 400 there are a lot of students and teachers from the Rocky Vista medical school that use that street to park on both sides of that street. That with school kids and construction traffic creates a disaster. She also wants to clarify if the height requirement will fall under the current ordinance prior to any amendments under consideration. Leslie Andrews stated she lives on 390 East in Red Mountain Estates stated her concern is how easy is it for a developer to change their plat map to townhomes since it is Resort Mixed Use that allows for any type of residential? Parking is a huge concern and the safety on 400. Access is hard now. We often have to go down to the roundabout

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to get onto Center Street because we can't get through. We want to make sure that each of those lots are for a single-family home not duplexes or a four-plex townhome. Creed Jones lives north of this proposal. He appreciates the mailing with details to help understand it. He is opposed to the change from a property value point of view. We love the area and noticed that in the northeast sector of Ivins is a little higher property value and bigger lots as you get closer to the Red Mountain and Tuacahn. We wanted to be in that area. Why lessen that particular area? You aren't talking about zoning it up to RE-43. It was already done for a reason and their decision was based on that when they decided where we would build. His preference is to keep it RE-43 with larger lots and better and higher property values. Sharon Barton stated she lives on Mesa Vista Drive stated she sent an email with a photo attached and she is concerned about traffic. When is it the right time to look into requesting some type of heavy construction route? Can we include a solution for heavy construction traffic flow? Once a route is in place and posted residents, students, teachers and pedestrians will have the ability to plan their travel accordingly while knowing the City is doing its part to protect their personal safety and welfare. The photo is an example of students using a minor collector road without adequate sidewalk access for them. Heavy construction traffic forced them onto personal property. She has shared this photo in the past with the Mayor, Dale Coulam, Chuck Gillette and Chief Flowers. They have been very good at addressing the problem and coming up with short-term solutions. Now is the time with our population projected to be 20k+ residents, that we look at getting specific construction routes in place and protecting residents and taking care of their welfare. Dean Rossiter stated he lives on Park Avenue Way. He lives on the opposite side of the street from this proposal. This is an improvement over what was originally proposed. There is not enough information to make a decision whether this is truly going to be better or worse. For consistency, single-story is very important to be able to protect views. Flat roofs are consistent with the homes in the area. Emphasize no vacation rentals with this current zoning. The impression is there is going to be a wall along the north side of the development to enclose it. It would be helpful if infrastructure is in place even before homes are constructed to keep down dust and noise from the construction. That would also alleviate the concern where garages will be and how they will lay out. We can give much better feedback if we knew how it was laying out whether it makes sense moving forward. Bill Egbert stated he lives on Park Avenue Way and regarding lot elevations, in the past behind them in Palisades there are builders that have come in and raised the ground 3-5 feet. What would the proposed elevations be based on existing roads? As far as a buffer, he would like to see sidewalks for the school kids to get around that block and know how much distance between the sidewalk, the road and the back wall. Who takes care of that landscaping? Aprile Beardall lives on Park Avenue and during pick-up and drop-off they parents park on the other side of the street, in the roundabout which is only one lane. She has had to go in the wrong direction through the roundabout to get to her house. Traffic is her concern. Otherwise, she is favorable. She likes the larger lots. Brian Comnes via Zoom stated he lives on Pachua Circle and inquired the Commissioners to address the rationale for any upzones in Ivins due to water issues. The Mayor is on public record in the paper saying we have a water issue. What are the benefits to increasing density and adding more houses than we have planned for? Colette Ames lives on Park Avenue. She stated that Vista school children during school hours for physical education credit, run around this block and around Park Avenue. She is just concerned for their safety with construction and an increase in traffic. Jordan Whitlock stated he is the designer on the project. This will increase safety because sidewalk will be around the portion we are developing. That will have a 20-foot landscape buffer, with a 5.5 foot separation from the curb. This is a buffer

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zone compared to what is around it. There is Commercial to RE-43 which is a bigger jump than this proposal. Hearing no further comments, **Chairman Dave Robinson** closed the Public Hearing.

B. Discuss and consider recommendation on a Zone Amendment from RE-43 (Residential Estates, minimum lot size 43,000 sq ft) to RE-12.5 (Residential Estates, minim lot size 12,500 sq ft). Located at approximately 200 North and 500 East. Kamas-Outback, LLC-Owner. Tim Anderson and Kirton McConkie-Applicants.

Chairman Dave Robinson stated to answer a few of the questions, the address is listed approximately because that is where the entrance will go. This property is not zoned for multi-structural type of use. Resort Mixed Use is the land use and the zone will define what can be done. It would be residential single-family dwellings at a 12,500 sq ft minimum. In these projects we require that walls be put up around them and sidewalks around it and as the designer expressed, there will be 5 feet between that and the sidewalk so there will be a buffer between the vehicles and the sidewalk where children will be. 20 ft total to the wall with landscaping, to be maintained by the City if it is dedicated to the City. **Dale Coulam** stated who takes care of the landscaping depends on the classification of the street whether it would be an HOA or the City. We would review this at Preliminary Plan. This is kind of a concept plan they have shown what they are planning on doing. RE stands for Single-Family Residential Estates and are intended to be larger lots. The maximum height under the current ordinance is 25 feet for residential. As far as detailed plans that will be in Preliminary Plan and construction drawings. They were kind enough to share this concept of what lots will be, to be considered to meet the zone they are requesting, which were much larger than they are requesting in some cases. If this zone is granted you would see this concept plan again and then the Preliminary Plan, which is where a lot of the details you are wondering about will be submitted to the City. This is a conventional subdivision so there would not be a Public Hearing. **Commissioner Doug Clifford** stated that the construction route is an interesting concept for the entire City but not necessarily an issue for this piece of property with the exception that they have the school. Crossing guards maybe to keep people from blocking those access points. It is a real mess and he lives in that area as well. Flat roofs etc are strictly up to the definition of what they will do internally and if they have an HOA and CCRs. Tim Anderson stated that there will be tight CCRs and very little common ground to be governed. **Commissioner Doug Clifford** stated the zone is very compatible in terms of lot sizes. **Chairman Dave Robinson** stated it buffers Commercial. **Commissioner Doug Clifford** stated the challenge is school traffic and help solving that problem in time of construction. It is very consistent with what we have around it and it is an extension of what we have on the north and east of that area. **Commissioner Pam Gardiol** stated that a lot of comments this evening, we would look at during Preliminary Plan and through staff reports. She was glad to hear the item get brought up of safety, especially safety for the children. **Chairman Dave Robinson** stated that creating a commercial traffic route we can't do anything in this body, but a route would be great to designate for them. As far as water is concerned, we still need to be cautious but that is out of our hands and with the Washington County Water Conservancy District. They tell us what we can and can't approve and until they say no more, we move forward.

MOTION: Commissioner Doug Clifford moved to approve recommendation on a Zone Amendment from RE-43 (Residential Estates, minimum lot size 43,000 sq ft) to RE-12.5 (Residential Estates, minim lot size 12,500 sq ft). Located at approximately 200 North and 500 East. Kamas-Outback, LLC-Owner. Tim Anderson and Kirton McConkie-Applicants.

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SECOND: Commissioner Bob Morris
VOTE: The motion carried.

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

C. Public Hearing regarding Class V Conditional Use Permit for Mojave Village, located at approximately Fitness Way and Guy Lane. AnA Enterprises-Owner. Lance Anderson-Applicant.

Mike Haycock stated that this property is located on Guy Lane and Fitness Way. This was just zone changed to Resort Commercial on this parcel. This presentation is for both a Class V Conditional Use Permit and the Preliminary Plan. They get recommended by the Planning Commission and moved on to City Council for final approval. These are all individual lots which are resort hotel lots. They can be placed in a rental pool and have additional parking. Resort Commercial doesn't require amenities, but they have added some to the project. Lance Anderson stated that this plan was in place before Mojave Flats or Mojave Mesa were even designed. He bought all the properties at the same time and did the zoning together. It started at 12,500 sq ft lots, 10,000 sq ft lots, and 7,500 sq ft lots. He even did some 5,000 sq ft lots but couldn't get those built. He then went across the street to Resort Commercial. This property has a good access off of Hwy 91 with a roundabout and wide road in front of Sage Villas. Ryders has been there for a lot of years. Movara has short-term rentals right there. Azalea and Sage Villas are townhomes and a pump station for sewer on the edge of the property. This property is down in the hole and in the lowest area over there. This has been a thought process for many years, and he is not just changing it because we are trying to change our General Plan. He is hoping to keep control of the architecture. The economy is making that more difficult. **Commissioner Bob Morris** inquired what the advantage would be to have them individual lots rather than four-plexes? These are short-term rentals in keeping with the resort destination? Lance Anderson stated he believes it will be more housing than short-term rentals. He can't say that for sure, but the need for housing is greater. **Commissioner Bob Morris** stated that having them be individual lots could make them more affordable. Lance Anderson stated that it is hard to tell right now. We had a dream for years that nothing past 400 West would be smaller than RE-25. At the time that was our City's commitment, and then slowly things changed. He has been in these meetings for 20 years and moved to Ivins when there were only 600 people here in 1978. When people say we are taking away theirs, they have already taken away ours. We are all here to enjoy this area. **Chairman Dave Robinson** stated that these are being sold as individual units with the ability to be rented? Lance Anderson stated he doesn't know if they will be sold individually. They can. And they can be used as nightly rentals. **Commissioner Doug Clifford** inquired on the expected home size on these lots? Lance Anderson said they could have a 12-1500 sq ft home there on each level. These can go up to 35 feet. They start down in that hole. **Dale Coulam** stated that the purpose of this Public Hearing is for a Conditional Use Permit and although that is an administrative hearing, we allow for a Public Hearing at the Planning Commission level. There will not be another Public Hearing at the City Council level. This is a Class V Conditional Use Permit and City Council makes the final decision with minutes from public comments that are made. The purpose of a Conditional Use Permit is to come up with a list of reasonable conditions to mitigate any possible adverse impacts to surrounding areas. Staff has started that process and it has the description of the project, the standard conditions and ordinances they are required to abide by.

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There has been a lot of discussion about color that the legislation has changed. That was not changed for Commercial. Those design guidelines still apply to this project. Then we get to conditions specific to the project. As a Resort Commercial development, it is not required to be subdivided. The applicant chose to do a Preliminary Plan if they decide to sell them off, otherwise it would just be a Conditional Use Permit and then they could commence construction. The Preliminary Plan is helpful to know what is being planned. Resort hotel units must be in a rental pool operated by the resort, but they are not required to be rented. People can buy these as a permanent home. There are some low lots that may require a sewer pump and that is to be noted on the plan. This particular project is not required to have street lights because it is in the rural lighting zone. Means of ingress and egress will be defined on building applications and construction drawings. They need to submit a final garbage plan. In the Preliminary Plan stage we need to know if there will be phasing and what will that be. They need to do a more detailed final drainage study to include an analysis of how much water flowed across this property before and after the project. TRC looked at this plan, and for the Preliminary Plan they need to show landscaping in the buffer area on the north side of the project. This project must conform to the project plan, so we don't see one thing and then something else is built. They will be required to build what they show here. That is our starting point, but as neighbors and property owners, you may see things that are of specific concern to you that we haven't thought of as an adverse impact, so we can come up with reasonable conditions to add to the list we started. **Chairman Dave Robinson** opened the Public Hearing. Lisa Ganz stated she lives on Bickmore Circle and has a daily to-do list that her husband thinks is crazy and listed at the top is wisdom and consequences. She tries to think about all the decisions she is making and try to use wisdom in making them. She also tries to understand even the unintended consequences of that decision making. She uses that to help frame how to live her life. Despite opposition from the public on these two Public Hearings on this, which were held at the same time as the Town Hall meetings, there was quite a bit of community input opposed to short-term rentals, resorts, and upzoning. Despite all that input, with a lot of people against Resort Commercial zoning, Planning Commission and City Council approved it back in October. Although Ryders auto is there, most homes are single-family residential. Since that time, the survey has given a lot more information on the community's desire to not have any more resorts or short-term rentals. That zone change has already been done so now we are faced with the consequence of your decision to upzone. You keep saying it is just a zone change and we will learn what the developer has planned after the zone is approved. Even though we all assumed it would be resort hotel when you approved it in October, it was not stated and now we are finally hearing it is resort hotel. The good news is we have a Resort Commercial zone with plenty of other things in the table of uses that fall under there that are not resort. You have a lot more information today than you did back in October from the community on resorts to make those decisions. Councilmember Jenny Johnson has stated that we need to take that out of the plan. She understands you have to live by what today's General Plan is, not what it will be changed to, but Resort Commercial means it could be anything. It could be dwellings, an art studio, even a daycare center. You've heard it loud and clear, Resorts and resort-hotel, the community doesn't want it. The comment that Lance Anderson has been planning this for awhile, he just got the zone changed in October, so that is not a valid argument. The people living next door deserve to have something more compatible. 35 feet is not compatible for that area, so she urges the Commission to vote no on anything related to resort and find something else in Resort Commercial. Dave Appel stated that he lives on 200 West off of Hwy 91 and wondered on the Santa Clara graveyard wash, how far will the

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water be pushed up that wash towards this property? He also doesn't want five lanes on Hwy 91. What is a different way of getting out of this development other than onto Hwy 91? He doesn't have a problem with people using their land and making money on it. Until Washington County Water Conservancy District says we can't build, that is just the way it is. Traffic will be affected on Hwy 91. Sharon Barton stated she lives on Mesa Vista Drive. We keep referring to the 2015 General Plan. Back then we didn't know what an adverse impact short-term rentals were going to be on this community, but since we have the survey results, now we do. It's traffic and garbage and noise and taking away the opportunity for more moderate-income housing. It increases rent and prices in our neighborhood. We have the opportunity to not let this happen any longer in our community. Sometimes developments work out, sometimes they don't. We as residents should not be told the developer is entitled because he has the land and a vision for a long time. Sharon Gillespie stated she lives on Ridgecrest Circle and on the application townhomes was crossed out and changed to resort hotel. While she respects the developer's tenure in this community, and his knowledge of history of the changes, it has become a bit tiresome. We all understand growth happens and we are all a part of it, and a result of it. She is grateful that we are. We need to mitigate adverse impacts. She spoke on and provided a twelve-page document in September on adverse impacts of short-term rentals that clearly nobody read. The statistics and data are there. It increases the prices of rentals. There is nothing to keep it from being bought by investors, so it is not adding to the community, just adding to pockets. It flies in the face of the moderate-income housing initiative that the State is thrusting upon us all. As far as appearances, look at what is built behind Harmon's that is what you are going to get. It doesn't fit in our community. The other problem is the neighbor's property values and bottom line is affected by short-term rentals. Mindy Palmer stated she lives on Fitness Way right on the corner next to this and when she bought, she was told it was all residential. The thing she loves it is so quiet. She loves her neighborhood and house. The townhomes were there when they moved in so that was fine. There is a lot of partying and garbage on the street. She is not happy with this. She does not want nightly rentals across the street. Ivins and the area she lives in are so beautiful and it is disappointing to learn all this. They moved from Salt Lake City. That will be a party area. Cops go the townhomes already and they will for the nightly rentals. It saddens her that this is the plan. She is totally against it. **Fred Castagne** stated that there is no one on Zoom. Lance Anderson stated that the land use was changed previously so people would know what to expect there. Mike Rodriguez thought it should go to Resort Mixed Use and when Resort Mixed Use was later decided that it didn't work in Ivins anymore, it was changed to Resort Commercial. It was zoned a long time ago so that when people bought their house they would know. Realtors should have also told you that the land behind it is Commercial that could be restaurants or lots of other choices. The land use has been the same since day one. The vision has always been there. Townhomes was because he followed the Black Desert Resort application and when TRC had their meeting they said it needed to change to Resort Hotel. That is why it is crossed out. That is what TRC does and he appreciates that. They have eight department heads that go to those meetings. The architecture does not have to be a square box. With moderate income housing and the opportunity to be three stories or 35 feet for Resort Commercial they don't have to be rented out and he wants to keep some level of control on this project just like the last two projects. He has a pretty good track record of keeping our design guidelines in place. We have been living by them since 2008. You may get tired of hearing him, but he is going to keep saying it because it is important. People that live here today don't realize when their property was zoned, how it impacted our values and plan, but we couldn't control that because we didn't own it. The way

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anything past 400 West has been zoned has changed our values, but it is what City Council chose to do, so we complain, we adjust and move forward. Mark McDermaid stated he lives on Fitness Way, houses away from this proposed project. Lance Anderson is a neighbor of his and it is his right to develop this property. Visit the area we are talking about. We are under extremely high density residential the way it is right now, with the townhomes to the north, Movara and Mojave Mesa where he lives. We build something of this variety here, which is very large, and there is only two ways in and out of this area. We are going to have a traffic nightmare, especially if they are rental properties. Rental people don't care about the neighborhood. He is not trying to degrade where he lives. When he moved there, he thought it was wonderful with the mountain behind him. He can walk there. It is quiet. If it is allowed to be built next to us it will be majorly overbuilt. It will be chaos. There are a lot of problems that exist in Mojave Mesa right now. There are a lot of structural problems where he lives, and we need resolutions to those issues before building next to us. Enough is enough. You can only build so much. Shauna Fisher lives on Bickmore. She has come to a few meetings, and it is frustrating because she worked for Human Resources with an international global company for 35 years and the conflict of interest whether perceived or real with our Councilmember building in Ivins. He has probably rubbed elbows with people on the Commission and Council. It is not right. This Planning Commission and Council and Mayor need to take a better look at that. That is the elephant in the room. She bets she is not alone in thinking that. He touts how he has been around so long, and it is being overplayed. Everything was small and wonderful and now these new people are here, and yet he is trying to make it bigger and more populated. It is ironic. It is also ironic that the Commission is told they can't worry about water. We are told to have decorum and be quiet, but she couldn't hear Mike Haycock's presentation because the petitioner talked loudly through it in the back of the room. she asked politely and he called me rude. She felt he was very rude because she couldn't hear. Regarding parking and the crowd on Hwy 91. Take a walk over there. It is very crowded. She picks up litter on Hwy 91 and runs a volunteer group and Hwy 91 is where she goes almost every time. Traffic is terrible. Taking a left out of Kwavasa, she counted 27 cars in just a few minutes. In showing the plan, a lot of the petitioner’s answers were he doesn't know yet. That is not a good process to be asked to make critical thinking decisions based on "I don't know." She has only been here a year and a half, but she has been educating herself. Going to the meetings. Talking to people. Participating in the survey. We need to educate and use that wisdom. Now that we do have that information and those studies, please listen. It is getting really tiresome for citizens to have all these things pass. Lance Anderson stated that the City has a plan to extend the road to go to the new park and it will go to the Corridor. The water by Brett Kee's other subdivision is where the roundabout will be eventually. That is where graveyard wash will come is up to that Corridor. Between that, is the RV Park and Pendleton's and then this project. That is another access through there. Hearing no other comments, **Chairman Dave Robinson** closed the Public Hearing.

D. Discuss and consider recommendation of a Class V Conditional Use Permit for Mojave Village, located at approximately Fitness Way and Guy Lane. AnA Enterprises-Owner. Lance Anderson-Applicant.

Chairman Dave Robinson stated the amount of traffic that is on Hwy 91 is because it used to be the freeway. Before I-15 was built, that was how you got to California. The expansion they are doing is to handle that traffic better. **Dale Coulam** stated generally a property owner has the right to choose a use that is allowed under the table of uses for the zone that property is zoned. Unfortunately for the number of people that objected to it, Resort Hotel is an allowed use. It is

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listed as a Class V Conditional Use meaning the owner is entitled to that use with conditions imposed to mitigate adverse impacts. He apologizes if he missed something from TRC but he doesn't see a traffic study addressed here. This is relevant for the next item as well. Did the traffic study say how many trips would be generated from this project as a Resort Hotel use? What would the traffic engineer recommend to mitigate the adverse consequences of that traffic flowing out onto Hwy 91? You could have your discussion and continue this because that may be something before we can draft that condition to mitigate the adverse impact of the traffic flow, we may need to do that. Lance Anderson stated they actually did have him do a traffic count and it wasn't for Hwy 91 because it can handle a lot more. The count was so low that it did not require a left-hand turn lane. That was done in TRC and it was done by Jones and Demille engineering. **Chairman Dave Robinson** stated he doesn't see that in here. **Dale Coulam** stated he remembers the discussion in TRC. **Commissioner Pam Gardiol** inquired if it should be addressed in the staff report or in the conditions before moving forward? **Dale Coulam** stated you may need to continue this until you have the actual language for the traffic study in front of you or quoted to know what that impact is really going to be. Lance Anderson stated if a traffic count is high enough it warrants a traffic study. The traffic count was not high enough to warrant that study. It was non-applicable. **Dale Coulam** stated there is nothing before the Planning Commission to indicate that. It may have been an omission and he apologizes for that. **Sharon Allen** stated that it is in the Preliminary Plan staff report regarding traffic. **Commissioner Doug Clifford** stated that it states at the bottom of the staff report that the traffic study did not require left or right-hand turn lanes. **Dale Coulam** stated so staff and TRC did note that traffic count did not require a left or right-hand turn lane. That supports what Lance Anderson just said that the count was not high enough to warrant a full traffic study or any modifications to Hwy 91. **Commissioner Doug Clifford** stated we are establishing the conditional use. The zone is not changing. That discussion on traffic was the only thing he would have added. He doesn't see anything else to be added. **Commissioner Pam Gardiol** stated that this is a valid petition submitted in alignment with the policies and practices of the City. **Dale Coulam** stated regarding conflict of interest, although people who serve or are elected may have friends in the City or acquaintances from a variety of vocations, the rules specifically state at the City Council level that Lance Anderson as the applicant is required to recuse himself and he will sit in the audience and is not able to participate in the discussion or the vote. That is pursuant to our own rules of procedure and consistent with the statute on conflicts of interest and ethical considerations for elected officials. The comment on phasing on the bottom of the list just means it would need to be indicated and shown on the Preliminary Plan if phasing. Phasing would also require a Development Agreement. If it was just a resort it would not, but if it is subdivided it would. **Chairman Dave Robinson** stated it would be his suggestion to note a way to prevent these from being bought up by investors. He can't force him, but that is his suggestion.

MOTION: Commissioner Bob Morris moved to approve recommendation of a Class V Conditional Use Permit for Mojave Village, located at approximately Fitness Way and Guy Lane. AnA Enterprises-Owner. Lance Anderson-Applicant, as drafted.

SECOND: Commissioner Doug Clifford

VOTE: The motion carried.

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

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4) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider recommendation of Mojave Village Preliminary Plan, located at approximately Fitness Way and Guy Lane. AnA Enterprises-Owner. Lance Anderson-Applicant.

Commissioner Pam Gardiol stated that she is pleased to see more information. Are there any culverts, bridges, wells or springs on this property? **Mike Haycock** stated there is drainage that is engineered. Water, sewer and storm drainage will be piped in so other than the retainage on-site, no.

MOTION: Commissioner Bob Morris moved to approve recommendation of Mojave Village Preliminary Plan, located at approximately Fitness Way and Guy Lane. AnA Enterprises-Owner. Lance Anderson-Applicant.
SECOND: Commissioner Doug Clifford
VOTE: The motion carried.

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

B. Discuss and consider approval of Indigo Trails Phase 2-D Final Plat, located at approximately Wild Indigo Way. Lance Anderson-Applicant.

Mike Haycock stated that this subdivision is zoned RE-15 with a Subdivision Enhancement Overlay, and it is a single lot. This is typical project to do one lot at a time through their phasing. This is an interior lot. It is not affected by the height restriction for the Hwy 91 view corridor at that location. **Commissioner Pam Gardiol** inquired if the zoning is consistent with what is around it? **Mike Haycock** stated yes. **Commissioner Doug Clifford** inquired if this is in the low spot? Lance Anderson stated no this is in Indigo Trails, the second lot in the middle on Wild Indigo Way.

MOTION: Commissioner Doug Clifford moved to approve Indigo Trails Phase 2-D Final Plat, located at approximately Wild Indigo Way. Lance Anderson-Applicant.
SECOND: Commissioner Pam Gardiol
VOTE: The motion carried.

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

C. Discuss the General Plan.

Chairman Dave Robinson stated it is his opinion that we need to keep the terminology of resort community and bedroom community. Not to build more resorts, but the ones that are built, we don't need to turn our back on them. They are part of who we are. We have five or six resorts in our area now. He is not advocating to build more, but we need to keep that in mind. Years ago when we dealt with projects, we had to have so much open space but now we do drainage basins as open space. That is great because we have to do it, but we need more dual-purpose drainage basins, like Haven at Heritage Acres where it has a soccer park for the kids. He would love to see some pickleball courts or dog parks. When they get rain, they may need to be cleaned up. There are other things to use them for besides empty drainage. **Mike Haycock** stated that after the survey we took Resort out as a Chapter heading so instead of promote it says support existing resorts. Even taking the whole chapter out that stays in because they are still here. We don't want

them to fail, and they are a pretty good tax base. With Black Desert Resort or Sentierre for example, as development fees go away, you are going to need to support those businesses that have made an investment into the community. The first paragraph states as build-out approaches, a keen sensitivity to the future needs of our community is imperative. Furthermore, the tax base needs to support the necessary services, maintenance of infrastructure and support the level of quality of life that makes Ivins a great place to live. Talking with Cade Visser on the financial end he felt that it was necessary to make a statement that the two are hand in hand. A tax base is not necessarily commercial. A sound commercial tax base makes the tax base for your personal residence lower. If you don't, you have to raise property taxes to keep services going after development fees stop coming in. **Chairman Dave Robinson** stated if we want parks we need to have funds to maintain all of those as well. **Mike Haycock** stated that water, sewer and garbage services are forever, so instead of a financial statement with dollar figures in it, they made a statement about tax base. **Commissioner Doug Clifford** stated it says that nearly two-thirds of our area is undeveloped. It is probably half or less than that now. That is not a true statement anymore. **Mike Haycock** stated this review is on Chapters one and three. Chuck Gillette will do Chapter two with all the statistics and then we can figure out that number a bit more closely. **Chairman Dave Robinson** stated he knows Mike Haycock is trying to keep it general, but the key to numbers was to show what we are bringing in on the development side versus property tax or sales tax to see that balance for the public to get why we do what we do. **Commissioner Doug Clifford** stated he thinks there is a wide disparity on what that number is. We have to have the numbers. **Chairman Dave Robinson** stated that was the reason we requested those numbers. **Mike Haycock** stated that Chapters one through three should go to City Council together. When Chuck Gillette gets Chapter two put together, we can put those numbers in. There is also a history section there that needs to be added to. He is not capable of writing that. If it is someone on Staff it would probably be Chuck Gillette. He is pretty busy though. He will talk to the Mayor and Dale Coulam if they don't have a recommendation. We need to fill in that section all the way to 2023 on that history. **Commissioner Pam Gardiol** stated on the section where it says "as build-out approaches," it should be "a keen sensitivity." **Commissioner Doug Clifford** stated he will send Mike Haycock his edits. **Mike Haycock** stated yes but content is what we are looking at right now. Before publishing we can give it a scholarly lookover. **Commissioner Pam Gardiol** stated she has sent her suggestions to the Commission. **Mike Haycock** stated Council is pretty happy with the document but wants it updated. Based on the high percentage of the survey, he did take out Resort Commercial so he felt that was appropriate. **Commissioner Pam Gardiol** stated that she needs clarification because one of the documents that the Mayor sent and said was mandatory reading was General Plan Formatting from the Division of Workforce Services. She also sent the Commission her take on an outline of what that should look like. She took that as direction from Council that we were to use that type of a format. Are we leaving the General Plan in exactly the same document or using the Workforce Services format? **Mike Haycock** stated that is not an official format. It states at the beginning that there are many ways of doing it. **Commissioner Pam Gardiol** stated that Doug Clifford gave his comment about the importance of having financial data in this. One of the things in the Workforce Services document that she has included is the table for specifics of measurables. If this is a required document for us to read, there may be opportunities to include some of this format in the General Plan as we do the update, especially financial projections that need to be in this document as well. **Mike Haycock** stated that would be in Chapter two. He will have Cade Visser look at that specific section. It is difficult to project

DRAFT

financials out five-six years. The economy changes. The General Plan is idea-based and Cade Visser does not want to put exact numbers and revenues, not knowing if they will come in the future. We support our community and the needs based off of an approved tax base. Without knowing what type of build-out we will have in the next five-six years, it is hard to project what revenues look like in ten years. **Commissioner Doug Clifford** stated planning like this really needs to be as data-driven as possible, and our history is pretty easy to capture of any situational change between 2014 to 2023 because we have that data and those trends. You need to take the last few year's data and move that forward and then given that information, we will know within that range the expectations would be pretty consistent for the future. We probably have some pretty good estimates of what developer revenue would do in the next few years for the fact that there is not that much land left to develop. It would be great to sit down with Cade Visser and chat. The Mayor has a four-pillar approach and it fits with what he also suggested as far as getting data for what we are doing. Finance, what we can afford. The survey, what people want and the blue-sky approach. What we are allowed to do by the government, the State, the County, the Federal government. The plan has to be based on what we can do. The fourth was what the cost is for things. **Mike Haycock** stated that Cade Visser has a five-year projection. It is difficult in the General Plan to use hard numbers. It should be focusing on principles. **Commissioner Doug Clifford** stated but you do have hard numbers and know what the last five years were. It will get us grounded on our status and where we are. Our history up to date. That is one of the pillars. Our financials, what the survey says and what people want, and what the government is going to allow us to do. **Commissioner Pam Gardiol** stated also out of Workforce Services document it recommended that in each item our General Plan, we identify steps, actions, timelines, who shepherds it and how it is going to be paid for. So we may not have specific numbers, but we will have an idea of where those funds might come from. If we have a plan, we have an idea of what it approximately is going to cost and each year we adapt that based on the realities. The survey was a wonderful opportunity for feedback from our citizens to state what they want and one of the discussions was what has financial constraints. We may say pickleball courts for example. If we would love to have five new pickleball courts, it may take us 15-20 years to make that happen. If it is in the plan, and there is a tighter, more strategic feeling to that other format. Ours is wonderful but how do we tighten it up more. So are we going to use that document or edit it this one and let it stand? Also, to make sure for each element what is the financial component to it? **Mike Haycock** stated that is it the chicken before the egg or the egg before the chicken? What you approve is our future. If you are heavy on development, commercial-based or tax-based. There is sales tax and rental room tax, but if you don't approve those types of development, you will have to raise taxes to support those pickleball courts and recreational centers. **Chairman Dave Robinson** stated that Cade Visser's job is ranking these projections for us to set a budget for next year. Then we have an idea of what money is coming in. In the survey some people want the City to buy open farmer's fields and convert that to open space. That sounds great, but to put in the General Plan knowing what land costs are, it would be millions of dollars and millions more dollars in costs to develop it into parks. Now they have lost the revenue from what it was going to be developed into. Showing that lets the public see that it probably can't happen. We want to know what we can do. **Mike Haycock** stated if we charge impact fees for a park, we cannot require a developer to put in a park too. You need to decide where we are headed, and Cade Visser will tell you if we can afford to get there. **Commissioner Doug Clifford** stated we will look at the five-year plan and then make our questions after. **Commissioner Pam Gardiol** stated on the feedback we received about preserving the

DRAFT

agricultural land. We can't say in a General Plan we will do something by a specific date, but we can say we will look for opportunities to preserve that land. It might be possible. Maybe it never will, but there is a peripheral understanding of what we are trying to create. If we don't know where we are going, any road will take us there. The vision is the aspiration of what we are trying to create. If we can't do that, what can we do? How do we get that essence of protecting that agricultural land? So we still have that thread and theme. **Commissioner Doug Clifford** stated we may be surprised how much land maybe could be donated to the City and that could happen if we encourage it. Most people that own agricultural land plan to own it forever and when it changes hands, when they pass away that is when the kids want to sell. If it is a legacy situation, let's see who would work with the City and get a park named for their family. There may be more people willing to do that than we think. They want to benefit the City they have learned to love. **Chairman Dave Robinson** stated that is an idea. Let's hold off and do the homework and come back in a few weeks. **Commissioner Doug Clifford** stated let's put some teeth into it. If Cade Visser has something we can look at right now we can make suggestions and feedback on that. When he did strategic planning for companies, they gathered basic data that told them where they were at right now and you have to build from that solid foundation of knowledge. **Mike Haycock** stated that there is a recreation center in the parks section. The time to build that is when you have development fees coming in. You want your taxes to handle the operation of it. You don't just build it you have to maintain it. That is taken care of with your tax base. So then you go to Cade Visser and ask him how can we pay for it. That doesn't happen unless you do it while development fees are high. If we are running out of water and space, then your development fees are probably currently at the highest point and probably going down. After we collect all Black Desert Resort's fees you really don't have anything out there to pay for something like that. **Commissioner Pam Gardiol** stated let's say yes, we would like a recreational center for example, and we put it in the General Plan. We ask for the financial projections and then we ask is this realistic and we leave it in the plan and pay attention to the finances. Because it is there it increases the likelihood it happens because there is a focus on it. It may still turn out not to be feasible, but we leave it in the plan. The Workforce Services format asks how it is going to be paid for. It is not in stone. That is why we review the plan frequently is because things change. **Commissioner Doug Clifford** stated it doesn't hurt to keep those types of items on there if a windfall comes in. **Mike Haycock** stated right now, you can look at Commissioner Pam Gardiol's document with the red and blue lines. **Commissioner Pam Gardiol** stated since we don't have it to review on the projector, we can postpone this and look it over and add it for next meeting. Maybe then we will have a document that has all our comments to have the discussion as we go through it. **Commissioner Doug Clifford** stated he need hard deadlines for this though, or it is going to drift. Let's have Chuck Gillette's and Cade Visser's comments too. Preferably in two weeks so we have time to chew on it. **Commissioner Pam Gardiol** stated she would also like to clarify if we are using Workforce Services format or not. What she created was a condensed version of that document. She also included in red the things from Utah Code that we are also supposed to be using in the General Plan. Or are we just revising the current format? **Commissioner Doug Clifford** stated he thinks the Mayor sent that out as required reading because it was a good reference document for what other communities did. But not all those communities did it the same. He thinks that the overview structure of ours is probably fine, but they had great examples on how to dig down on individual points to get data and action items behind it. It was a good reference document but not to follow in detail. **Chairman Dave Robinson** stated we will make sure. We will get the red and blue lines and

DRAFT

Cade's five-year projection in the next two weeks. **Mike Haycock** stated that the Workforce Services document stated that there is no right way to structure a General Plan. Some towns draft from scratch and some copy. Some consultants use a template they create. Some create custom plans. This is your document, and he is here to facilitate. **Commissioner Doug Clifford** stated we don't want to rediscover America. We like the plan the way it is. **Chairman Dave Robinson** stated let's take this information and plug it into what we have. **Commissioner Pam Gardiol** reiterated she wants to clarify what the Mayor's expectation is. **Mike Haycock** stated let's look at content and we can worry about format and dictation later. **Commissioner Doug Clifford** stated that there is a lot of work that has gone into the last two or three iterations of that plan. We don't want to throw it all out and start over again. We can add to it and add clarity data and information.

D. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for January 3, 2023.

MOTION: Commissioner Doug Clifford moved to approve the Ivins City Planning Commission Meeting Minutes for January 3, 2023.
SECOND: Commissioner Pam Gardiol
VOTE: The motion carried.

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

5) REPORTS
A. Planning Commission
B. Chairman
C. Building and Zoning Administrator, Mike Haycock

Mike Haycock stated that the assignment he was given for the Resort Commercial zone and short-term rentals is in a word document and the direction he is headed is that RM zone is appropriate for Resort Commercial zone for density and amenities and so he is taking that over to Resort Commercial zone and trying to stay consistent with parking requirements also. So he needs to change everywhere it says RM to say Resort Commercial but flow consistently. It has been a project. It is matching up and making it easy to understand. It may be ready for February, but probably March.

D. City Manager/Attorney Dale Coulam
E. Items to be placed on future agendas
6) ADJOURNMENT

MOTION: Commissioner Doug Clifford moved to approve ADJOURNMENT
SECOND: Commissioner Pam Gardiol
VOTE: The motion carried.

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

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