



LA VERKIN CITY PLANNING COMMISSION

Regular Meeting

Wednesday, December 8, 2021, 6:00 pm

City Council Chambers, 111 South Main Street

La Verkin, Utah 84745

Present: Chair Pro Tem Hugh Howard; Commissioners: John Valenti, Richard Howard, Sherman Howard, and Kyson Spendlove; Staff: Derek Imlay and Christy Ballard, Public: Patricia Wise, Carl Beagley, Mike Hess, Chase Stratton, David Warner, Marnie Kondo, Rick Bunch, and Gabriel Garcia.

I. Call to Order: Chair Pro Tem Hugh Howard called the meeting to order at 6:03 p.m. The invocation and Pledge of Allegiance were given by Kyson Spendlove.

II. Approval of Agenda:
The motion was made by Commissioner Sherman Howard to approve the agenda as written, second by Commissioner Kyson Spendlove. Sherman Howard-yes, Hugh Howard-yes, Richard Howard-yes, Spendlove-yes, Valenti-yes. Motion carried unanimously.

III. Reports:
City Council: Patricia Wise reported on the December 1, 2021, City Council meeting and the Wreaths Across America program on Saturday, December 18, 2021.
Director of Operations: Derek reported the next planning commission meeting will be canceled.

IV. Public Hearing:
Commissioner Hugh Howard read the following: "Public hearings are designed for the public to express opinions or desires or make statements otherwise relevant to the issue being discussed. They are not an opportunity for debate or discussion. At the discretion of the City Staff or Planning Commission, questions raised during the public hearing portion of the meeting may be addressed after the public hearing closes, and the Planning Commission discusses the issue at hand or may be addressed by City Staff at a later date, but during the public hearing, no interactive discussion will take place. To give everyone the opportunity to speak we will limit each speaker to 3 minutes. You are encouraged to be concise and brief."

1. An ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning from General Commercial (COMM) to Tourist Commercial (COMM-T), a .46-acre parcel with the Tax ID # LV-64-A-10, located at 105 South State Street.

The public hearing opened at 6:12 p.m.

No comments were made.

The public hearing closed at 6:12 p.m.

2. An ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning two parcels, both with the Tax ID #LV-154-A: Parcel 1, a 6.10-acre parcel currently zoned One-Family Residential (R-1-8) to One-And-Two-Family Residential (R-1-10), located west of Main Street and north of 650 North, and Parcel 2, a 42.12-acre parcel currently zoned One-And-Two-Family Residential (R-1-10) to One-Family Residential (R-1-8), located east of 100 East and north of 700 North.

The public hearing opened at 6:13 p.m.

Carl Beagley-He lives at 14 West 650 North. He opposes the zone change request for parcel A, which borders his property.

The Bolin's were not able to attend because of health issues but would also like to oppose the request.

Gayle McDonald also asked Mr. Beagley to voice his opposition as well.

Mr. Beagley stated he was aware the Bolin's and Mr. McDonald would need to speak for themselves for the Commission to accept their opinion.

He enjoys La Verkin and moved here after being told by the realtor this property was not buildable. The last planning commission meeting he attended was when this project was first presented and the City helped push it through to build a school. Now they are talking about building homes that could be two or three-story and will completely knock out his view. He sits in his backyard and enjoys the snow-covered mountains. If a large home is built behind his house all they will see are rooftops and in the back windows of people's homes. That is not what he wants. They moved to La Verkin to get away from the city.

Mr. Beagley would also like to address some other issues such as lighting. The light on 700 North going down the hill is the brightest light he has ever seen. He has complained multiple times at the city office and doesn't know what else to do to get it taken care of. He would like someone to go over that process with him after the meeting.

His other concern is also light-related. Is there going to be an easement along his property line with high-power power lines and additional lighting?

Mike Hess- He lives at 40 West 650 North. He has the same concerns as Mr. Beagley. Tall buildings would block his view and that view is why he purchased there. A low-lying home will be fine. If the homes don't block his view, he will be fine.

Rick Bunch-He lives on 700 North. He is an advocate of landowners doing pretty much what they want to with their property. His only comment is similar to what has already been said, if they are going to be multi-level houses there is a large differential in height between 700 North and these parcels and we don't know how much they will carve out as they move up the hill nor how tall they will build.

His concern is will they level with the existing houses. If that is the case, will they have some limitations on multi-level houses? Just from the standpoint of someone behind you looking directly down onto your lot.

His last comment deals with the critical drainage ditch behind 700 North that is maintained by the City. During flood season that ditch runs knee-high and any disruption to that would be catastrophic.

Marnie Kondo- She lives at 167 East 700 North. She would like to echo what has already been said. Parcel 2 will affect her the most. The request for this parcel is to one family residential and that makes her happier but again is concerned about losing her view.

She would also like to know if they will be removing the hills and ruining the scenery like they did with the first homes.

When she purchased her home 3 years ago, she was told nothing would be done with this property for ten years or more and now there are houses. That is a disappointment. Most of the homes are single-story and that makes it better. There are a couple behind 700 North that are two-story, and those homeowners do look into each other's windows. She thinks that is a shame, to buy a nice house and now they have a view of a house. She does not want her view ruined. She is in favor of the parcel 2 zone change to single-family residential, she would just like the homes to stay one level.

David Warner- He lives at 60 West 650 North. He has the same concerns. He bought his home for the view. If the homes will be single-level, that would be okay, but two or three-level homes would not make him happy.

The public hearing closed at 6:20 p.m.

3. An ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning from General Commercial (COMM) to Tourist Commercial (COMM-T), multiple parcels with the Tax ID #LV-42-C-1-A, a total of .98-acres located at 475 South State Street and multiple parcels with the Tax ID# LV-43-B-1, a total of 1.57-acres located at 437 South State Street.

The public hearing opened at 6:21 p.m.

No comments were made.

The public hearing closed at 6:21 p.m.

V. Business:

1. Discussion and possible action to recommend approval of an ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning from General Commercial (COMM) to Tourist Commercial (COMM-T), a .46-acre parcel with the Tax ID # LV-64-A-10, located at 105 South State Street.

Commissioner Sherman Howard pointed out this would match up with the neighboring parcel.

Marin Kondo-she asked about the difference between General Commercial and Tourist Commercial.

Commissioner Hugh Howard replied that the existing apartment building is grandfathered but is actually not a permitted use under the General Commercial zone.

The current property owner requested the change to allow for short-term rentals and to add onto the building to improve the aesthetics.

The motion was made by Commissioner Sherman Howard to recommend approval of an ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning from General Commercial (COMM) to Tourist Commercial (COMM-T), a .46-acre parcel with the Tax ID # LV-64-A-10, located at 105 South State Street, second by Commissioner John Valenti. Spendlove-yes, Valenti-yes, Richard Howard-yes, Hugh Howard-yes, Sherman Howard-yes. The motion carried unanimously.

2. Discussion and possible action to recommend approval of an ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning two parcels, both with Tax ID #LV-154-A: Parcel 1, a 6.10-acre parcel currently zoned One-Family Residential (R-1-8) to One-And-Two-Family Residential (R-1-10), located west of Main Street and north of 650 North, and Parcel 2, a 42.12-acre parcel currently zoned One-And-Two-Family Residential (R-1-10) to One-Family Residential (R-1-8), located east of 100 East and north of 700 North (Cottonwood Hollow Subdivision).

Commissioner Richard Howard asked if there were any criteria the City follows for approving or not approving areas for two-family housing.

Derek explained the City allows two-family housing in the R-1-10 Zone on parcels that have 16,000 square feet or greater. Duplexes must be attached. This is what Interstate Rock Products (IRP) is planning on doing. This project also has some areas zoned R-3-6 closer to SR 17 that can have three & fourplex units.

Derek did a slope analysis from Silver Acres, which is where several of the individuals who commented live. The average height from Silver Acres to the dirt in Cottonwood Hollow is approximately 50 feet. He didn't think IRP would bring in fill to make the lots higher and the closer they get to the hillside the 30% restriction takes effect.

A single home can be 35 feet high. One story is approximately 10 feet so two stories would be 20 feet plus the pitch of the roof. Generally, you don't see three-story houses. The tallest building would be 35 feet high, put that against the approximate 50-foot drop from Silver Acres and the views should not be impacted.

The homes along 700 North may be slightly impacted by a two-story building but that development would be pushing more to the west.

If someone wanted to buy any piece of property and build a 35-foot-high house the City could do nothing to stop them, per state law. La Verkin City has an ordinance to limit the height, but we cannot stop anyone from building to that height.

It's unfortunate when people lose their view, but our job is to make sure developments follow the rules.

They can build 35-foot-high houses, they cannot dig into the hillside more than 30% and duplexes will be allowed in the R-1-10 Zone on parcels 16,000 square feet or larger.

Chase Stratton-is the representative from IRP. He thanked everyone for their comments and said he would be willing to stay after the meeting to talk to them about plans for the development.

The parcel between Main Street and SR17 that has been proposed to change to R-1-10 from R-1-8 will not be built up. They will probably put a retaining wall against the slope to gain a couple more feet into the slope to mitigate some drainage issues.

Rocky Mountain Power (RMP) does have a large easement along the property that cannot be built on.

Commissioner Kyson Spendlove declared a conflict of interest for this item.

He works for IRP and stated there is a 50-foot RMP easement that gives a buffer from the existing subdivision and Cottonwood Hollow Estates.

Derek commented that normal power transmission lines do not have that large of restriction. Sometimes Rocky Mountain Power will give a variance if you can get enough height between the wire and the road. These are high voltage lines, so they have different restrictions.

Commissioner Richard Howard asked if the height level was measured from the road or the parcel.

Derek responded it is from the building pad.

Chase pointed out the road into this phase has been installed so you can get a sense of pad levels now. They would go back into the slope and put a 6-8 foot retaining wall and maybe a drainage ditch on the backside to move that water out into the street.

Derek went over what IRP has done so far and what they are planning to do with the drainage water from their subdivision and the state's drainage ditch that will help the situation.

Commissioner Richard Howard asked how many units IRP planned to put in these areas and if the City was concerned with the density.

Derek answered the push right now is for high density. It is difficult for people to find places to live. At one point in time, the City pushed for larger lots to restrict the growth in La Verkin so the R-1-14 Zone was created. That has proved to be a code enforcement issue with people not being able to maintain that size of property.

Now we are on the other side of the pendulum where people can't find property to buy or afford to build a house. The hope for having duplexes and fourplexes is that the cost of homes will drop.

The City has been discussing the option of allowing high-rise rentals similar to Washington City. They would not be on SR9 or SR17.

Chase reported IRP is anticipating 350-450 units in Cottonwood Hollow. 80% of the development will be single-family homes. The remaining 20% will be a mix of duplexes, twin homes, and townhomes.

Kyson stated one of the reasons IRP is requesting the zone change from R-1-10 to R-1-8 for parcel 2 is to make smaller lots which will allow them to make smaller walls and help blend those lots/homes into the hillside.

Chase said the plan right now is to mass grade the south side of the development and take that dirt to the north side. That will lower the lots behind Zion View Estates and would help preserve the views of at least Pine Valley.

Commissioner Sherman Howard pointed out IRP and Derek have addressed the concerns mentioned by the public.

There were no concerns regarding duplexes.

Chase explained the R-1-10 Zone allows for duplexes and/or twin homes. Twin homes are attached but on individual parcels, so they can be sold separately. That is what IRP is planning on doing between Main Street and SR17.

Commissioner Hugh Howard mentioned the property has already been approved for building, this is only changing the zoning.

He has a home on 700 North, and it is a gorgeous view. A home has been built behind his property, and he has noticed a decrease in the number of tumbleweeds in his yard.

The motion was made by Commissioner John Valenti to recommend approval of an ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning two parcels both with Tax ID #LV-154-A: Parcel 1, a 6.10-acre parcel currently zoned One-Family Residential (R-1-8) to One-And-Two-Family Residential (R-1-10), located west of Main Street and north of 650 North, and Parcel 2, a 42.12-acre parcel currently zoned One-And-Two-Family Residential (R-1-10) to One-Family Residential (R-1-8), located east of 100 East and north of 700 North (Cottonwood Hollow Subdivision), second by Commissioner Sherman Howard. Sherman Howard-yes, Hugh Howard-yes, Valenti-yes, Richard Howard-yes, Spendlove-abstained. The motion carried.

3. Discussion and possible action to recommend approval of an ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning from General Commercial (COMM) to Tourist Commercial (COMM-T), multiple parcels with the Tax ID # LV-42-C-1-A, a total of .98-acres located at 475 South State Street and multiple parcels with the Tax ID# LV-43-B-1, a total of 1.57-acres located at 437 South State Street.

Derek explained this zone change request would match the current zoning across SR9 and will also fit with a proposal that will be coming to the Commissioners for the property directly north of these parcels.

Commissioner Richard Howard pointed out a zone change may help improve the area.

He also wondered if these changes would be the first of rezoning the property all along SR9 from General Commercial to Tourist Commercial.

Commissioner Hugh Howard mentioned it was Tourist Commercial, but this Commission changed it several years ago.

Derek explained the different zoning along SR9 through La Verkin City for the public.

Commissioner Spendlove asked what the surrounding properties of 475 and 437 South State Street were zoned and if the neighbors had any concerns with this request.

Derek replied the 4-5 homes along the south side of 480 South are zoned R-1-14. The parcel owned by the Washington County Water Conservancy District (southeast side of 480 South) is zoned Tourist Commercial. The requestor owns 2 out of those 4 houses.

The large parcel directly east and north of this parcel is part of the proposal that will be coming to the Commissioners to zone Tourist Commercial.

The motion was made by Commissioner Kyson Spendlove to recommend approval of an ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning from General Commercial (COMM) to Tourist Commercial (COMM-T) multiple parcels with the Tax ID # LV-42-C-1-A, a total of .98-acres located at 475 South State Street and multiple parcels with the Tax ID #LV-43-B-1, a total of 1.57-acres located at 437 South State Street, second by Commissioner John Valenti. Spendlove-yes, Valenti-yes, Richard Howard-yes, Hugh Howard-yes, Sherman Howard-yes. The motion carried unanimously.

VI. Adjourn:

The motion was made by Commissioner Sherman Howard to adjourn, second by Commissioner Kyson Spendlove. Hugh Howard-yes, Sherman Howard-yes, Richard Howard-yes, Valenti-yes, Spendlove-yes. Motion carried unanimously at 6:52 p.m.



Planning Commission Chair

26 Jan 22

Date Approved