

**IVINS CITY  
PLANNING COMMISSION  
MINUTES  
March 3, 2020  
435-628-0606**

**1) WELCOME AND CALL TO ORDER**

**CHAIRMAN AND COMMISSIONERS:** The meeting was called to order at 5:30 p.m. All present included Chairman Bryan Pack, Commissioner Lance Anderson, 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:** Chris Haddad, Randy Johnson, Lynnette Miller, Rich Svien, Flint Decker, Claudette Larsen, Adele and Steve Greenleaf, Cameron Kelsch, Jacque Ahey, Heidi Neel, Brian and Leslie Hill, Ronda and Michael Bonneau, Myrna Craig, Kathy Barth, Carol Hergert, Creed Jones, Leed Barlow, CJ Coharcheck, Delores Osborn, Mike Scott, Patty Dupre, Marcia Delucchi, Paul and Gery Bryson, Martel and Jane Jensen, Justin Aucoin, Robin Valline, as well as others that did not sign in.

A. [Acknowledgement of Quorum](#)

B. **Flag Salute--Chairman Bryan Pack**

C. **Invocation--Chairman Bryan Pack**

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

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

3) **BUSINESS LICENSES -None**

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

A. [Public Hearing on a proposed Concurrent Land Use from LDR \(Low Density Residential\) to MDR \(Medium Density Residential\) and a Zone Amendment from RE-25 PD \(Residential Single Family, Planned Development\) to a combination of R-1-10 \(Residential Single Family, minimum lot size 10,000 sq ft\) and R-1-7.5\(Residential Single Family, minimum lot size 7,500 sq ft\), and lot averaging. Located at approximately 750 E Center. Ivins City-Owner/Applicant.](#)

**Dale Coulam** stated that this is the City's property just east of the church on Center Street. Palisades is directly to the north. Existing residential is on the eastern boundary. Currently we have listed that property for sale and have a primary offer and a back up offer. The primary party has submitted a conceptual layout seen here which provides for a buffer of R-1-10 along the existing residential. Palisades to the north was a planned development and even though it shows on the zoning map as RE-25, it says PD after it, meaning the lots can be varying sizes, so if we were to zone this now, it would have to be zoned as R-1-10. To the east, this existing development is RE-15. The Hart family originally owned this property and on their approved preliminary plan back then, and on the development agreement recorded with that, you can see the lots to the north were larger lots, and as they come down, they get smaller and smaller until they get down to proposed patio homes. At that time there was no trail and landscape buffer along the east side like now exists. Under this proposed layout you will see the trail and buffer will continue down the east side. The Hart family original preliminary plan is no longer effective, because it expired, so in essence there is no zoning on this parcel. We no longer have a

1 Planned Development zone anymore under our current zoning ordinance. The developer would  
2 have to give up land and develop a trail to connect to Center Street and that would finish off this  
3 trail all the way up to the trail along the dam. Also required is street access connecting Palisades  
4 with Center Street. With that in mind, it restricts the layout a buyer of the property can do. One  
5 other key difference is the Hart family preliminary plan showed small cul-de-sacs, and our  
6 current fire code has adopted an appendix which requires 96 ft diameter cul-de-sacs. What a  
7 developer will be required to do then is have a road along the north and south and one on the  
8 west and east and try to connect it in such a way that it creates lots. Under the Hart family  
9 preliminary plan they would be patio homes right up to the boundary. When you connect these  
10 roads, you end up with 7500 sq ft lots and 10000 sq ft and larger lots with smaller lots in the  
11 middle to connect up. Those end up being in less than 7000 sq ft so this layout is proposing a  
12 combination of R-1-10 and R-1-7.5. So in order to achieve that layout, it would require lot  
13 averaging. The primary offer was conditioned upon medium density zoning. In order to meet the  
14 due diligence requirements, the City submitted an application for a land-use of medium density  
15 and this would have to be done in any event. We really need a zone to effectively market this  
16 property for sale. R-1-10 is the middle zone in medium-density residential. The primary offer is  
17 proposing 53 lots and there were about 45 under the Hart family's preliminary  
18 plan. **Commissioner Lance Anderson** inquired on cul-de-sacs if they are 150 ft or less they can  
19 use the smaller cul-de-sacs. **Chairman Bryan Pack** inquired how has the trail requirement been  
20 preserved? **Dale Coulam** stated that previously we had an offer during the summer where Vista  
21 School wanted to acquire this property and attempt to swap it with the property owner directly to  
22 the north of them but it became apparent whomever we sold it to may not be who developed it.  
23 We couldn't just add conditions to the offer. We amended the Transportation Master Plan and  
24 Trails Master Plan to include these required connections. **Chairman Bryan Pack** opened the  
25 Public Hearing. Claudette Larsen stated that there is concern about traffic at Vista School and if  
26 you have 50 plus homes with cars coming out, can they have further space between Vista School  
27 traffic and Center Street? **Dale Coulam** stated probably not because the existing development to  
28 the east has a street coming down and connecting with Center Street. This is consistent with the  
29 layout of the Transportation Master Plan. Paul Bryson stated he is also concerned about the  
30 traffic on Center Street and Park Avenue Way traffic. He doesn't believe the City is working well  
31 with the police department in solving the problem. Cars are stopped in a moving lane of traffic  
32 on Center Street. Vehicles are stopping in a no-stopping zone and making turns across two  
33 moving lanes of traffic into the school, yet they write tickets for parking violations. You will  
34 have an increase in vehicular traffic in this area having this development. He knows Vista School  
35 is going to put a street in the back that goes across to 400 and which they believe will resolve the  
36 issue. Putting a street in the back still does not resolve the issues on Park Avenue Way where  
37 vehicles are cutting in front of cars in active lanes of travel to get into the school. If they were  
38 directed up 400 and across 200 and down Park Avenue Way there would be no problem. Myrna  
39 Craig stated she is a resident of Palisades at Snow Canyon. She inquired if they had fire  
40 approvals and if the fire department has looked at the plan to be able to get fire trucks in and  
41 out? **Dale Coulam** stated that doesn't happen at this stage, that is at Preliminary Plan, but yes the  
42 street would meet our fire requirements. Myrna Craig stated that she presumed there will not be  
43 access to Palisades at Snow Canyon because we are a gated community. **Dale Coulam** stated  
44 that is up to the developer if they want to gate that off. Myrna Craig stated that we would want to  
45 make sure there is no access to Palisades at Snow Canyon. We have recreational amenities,  
46 clubhouse, sports courts, swimming pool and absolutely would not want people from those

1 homes to be included in our development. She inquired if there was one general developer  
2 buying the property? Trail access will be extended. Will they be able to go up and through out  
3 particular development? That should not be allowed. **Dale Coulam** stated it is a public trail so  
4 yes it will continue all the way up. Myrna Craig inquired with the ingress and egress up to Center  
5 Street, this will not be a gated community? **Dale Coulam** stated again this is not a Preliminary  
6 Plan. This is just zoning. They are not required to do this, but they submitted a conceptual plan.  
7 Myrna Craig wondered if there would be an HOA? She stated she wants these questions brought  
8 forward and she is happy to meet with the developer and give them any information that they  
9 need. We are a high-end community and Palisades at Snow Canyon. Steve Cottam stated that it  
10 appears the overall density would be about 3.4 homes per acre. That seems reasonably low for  
11 density and he favors lower density wherever possible. The proposed developer, the offerer,  
12 needs to build so many homes so that he can afford to buy the property. Do lots of 6000 sq ft  
13 allow reasonable sized homes given the required side setbacks. As far as zoning, he would be in  
14 favor of the proposal. Jane Jensen inquired if Palisades gates the upper road then there is only  
15 one ingress and egress into this facility. **Dale Coulam** stated that they may be required when  
16 they come in with a preliminary plan to put in an emergency access like a crash gate and it  
17 depends on the number of homes being built. Jane Jensen stated that she would like to echo the  
18 comments on traffic and looking at the long-term effects on Center Street. She has been here 10  
19 years just off of Center Street and across from the school on Puerto Drive and the effects from  
20 traffic have been absolutely horrible from when they bought here. Justin Aucoin stated that he  
21 developed the upper Palisades and is doing his best possible to keep the traffic away from  
22 Palisades. He wondered where the crash gate would go, there is no way to put one in there. It  
23 would have to go to Park Avenue. To protect the interests of the current residents, there is no  
24 way we could allow them access to the clubhouse. It will be gated and there will not be any of  
25 those homeowners allowed. We are going to have to create some kind of a buffer between the  
26 Palisades and this property. The proposal was supposed to have a landscape buffer so you can  
27 see a definite break in the line. According to the developer he is going to try to sell \$350k and  
28 \$400k homes and our homes in the upper Palisades are 1, 2 and 5 million dollar homes. We need  
29 to create a landscape buffer. He has an old plan that showed that landscape buffer and can bring  
30 it into the office. **Dale Coulam** stated that this is zoning. A landscape buffer would be on a  
31 Preliminary Plan, but he is not aware of any restriction on the City property. Justin Aucoin stated  
32 they could put an access road out of the community. Get rid of one or two lots to get access on  
33 both sides to protect the interest of everyone in the Palisades. CJ Coharcheck stated that 50 plus  
34 homes with two cars per house are 100 cars lined up trying to go to work in the morning or take  
35 their kids to school with one entry and exit and if one is gated it does not seem like a good idea.  
36 Public Hearings occur when there is a zone change to be considered, and by the time we see the  
37 plan there is not an opportunity for feedback. **Dale Coulam** stated that zoning does not require a  
38 plan be submitted with it at that time. This potential buyer submitted a concept plan so you have  
39 something to get an idea of what they are thinking about. Preliminary Plan has a Public Hearing  
40 to discuss the development. Paul Bryson inquired that he would like to know if there is an  
41 existing traffic study for this development? **Dale Coulam** stated there may be one required as  
42 part of their Preliminary Plan process. Paul Bryson stated since the original zoning no longer  
43 applies and also had a 30 ft buffer along Center Street. Will that remain? **Dale Coulam** stated it  
44 would also be part of the Preliminary Plan. There are setback and buffer requirements but that  
45 will be addressed at the Preliminary Plan. Robin Valline stated thank you for all the information.  
46 He wanted to add one more topic to consider in your zone change and that is the height. In

1 Palisades we have consistently kept it at 17 feet and he would hope the developer may work  
2 within those parameters as well to preserve views and enhance everything else that has been  
3 developed. Hearing no further comments, **Chairman Bryan Pack** closed the Public Hearing.

**B. Discuss and consider recommendation of approval of the proposed Concurrent Land Use from LDR (Low Density Residential) to MDR (Medium Density Residential) and a Zone Amendment from RE-25 PD (Residential Single Family, Planned Development) to a combination of R-1-10 (Residential Single Family, minimum lot size 10,000 sq ft) and R-1-7.5(Residential Single Family, minimum lot size 7,500 sq ft), and lot averaging. Located at approximately 750 E Center. Ivins City-Owner/Applicant.**

4 **Chairman Bryan Pack** stated as a zone change and general plan amendment he is in favor and  
5 it does preserve the buffers. Let's go through concerns raised here, but note that most of them are  
6 more appropriate concerns for the Preliminary Plan and a lot of them have and would be  
7 addressed by our codes and ordinances that restricts certain types of things. For instance, the  
8 need for a second access has a requirement for that. Traffic is a large concern but he is not sure  
9 how relevant it is at this point. **Dale Coulam** stated that a traffic study would be part of the  
10 Preliminary Plan, but the number of homes is a density question and that is zoning. Do you think  
11 a medium density residential land use is appropriate and then consider what zone or zones within  
12 that. **Chairman Bryan Pack** stated that he would be okay with this density for this parcel. It  
13 makes sense to do that here. Building height is addressed by code. **Commissioner Lance**  
14 **Anderson** stated that if we go to a lower density, like Cliffrose for an example, then it becomes a  
15 negotiation. **Dale Coulam** stated that is a Subdivision Enhancement Overlay and this is  
16 requesting lot averaging. **Commissioner Lance Anderson** stated yes but when we decrease the  
17 density, then they have to come in with a bonus to increase their density. One of those bonuses  
18 could be if they keep it single level homes, then we will give more density. **Chairman Bryan**  
19 **Pack** stated so you suggest denying this or grant it for a lower density and have them come back  
20 in for a Subdivision Enhancement Overlay. **Commissioner Lance Anderson** stated if we want  
21 to control subdivisions more to achieve what is around it, and don't want such high densities,  
22 then we ask for a Subdivision Enhancement Overlay and that way they end up with same  
23 densities, but we can control height, color and parks. Then we can identify the things that are  
24 important to us for that area. **Chairman Bryan Pack** stated Fire Department approval would  
25 come through at Preliminary Plan stage and so would the gate and Palisades would do that and is  
26 not a requirement on this particular developer. Whether it stays one developer or multiple  
27 developers over time, we wouldn't know. Once it is sold, it is their property right to sell it off.  
28 The Trail Master Plan is a public trail going up through the property. He is willing to listen to  
29 other proposals as an alternative. **Commissioner Lance Anderson** stated that how our zoning  
30 works, is you take the whole parcel and times it by 80% and divide it by the zone, which is R-1-  
31 10 so 54 lots. To get smaller lots only 13.5 of them can be less than R-1-10. RE-12.5 allows 45  
32 lots. He has come to the conclusion that if you take the traffic aside, Cliffrose is a good example.  
33 When you drive around it, there is a lot of space on the outside and inside the lots are actually  
34 8000 sq ft. That doesn't bother him because all the landscape is on the outside. Normally, our  
35 roads can handle the zones that we put there. His opinion is that the zoning should be at 45  
36 because that is what people perceived. Now we are talking 53 lots and R-1-10 could get them  
37 54. **Chairman Bryan Pack** inquired so are you suggesting going RE-12.5 and require them to  
38 come back in and get a Subdivision Enhancement Overlay? **Commissioner Bob Morris** stated  
39 that he has no issue with the way it is being proposed. People that are buying homes know what  
40 they are getting. He lived near the Hollywood race track and he remembers the traffic. It is

1 unfortunate and an inconvenience but it is part of growth. He does want our children to get  
2 educated and have schools in our community, so he bears the inconvenience the traffic  
3 causes. **Commissioner Lance Anderson** stated that Vista School stated early on that there  
4 wasn't going to be any traffic on that road. We have the problem because we put a school in  
5 there. It was going to be on Kwavasa and it was too far out for them. It morphed as it changed.  
6 That is not these developer's problem. It is Vista School's problem. **Chairman Bryan**  
7 **Pack** moved to approve. **Commissioner Bob Morris** seconded the motion. **Commissioner**  
8 **Lance Anderson** voted nay. Motion failed. **Commissioner Lance Anderson** stated he thinks  
9 with RE 12.5 and R-1-10 zoning they could get 49 lots on there. That is compromise from 45 and  
10 53 lots. That is his proposal and City Council gets the ultimate say. **Dale Coulam** stated when  
11 we first considered listing the property we had 47 lots with R-1-10 and it took combo of R-1-7.5,  
12 approximately half, to get to 47. They laid out a different concept with the roads then. When we  
13 approved Palisades at Snow Canyon there was a negotiation of some property, so the northern  
14 boundary has changed. **Commissioner Lance Anderson** stated that he would like to make a  
15 proposal to move it on to City Council. **Dale Coulam** stated this is a legislative decision and you  
16 consider it and you make the recommendation to City Council and they will hold a Public  
17 Hearing and make a decision as they see fit. Staff is just here for information. **Commissioner**  
18 **Lance Anderson** inquired that he would like to move ahead with his proposal, but does it mess  
19 with the timing of the proposal? **Dale Coulam** stated they have a due diligence deadline of  
20 March 30<sup>th</sup> but you should do what you think needs to be done. Staff is not trying to sway one  
21 way or the other. We are only here to provide facts.

22 **MOTION: Chairman Bryan Pack moved to approve recommendation of approval of the**  
23 **proposed Concurrent Land Use from LDR (Low Density Residential) to MDR (Medium**  
24 **Density Residential) and a Zone Amendment from RE-25 PD (Residential Single Family,**  
25 **Planned Development) to a combination of R-1-10 (Residential Single Family, minimum lot**  
26 **size 10,000 sq ft) and R-1-7.5(Residential Single Family, minimum lot size 7,500 sq ft), and**  
27 **lot averaging. Located at approximately 750 E Center. Ivins City-Owner/Applicant.**

28 **SECOND: Commissioner Bob Morris**

29 **VOTE: The motion failed.**

|                             |     |
|-----------------------------|-----|
| Chairman Bryan Pack         | AYE |
| Commissioner Bob Morris     | AYE |
| Commissioner Lance Anderson | NAY |

30 **MOTION: Commissioner Lance Anderson moved to approve recommendation of the**  
31 **proposed Concurrent Land Use from LDR (Low Density Residential) to MDR (Medium**  
32 **Density Residential) and a Zone Amendment from RE-25 PD (Residential Single Family,**  
33 **Planned Development) to a equal combination of RE-12.5 (Residential Single Family,**  
34 **minimum lot size 12,500) and R-1-10 (Residential Single Family, minimum lot size 10,000**  
35 **sq ft), with lot averaging applying to both zones. Located at approximately 750 E Center.**  
36 **Ivins City-Owner/Applicant.**

37 **SECOND: Commissioner Bob Morris**

38 **VOTE: The motion carried.**

|                             |     |
|-----------------------------|-----|
| Chairman Bryan Pack         | AYE |
| Commissioner Lance Anderson | AYE |
| Commissioner Bob Morris     | AYE |

## 5) DISCUSSION AND POTENTIAL ACTION ITEMS—

**A. Discuss and consider approval of an Amended Final Plat for Movara Villas, located at approximately 290 Fitness Way, Movara Fitness Resort-Owner. Cameron Kelsch-Applicant.**

**Mike Rodriguez** stated that this plat originally proposed the construction of twenty 709 sq ft two-story one-bedroom studios on 1.5 acres of the overall 5.2 acre site. The proposed improvements required the submission of an amended project plan, which was approved. The amendment they are requesting is to increase and clarify the amount of limited common area and to identify the public utility and access easement they are sharing with the Kanta development, the adjoining neighbors to the West. **Chairman Bryan Pack** inquired if they were increasing the limited common area? **Mike Rodriguez** stated yes around the villas and the back side at the wall that adjoins the landscape area along Highway 91. The portion where Movara adjoins the Kanta parcel, that shared access easement and a utility easement that also goes through there. This is an approved final plat and that is what they are amending.

**Commissioner Lance Anderson** inquired what can they do in those limited common areas? Cameron Kelsch stated that it is to give them a little more privacy to the owners of these villas and build side walls and allow people to have more ability to landscape. **Commissioner Lance Anderson** inquired about any restrictions of what they can put back there? Cameron Kelsch stated they have CCR's and it is for desert landscape, no building structures or anything that causes attention to back there. They will be below the wall. **Commissioner Bob Morris** inquired if these are short term rentals? You buy them and then rent them to people? Cameron Kelsch stated that people that are coming to Movara can rent as a guest, but even the general public can rent it as a nightly rental and it is zoned for that. We sell them individually. The resort will be the management company making sure that everything stays consistent and uniform and the way we want it. **Commissioner Lance Anderson** stated that the access is just an easement right now. **Mike Rodriguez** stated yes and when Kanta develops, there will be a public easement that will allow access to both sites. Lynnette Miller stated that she is with Rosenberg and Associates. They are sharing the access but it is not public streets. **Commissioner Lance Anderson** inquired who maintains the easement. Lynnette Miller stated that they both have HOA's and CCR's.

**MOTION: Commissioner Bob Morris moved to approve an Amended Final Plat for Movara Villas, located at approximately 290 Fitness Way, Movara Fitness Resort-Owner. Cameron Kelsch-Applicant.**

**SECOND: Chairman Bryan Pack**

**VOTE: The motion carried.**

|                             |     |
|-----------------------------|-----|
| Chairman Bryan Pack         | AYE |
| Commissioner Lance Anderson | AYE |
| Commissioner Bob Morris     | AYE |

**B. Discuss and consider amendments to Density Allowances for Multi-Family.**

**Chairman Bryan Pack** stated regarding Density, Outdoor Lighting and Table of Uses, his concern is he won't be here next time so do we want to take them up now? **Dale Coulam** stated that looking at the Table of Uses is to address concerns allowing gas station in the Resort Commercial zone and an overall review starting with non-residential uses and whether you agree with where they are allowed.

**MOTION: Commissioner Lance Anderson moved to table Discuss and consider amendments to Density Allowances for Multi-Family.**

1 **SECOND: Commissioner Bob Morris**

2 **VOTE: The motion carried.**

|                             |     |
|-----------------------------|-----|
| Chairman Bryan Pack         | AYE |
| Commissioner Lance Anderson | AYE |
| Commissioner Bob Morris     | AYE |

**C. Discuss and consider Outdoor Lighting Regulations.**

3 **MOTION: Commissioner Lance Anderson moved to table Discuss and consider Outdoor**  
4 **Lighting Regulations.**

5 **SECOND: Commissioner Bob Morris**

6 **VOTE: The motion carried.**

|                             |     |
|-----------------------------|-----|
| Chairman Bryan Pack         | AYE |
| Commissioner Lance Anderson | AYE |
| Commissioner Bob Morris     | AYE |

**D. [Discuss and consider Table 33-2 Table of Uses, Nonresidential Zoning Districts.](#)**

7 **Chairman Bryan Pack** stated that once concern is gas stations that are currently allowed in  
8 Resort Commercial as a Class V. **Dale Coulam** stated the other is under Community and Resort  
9 Commercial Retail Sales and Services. Within that definition it includes Light Manufacturing  
10 site which is limited to processing, blending and packaging of non-hazardous ingredients in the  
11 production of food products, cosmetic products and other similar type. At the time it was a  
12 cosmetic business being proposed next to Ryders. There is no industrial park  
13 there. **Commissioner Lance Anderson** stated they are all residential and townhomes  
14 surrounding Ryders. **Chairman Bryan Pack** inquired if City Council gave us direction to look  
15 at this Table of Uses and make recommendation on it? **Dale Coulam** stated yes. It is part of  
16 zoning in Section 16.33.102. **Chairman Bryan Pack** stated that the assignment is for the  
17 Planning Commission to review the Table of Uses and come ready to discuss it at the next  
18 meeting.

**E. [Discuss and consider approval of the Ivins City Planning Commission Minutes for February 18, 2020.](#)**

19 **MOTION: Chairman Bryan Pack moved to approve the Ivins City Planning Commission**  
20 **Minutes for February 18, 2020.**

21 **SECOND: Commissioner Lance Anderson**

22 **VOTE: The motion carried.**

|                             |     |
|-----------------------------|-----|
| Chairman Bryan Pack         | AYE |
| Commissioner Lance Anderson | 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**

**7) [ADJOURNMENT](#)**

- 1 **MOTION: Commissioner Lance Anderson moved to approve ADJOURNMENT**  
2 **SECOND: Commissioner Bob Morris**  
3 **VOTE: The motion carried.**

|                             |     |
|-----------------------------|-----|
| Chairman Bryan Pack         | AYE |
| Commissioner Lance Anderson | AYE |
| Commissioner Bob Morris     | AYE |

4