

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

**1) WELCOME AND CALL TO ORDER**

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

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

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

**A. Acknowledgement of Quorum**

**B. Flag Salute--Commissioner Lance Anderson**

**C. Invocation--Commissioner Doug Clifford**

**D. Disclosures**

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

**2) REPORTS AND PRESENTATIONS --**

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

**3) BUSINESS LICENSES --None**

**4) PUBLIC HEARING AND ACTION ITEMS--**

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

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

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

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

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

10 **Chairman Jeff Loris** stated it is zoned C-1, and the land use is community commercial. What  
11 are the allowances for this area now? **Mike Rodriguez** stated it could be anywhere from some  
12 offices to retail, professional office type use. The Western Corridor comes through the parcel as  
13 well. That portion will be set aside for that. **Chairman Jeff Loris** stated there is part of their  
14 parcel that overlays onto someone else's property. **Mike Rodriguez** stated they have stayed on  
15 the C-1 area but the map shows it as off a bit. The Western Corridor is a 5 lane parkway and will  
16 have two travel lanes each direction and a center turn lane. **Chairman Jeff Loris** stated it would  
17 have a speed of 35-45 mph. There is a very large traffic pattern planned there. Brett Lovell stated  
18 he is with Lovell Development Group. UDOT has been spoken to. The reason they are  
19 purchasing from America First Credit Union is that this property was listed as commercial for  
20 quite some time and couldn't get commercial traction there. This overlay drawing was just a  
21 visual. The schematics will be done with engineering. A survey has been done on the property.  
22 The Western Corridor will be accommodated. **Commissioner Bryan Pack** inquired on the C-1  
23 designation it currently has. What is Family Dollar's designation, and didn't it have a conditional  
24 use? That is an example of a potential use that could be there without having to come back to this  
25 body for zoning approval. He has concerns that it is zoned commercial now and we don't have  
26 much commercial. There may not be traction for commercial now but as more residential comes  
27 in, we may need some. He would hesitate to change this. This will be developed and it won't stay  
28 rural pasture. He would prefer it to stay commercial. We as Planning Commission and City  
29 Council have a duty to look at what is best for the community and affordable housing is a huge  
30 concern. The State Legislature is mandating we put together an affordable housing plan. If he  
31 looks at where is the appropriate spot for a high density project, this is a pretty attractive parcel.  
32 There is a bus stop right off the highway. Traffic is a concern and an increase in traffic. He does  
33 not want to see cars speeding through there. He is against this proposal at this time, but he thinks  
34 the time will come when these decisions will have to be made. Water is also a concern and how  
35 the City is getting to the point where we need to develop other resources. Every time we change  
36 the use to a higher density, it further impacts that. **Commercial Lance Anderson** stated since  
37 2003 he has been to these meetings and in 2005 we had a vision and put through the Hwy 91  
38 corridor plan and everybody gives up 30 ft on each side of the road. We don't want Hwy 91 to  
39 look like Sunset or Bluff Street and we are slowly getting there. 400 South used to be the sacred  
40 line for RE-25 and we wouldn't think of anything lower than that back then. How many  
41 townhomes do we have right now? 157? **Mike Rodriguez** stated right now we have 300 total  
42 townhomes that have been built, set to be built or slated to be built. **Commissioner Lance**

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

32 **MOTION: Commissioner Bryan Pack moved to recommend denial of a Concurrent Land**  
33 **Use/Zoning Amendment from C-1 (Community Commercial) to R-M-TH (High Density**  
34 **Residential Multi-Family Townhouse) on 10.37 acres, located at approximately Hwy 91 and**  
35 **200 East. Lovell Development Group-Applicant. America First Credit Union-Owner.**

36 **SECOND: Commissioner Lance Anderson**

37 **VOTE: The motion carried.**

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

## 5) DISCUSSION AND POTENTIAL ACTION ITEMS—

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

1 **Mike Rodriguez** stated that subdivision has 30 townhome units on Center Street and 100 West.  
 2 There are 8 buildings on approximately 2.75 acres. The project was approved with three separate  
 3 building types. One type was duplicated and the two in the center were similar, but they are  
 4 different sizes and floorplans. The applicant wants to amend the plat to eliminate these two  
 5 buildings and build the other building type in their place. It will not increase the number of units.  
 6 It will however change the footprint on four units. **Chairman Jeff Loris** stated these two units  
 7 are identical. They only push North about five feet. They have turned from being long to being  
 8 tall. They have just turned those 90 degrees. The reason they are doing it is for pricing. They  
 9 have two that they have built they have priced down to the penny, so if they do more of those,  
 10 they have eased their construction costs. The difference in square footages is 1297 sq ft and 1184  
 11 sq ft. It is just making it easier to be able to duplicate them. The other thing the applicant is  
 12 asking is to change the elevation to pitched roof rather than a flat roof. Again for ease of  
 13 construction they want to pitch the roof and enable them to put the mechanical units in the attic  
 14 rather than on the roof. **Commissioner Doug Clifford** inquired if there was a height  
 15 restriction? **Mike Rodriguez** stated these will not be higher than the approved height. They are  
 16 actually shorter. **Commissioner Lance Anderson** inquired that they have two built right now  
 17 will these others match that? **Mike Rodriguez** stated those will stay the way they are, and the  
 18 four units will have a pitched roof and it will ultimately be lower than what is  
 19 existing. **Chairman Jeff Loris** stated they would be 5/12 instead of 6/12. **Dale Coulam** stated if  
 20 we look at the amended plat the end of the units will look the same. It is looking east to west that  
 21 you would notice the additional pitched roof and it still fits with our design guidelines. There is  
 22 no Conditional Use Permit. It was single phase development so there was no development  
 23 agreement required. There is nothing in our code that would prevent them from doing this.  
 24 **MOTION: Commissioner Bryan Pack moved to approve Amendment of the Final Plat for**  
 25 **Tuscano Subdivision, located at approximately 100 West Center Street. Macro, LLC/Ence**  
 26 **Bros Construction-Owner. Faction, LLC-Applicant.**  
 27 **SECOND: Commissioner Lance Anderson**  
 28 **VOTE: The motion carried.**

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

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

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

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



1 **SECOND: Commissioner Bob Morris**

2 **VOTE: The motion carried.**

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

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

5 **MOTION: Commissioner Bryan Pack moved to approve the Ivins City Planning**  
6 **Commission minutes for March 19, 2019**

7 **SECOND: Commissioner Lance Anderson**

8 **VOTE: The motion carried.**

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

9 **MOTION: Commissioner Bryan Pack moved to approve the Ivins City Planning**  
10 **Commission minutes for April 2, 2019.**

11 **SECOND: Commissioner Doug Clifford**

12 **VOTE: The motion carried.**

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

## 6) **REPORTS**

### A. **Planning Commission**

#### B. **Chairman**

#### C. **Building and Zoning Administrator, Mike Rodriguez**

13 **Mike Rodriguez** stated the Affordable Housing Task Force has a meeting scheduled for  
14 Monday. There is some new legislation that will be taking effect. He will be Chairing that  
15 Committee.

#### D. **City Attorney, Dale Coulam**

16 **Dale Coulam** stated that the new legislation has passed, but does not come into effect until May  
17 14th. It is Senate Bill 34.

#### E. **Items to be placed on future agendas**

18 **Mike Rodriguez** stated that affordable housing will become an agenda item as we get further in  
19 this discussion.

## 7) **ADJOURNMENT**

20 **MOTION: Commissioner Lance Anderson moved to approve ADJOURNMENT**

21 **SECOND: Commissioner Bryan Pack**

22 **VOTE: The motion carried.**

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

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