

**IVINS CITY
PLANNING COMMISSION
MINUTES
September 17, 2019
435-628-0606**

1) WELCOME AND CALL TO ORDER

CHAIRMAN AND COMMISSIONERS: The meeting was called to order at 05:30 p.m. All present included Chairman Bryan Pack, Commissioner Lance Anderson, Commissioner Doug Clifford, and Commissioner Bob Morris.

Staff Attending: Mike Rodriguez-Building and Zoning Administrator and Sharon Allen-Deputy City Recorder.

Audience Attending: Rich Svien, Dan and Jan Brown, Jerry and Doreen Dillman, Lloyd and Deb Denton, Carylon and Peter Reuthlinger, Diane and Sterling Patrick, Claudette Larsen, Kathy Barton, Regina Roper, Diana Warner, Sue Gordhammer, Bill and Ellen Wentworth, Derek Larsen, Bob Hermadsen, John Coulter, Brian and Leslie Hill, Chris Haddad, Brett Kee, Dave Mendenhall, as well as others that did not sign in.

A. [Acknowledgement of Quorum](#)

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

C. **Invocation--Commissioner Lance Anderson**

D. [Disclosures--None.](#)

2) **REPORTS AND PRESENTATIONS --None**

3) **BUSINESS LICENSES -None**

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

A. [Public Hearing regarding on a proposed Concurrent Land Use/Zoning Amendment from Community Commercial to MDR \(Medium-Density Residential\) and a zone change from C-1 \(Community Commercial District\) to R-1-7.5 \(Residential minimum lot size 7500 sq ft\) zone on an approximate 7.85 acre parcel. Located at approximately Red Mountain Blvd and Highway 91. America First Federal Credit Union-Owner. Brett Kee-Applicant.](#)

Mike Rodriguez stated that we looked at this property a few months back when it was proposed to be a townhome use. That application was denied. This applicant is requesting a land use amendment from Community Commercial to Medium Density Residential and a zone change from C-1, Community Commercial District to R-1-7.5 and single family dwellings with a minimum lot size of 7500 sq ft lots on an approximate 7.85 acre parcel. TRC has reviewed this earlier this month. So the corner of Hwy 91 and Red Mountain Blvd they are requesting that remain commercial; the 7.85 acres northern portion is what they are asking to change from C-1 to R-1-7.5 and that is the smallest lot size in the Medium Density Residential zone. It is all one 10 acre Parcel but the hatched out area is being requested to be Medium Density Residential R-1-7.5. Also note that the Western Corridor will cut off the very west section when that gets built. **Chairman Bryan Pack** stated that the abutting land other than the Community Commercial, the north and east sides, are all R-1-7.5 currently. **Mike Rodriguez** stated the property to the north is R-1-7.5 and across 200 East is also R-1-7.5. Directly to the east is the LDS Church. **Chairman Bryan Pack** opened the Public Hearing. Dave Mendenhall stated he lives in Heritage Estates and inquired if these will be the same size lots as Desert Rose? Mike

1 Rodriguez stated that what is being proposed is R-1-7.5 and is the same zone as Desert Rose.
2 Derek Larsen stated he lives in Heritage Estates as well. Last time a lot of his neighbors were
3 opposed to see it go to high density. He is torn, but if it gets zoned to residential, he thinks it
4 should be for a custom home subdivision. In Ivins we have plenty of 3 bed 2 bath homes. We
5 lack move-up housing. There are two families in our neighborhood moving because there is
6 nothing in Ivins for them. If we rezone, put in a neighborhood with larger homes if we feel it is
7 best for the City to give up its limited commercial space. Sue Gordhammer stated she lives on
8 Kayenta Parkway. That piece of property represents approximately 33% of the currently zoned
9 Commercial space along Highway 91. If we rezone to Medium Density Residential when we
10 keep hearing commercial space is at a premium in Ivins, it is a very strategic location that we
11 would be turning into more housing. Hearing no further comments, **Chairman Bryan Pack**
12 closed the Public Hearing.

B. Discuss and consider recommendation on a proposed Concurrent Land Use/Zoning Amendment from Community Commercial to MDR (Medium-Density Residential) and a zone change from C-1 (Community Commercial District) to R-1-7.5 (Residential minimum lot size 7500 sq ft) zone on an approximate 7.85 acre parcel. Located at approximately Red Mountain Blvd and Highway 91. America First Federal Credit Union-Owner. Brett Kee-Applicant.

13 **Commissioner Doug Clifford** inquired how they would lay out the subdivision? **Mike**
14 **Rodriguez** stated that the applicant is here but the portion that is commercial he has indicated
15 that he would possibly have a sit-down restaurant or a drive-through, and single-family homes on
16 the portion he is asking to rezone. Brett Kee stated as far as roads or lots, we are going to see
17 how the zone change goes before we figure that out. Brandi Walker from Civil Science will lay
18 out how best to utilize the space. The commercial triangle is about 2.5 acres. A small sit-down
19 restaurant would probably take up a half acre so he envisions three or four different buildings on
20 that property. **Chairman Bryan Pack** stated that the proposed zone is consistent with what is
21 already there. Is this site a good place for commercial and that was why we did not allow it to go
22 to Multi-Family last application. Is it a good spot for commercial, where we have it designated
23 and in the General Plan? Especially with the corridor. He doesn't believe larger housing makes
24 sense there with the corridor coming through. **Commissioner Lance Anderson** inquired if the
25 Corridor will resemble Snow Canyon Parkway. **Mike Rodriguez** stated it will be a four-lane
26 roadway similar to Snow Canyon Parkway with minimal accesses. There will be a major
27 intersection at the location where the Western Corridor comes through. **Commissioner Lance**
28 **Anderson** stated that commercial may not be so great there because the other access may go
29 away. **Mike Rodriguez** stated the alignment for 200 East where it connects with Highway 91
30 would likely make a turn to be more perpendicular with the intersection to create better visibility
31 where the two roadways intersect. **Commissioner Lance Anderson** stated he would like to put
32 the commercial in the upper corner a little larger and 200 East should go away clear to 1060 and
33 make that a nice little community instead of having all those accesses in it. Where it is now, the
34 commercial would get eaten up, and would be better and more valuable by the
35 corridor. **Chairman Bryan Pack** stated that to him, commercial is not at a premium in the city.
36 If it was, it would be developed already. **Commissioner Lance Anderson** stated that the place
37 across from Lightfoots sat for years trying to be commercial. The homes being there are nice.
38 You have to be able to build the commercial around the environment to make it
39 work. **Chairman Bryan Pack** stated it is on the highway and close to the border. Commercial
40 makes sense from that standpoint. **Commissioner Doug Clifford** stated that was the intent when

1 it was set. It makes sense to keep it that way. **Commissioner Lance Anderson** stated they have
2 to give up 30 ft for the Highway Corridor Plan. But no one is going to come and put 10 acres of
3 commercial on there. **Commissioner Doug Clifford** stated it is not as likely a space as where
4 commercial would be used. **Chairman Bryan Pack** stated our build-out is around 30k over
5 maybe the next 30 years. **Mike Rodriguez** stated what drives commercial development is when
6 more homes go in and they require services they don't want to travel to. **Chairman Bryan**
7 **Pack** stated if we build out, does this property become more valuable as commercial and is this
8 the right spot, or do we let it happen organically? **Mike Rodriguez** stated that going West on
9 Highway 91 we have the RV Resort, then Movara and Ryders. There is nothing else projected or
10 zoned for that type of use along the Highway Corridor. Community Commercial zone would be
11 retail, professional office type of use. **Commissioner Lance Anderson** stated commercial
12 thrives when the community builds around them. He thinks he should flip the commercial and
13 the residential and have 200 East become part of the subdivision. **Commissioner Doug**
14 **Clifford** stated commercial on the outside edges of development is more destination-type uses
15 for travelers. The use is fine but we need more centralized commercial within the
16 City. **Commissioner Lance Anderson** inquired if we can get access off of there for the
17 commercial space? We don't want people going through residential to get to
18 commercial. **Commissioner Doug Clifford** stated you have to believe that the Corridor will go
19 in and that it will be planned on, on the map. **Commissioner Bob Morris** stated he is okay with
20 houses going in there. He voted for the townhomes. It matches the adjacent area. He is for houses
21 in the area, but doesn't want to deprive the developer if he wants a commercial use
22 there. **Commissioner Lance Anderson** stated the bank owns it and maybe they need to see what
23 can be done there. This is not a good place to put move-up housing. The lot sizes fit there. For
24 his sake maybe we make the commercial lot size a little bit bigger. **Mike Rodriguez** stated the
25 application has been made to recommend approval or denial as it has been made. The applicant
26 could reconfigure and reapply if he would like to do that. Neil Walter stated he represents the
27 applicant. He appreciates the consideration of this configuration. We have had this same
28 conversation several times. Our determination of which way to apply was because of the limited
29 access on Old Highway 91. If we were to rearrange the commercial configuration, it would make
30 sense except for in the interim period we have no access except through the neighborhood which
31 we know is not ideal. We have not been able to make any headway about whether the western
32 corridor when it intersects this property, will have access. The only thing we have determined is
33 that we are likely not to have access. We felt our option was to put the commercial portion of the
34 property as proposed. That is why we chose to put it on 200 East Old Highway 91
35 intersection. **Commissioner Doug Clifford** inquired which will develop first and is the
36 commercial the priority? Neil Walter stated this area is not as good for commercial as others in
37 Ivins because it sits behind any kind of primary access. There has been expressed interest from
38 the City to make sure we have some commercial and we came with a different proposal last
39 spring with high density residential and the neighborhood wanted residential, but not high
40 density and the City wanted commercial so this is in answer to that to be responsive to both.
41 With 200 East and Old Highway 91 as you see that traffic reroute, it will take a long time to
42 develop any significant amount of traffic at that intersection that would make that a better or
43 more commercially viable parcel. Both of the other properties for sale are more than double what
44 the asking price is on this property. **Commissioner Lance Anderson** stated he feels that
45 commercial is just too tiny of a space. There is the 30 foot boundary and then the Corridor going
46 through there. **Mike Rodriguez** stated so you would like to see more as commercial and less

1 residential. **Chairman Bryan Pack** stated that Commissioner Doug Clifford mentioned that
2 maybe this is premature and we should just let it stay commercial. **Commissioner Bob**
3 **Morris** stated that we keep hearing that this is not a good spot for commercial. And last time you
4 denied it because you wanted it to stay commercial. **Commissioner Lance Anderson** stated he
5 did not want to see townhomes there. **Chairman Bryan Pack** stated that he would be in favor of
6 leaving this commercial. Neil Walter stated we are not here to try and figure out if this is a
7 proposal that could work. We are here to execute this development plan as presented, not fish
8 around. **Commissioner Lance Anderson** stated that he believes he is a true buyer, and that the
9 only way he can calculate percentage of what needs to be commercial and residential is if we
10 move it forward. Then he will go out and figure it out and then maybe need a new rezone when
11 he figures out what he needs at that point. So we need to deny this application and recommend
12 that they enlarge that commercial to some level. **Mike Rodriguez** stated you could recommend
13 to approve the land use and zone change, but change the property ratio. **Chairman Bryan**
14 **Pack** moved to approve. 2nd by Commissioner Bob Morris. **Commissioner Lance**
15 **Anderson** voted nay. Motion failed.

16 **MOTION: Commissioner Doug Clifford moved to approve recommendation on a proposed**
17 **Concurrent Land Use/Zoning Amendment from Community Commercial to MDR**
18 **(Medium-Density Residential) and a zone change from C-1 (Community Commercial**
19 **District) to R-1-7.5 (Residential minimum lot size 7500 sq ft) zone on an approximate 7.85**
20 **acre parcel, with a minimum of 2.5 acres of developable commercial property, net of any**
21 **loss because of 200 East and 30 feet Highway 91 buffer. Located at approximately Red**
22 **Mountain Blvd and Highway 91. America First Federal Credit Union-Owner. Brett Kee-**
23 **Applicant.**

24 **SECOND: Commissioner Lance Anderson**

25 **VOTE: The motion carried.**

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

C. **Public Hearing regarding on a proposed Concurrent Land Use/Zoning Amendment from LDR and HDR, (Low-Density Residential and High-Density Residential) to MDR (Medium-Density Residential) and a zone change from RA-1 (Residential Agriculture 1 acre) to R-1-10 (Residential minimum lot size 10,000 sq ft) zones on an approximate 20.56 acre parcel. Located at approximately 600 West and 150 South. Frei 6, LLC-Owner. James Sullivan-Applicant.**

26 **Mike Rodriguez** stated that TRC reviewed this. This is on Kwavasa Drive and approximately
27 150 South on the southern portion of this property. **Chairman Bryan Pack** stated this is a
28 bubble. It was not a defined boundary. It was just contemplated to be either at some point. **Mike**
29 **Rodriguez** stated yes. They want to change the whole parcel to Medium Density Residential and
30 R-1-10. **Chairman Bryan Pack** stated if they do that, they would be giving up high density. The
31 zoning on the entire parcel is RA-1. There is no entitlement to High Density. **Commissioner**
32 **Lance Anderson** stated there is. They have to meet the requirements of the land use
33 plan. **Chairman Bryan Pack** stated they could theoretically put a High Density in today and we
34 would have to select one of those zones. **Mike Rodriguez** stated with a zone change. **Chairman**
35 **Bryan Pack** stated so there is an entitlement. If they did that, we could not deny the zone
36 change. **Commissioner Lance Anderson** inquired is that 108 ft wide like Center Street all the

1 way to Kayenta? **Mike Rodriguez** stated he believes so, yes. **Chairman Bryan Pack** opened the
2 Public Hearing. We received a letter from Jay Beacham in opposition to this application to be on
3 file with the minutes. **Mike Rodriguez** stated the engineer representing the applicant is here if
4 we need to ask questions. Ron Blake stated he hates the two story townhomes, and would rather
5 see single family homes but he doesn't see that we need bigger homes. People want smaller
6 homes because they can't afford the bigger homes. **Mike Rodriguez** stated they are restricted to
7 a 25 ft height requirement. He likes to see single family. He would rather see homes than what
8 we have. Hearing no further comments, **Chairman Bryan Pack** closed the Public Hearing.

D. Discuss and consider recommendation on a proposed Concurrent Land Use/Zoning Amendment from LDR and HDR, (Low-Density Residential and High-Density Residential) to MDR (Medium-Density Residential) and a zone change from RA-1 (Residential Agriculture 1 acre) to R-1-10 (Residential minimum lot size 10,000 sq ft) zones on an approximate 20.56 acre parcel. Located at approximately 600 West and 150 South. Frei 6, LLC-Owner. James Sullivan-Applicant.

9 **Commissioner Lance Anderson** stated he is okay with the zoning, but it is the open space
10 around it. Cliffrose had to give up a lot of open space to get their zoning, and with an overlay in
11 Cliffrose we were able to control the height, which is his concern. We have actually discussed
12 changing the land use from 400 South that way. The ridgeline ordinance could come into part of
13 this. They could have 69 lots there theoretically. 12.5 would be 55 lots. **Mike Rodriguez** stated
14 Medium Density Residential zones are R-1-7.5, R-1-10 and RE-12.5. Cliffrose was RE-12.5
15 zoning with a Subdivision Enhancement Overlay so many are much less than 10,000 square feet.
16 This application is straight R-1-10 zoning. **Commissioner Lance Anderson** stated in Cliffrose,
17 we got more open space. **Chairman Bryan Pack** stated that Commissioner Lance Anderson
18 would be in favor of a Cliffrose-type development and RE-12.5. **Mike Rodriguez** stated if you
19 recommended RE-12.5 and then applicant could use the Subdivision Enhancement Overlay to
20 still get their densities but make some concessions on how the subdivision is developed. The
21 zoning text amendments have not been completed. **Commissioner Lance Anderson** stated their
22 detention could go towards that. Bob Hermadsen stated he is representing S&S homes. The
23 intent is straight R-1-10 zoning. They first option was to utilize the General Plan as it stands with
24 High Density but could not visualize it. It didn't fit that area. But from a density standpoint, we
25 lost 40 to 50 potential units, but it wasn't in harmony with the surrounding area. The new road in
26 the future on the west side of the project is 108 ft and has meandering trails and he believes there
27 is also have a trail master planned on the other side of the project. The homebuilder wants the
28 option of doing anywhere from 1800 sq ft single-family dwelling, up to a two-story 25 ft flat-
29 roofed home. They want that option. The larger lots give them that flexibility. The design for the
30 roadway out front from Ivins City is really nice. We didn't need to go in and apply for
31 enhancements. It already has a great project entrance. It is at least a 90 ft roadway. They want the
32 option of two-story. There will be a nicely landscaped detention pond. **Commissioner Lance**
33 **Anderson** stated that right now is our only chance to deal with the height. We can ask for zoning
34 that we believe is appropriate. **Chairman Bryan Pack** stated that Commissioner Bob Morris
35 would probably vote for it the way it is, correct? **Commissioner Bob Morris** stated
36 yes. **Commissioner Doug Clifford** stated he thinks the way they are proposing it would be
37 fine. **Chairman Bryan Pack** inquired what it would do to the developer to go to a RE-12.5 or
38 would the Subdivision Enhancement Overlay be something the applicant would go for? Bob
39 Hermadsen stated in the Master Plan to the south is also high density. The way we configured it
40 before, it would have had its own access to the South. We would have had an entrance there for

the high density and basically have two rows of townhomes with two stub roads going to the north to access the low density. There is also a master planned road that goes on the left three-quarters of the property. We can make that work. This idea just blends more. **Mike Rodriguez** stated Cliffrose and Haven all have a 25 ft home height limit as do the Red Mountain Townhomes. Cliffrose has 21-23 ft height and Haven has 25 ft with those RV garages. So that maximum height is similar to what is out there.

MOTION: Commissioner Bob Morris moved to approve recommendation on a proposed Concurrent Land Use/Zoning Amendment from LDR and HDR, (Low-Density Residential and High-Density Residential) to MDR (Medium-Density Residential) and a zone change from RA-1 (Residential Agriculture 1 acre) to R-1-10 (Residential minimum lot size 10,000 sq ft) zones on an approximate 20.56 acre parcel. Located at approximately 600 West and 150 South. Frei 6, LLC-Owner. James Sullivan-Applicant.

SECOND: Chairman Bryan Pack

VOTE: The motion carried.

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

5) DISCUSSION AND POTENTIAL ACTION ITEMS—

A. Discuss and consider approval of Altura Phase 2 Final Plat, located at approximately 200 West and 100 North. DSG Holdings LLC and Utah Land Use Advisory, PLLC-Owner. Development Solutions-Applicant.

Mike Rodriguez stated that this is second phase of the final plat and is consistent with the Preliminary Plan. TRC has reviewed this plan.

MOTION: Commissioner Lance Anderson moved to approve Altura Phase 2 Final Plat, located at approximately 200 West and 100 North. DSG Holdings LLC and Utah Land Use Advisory, PLLC-Owner. Development Solutions-Applicant.

SECOND: Commissioner Doug Clifford

VOTE: The motion carried.

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

B. Discuss and consider amending Density Allowances for Multi-Family development.

MOTION: Commissioner Doug Clifford moved to table Discuss and consider amending Density Allowances for Multi-Family development.

SECOND: Commissioner Lance Anderson

VOTE: The motion carried.

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

C. Discuss and consider approval of the Ivins City Planning Commission Minutes for September 3rd, 2019.

MOTION: Commissioner Lance Anderson moved to table approval of the Ivins City Planning Commission Minutes for September 3rd, 2019.

SECOND: Commissioner Doug Clifford

VOTE: The motion carried.

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

6) REPORTS

A. Planning Commission

B. Chairman

C. Building and Zoning Administrator, Mike Rodriguez

D. City Attorney, Dale Coulam

E. Items to be placed on future agendas

Mike Rodriguez stated that we have received Canyon Crossing Conditional Use Permit application and it may be on our next meeting.

7) ADJOURNMENT

MOTION: Commissioner Lance Anderson moved to approve ADJOURNMENT

SECOND: Chairman Bryan Pack

VOTE: The motion carried.

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