Ivins City Staff Report
City Council Meeting 3/5/15

Agenda Item: A Public Hearing on the Planning Commission recommendation to approved a proposed Preliminary Plat for Crimson Canyon Subdivision, located on a 5 acre parcel at 250 E 300 N, Craig Flowers - Owner . Ken Miller - Development Solutions - Applicant

Submitted by: Kevin Rudd, Building & Zoning Administrator

Recommended Planning Commission Action: Staff recommends approval.

BACKGROUND: Crimson Canyon Subdivision is located at approx. 250 E 200 N. The zoning is RE-12.5 (Residential Estates minimum lot size 12,500 sq ft). This is a conventional subdivision. There are 13 lots on 5 acres. There is an existing single family dwelling which will be located on lot 6. All of the lots conform to RE-12.5 zoning requirements. This project will drain to the southeast corner where there will be a detention basin which overflows into an existing storm drain, and then into the Red Mountain Estates storm drain system.

Planning Commission Recommendation: Following the Public Hearing, the Commission discussed storm water and came to the consensus that the proposed plan with its on- site detention adequately addressed their concerns, after which Commissioner Adel Murphy moved to recommend approval of the preliminary plan for Crimson Canyon Subdivision, located at 250 East 300 North, Craig Flowers-Applicant. Development Solutions-Owner.

FINDINGS AND ANALYSIS:

- Application is complete.
- The application complies with Ivin City Land Use Ordinances.
- The TRC reviewed the plan and recommends approval.

SUPPORT MATERIALS:

- Application
- Preliminary Plat

Respectfully Submitted: Kevin Rudd

Kevin Rudd, Building & Zoning Administrator

Content Review:

Dale Coulam, City Manager

IVINS CITY
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IVINS CITY DEC 23 2014 PAID

Rec'd By:	KRC
Filing Fee:	$ 845.50
Receipt #:	127979
Date:	
Code: 403	

PRELIMINARY PLAN APPLICATION

Please print clearly above the line. If the application and checklist are not complete, the application will be returned to the applicant.

Fee: $500 + $20 per lot plus X 13 = + 760.00 ~~85.50~~ 845.50
Mailing Fee: $.75 per mailing label

CRIMSON CANYON — Subdivision Name
CRAIG FLOWERS DEVELOPMENT SOLUTIONS — Applicant/Agent
I-SB-16-D-1 — Tax ID
4356887469 — Phone / Fax
CRAIG R. FLOWERS — Property Owner
5.096 — Acreage
13 — Lots
RE 12.5 — Zone
287 E. 300 N. IVINS UT. — Address of Property Owner
250 E / 300 N. — Address of subject property

Craig Flowers

APPLICANT AFFIDAVIT

I, _____, **do hereby say that I am the owner/agent of the subject property of this application. The statements, information, exhibits and any and all plans herein or attached or submitted present the intentions of the applicant and are in all respects true and correct to the best of my knowledge and belief. I do hereby agree to pay all adopted and customary fees of Ivins City relating to this application.**

Craig Flowers — **Signature of applicant** — 12-20-14 — **Date**

Craig Flowers — **Signature of property owner** — 12-20-14 — **Date**

Date received:

Application complete:

Signature of Building and Zoning Administrator — 12/23/14 — **Date**

IVINS CITY
PLANNING COMMISSION
MINUTES
February 3, 2015
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 Commissioner Mike Scott, Commissioner Adel Murphy, Commissioner Lance Anderson, Commissioner Bryan Pack, and Chairman Jeff Loris.
STAFF: City Manager/Attorney Dale Coulam
AUDIENCE: Claudette Larsen, Ken Miller, Craig Flowers, Michael Bowdish, Sandra Bowdish, Jim Pyne, Mary Taylor, Curt Taylor, Steven Davis, Delores Osborn, Marybeth Beck, David Beck, P.G. Wilks, Larry Malak, and a few others that did not sign in.
A. Acknowledgement of Quorum
B. Flag Salute
Commissioner Lance Anderson led the Flag Salute
C. Invocation
Commissioner Bryan Pack gave the Invocation
D. Disclosures
There were no disclosures or conflicts of interest with items on this meeting's agenda.

2) REPORTS AND PRESENTATIONS
None

3) BUSINESS LICENSES
None

4) PUBLIC HEARING AND ACTION ITEMS
A. Public Hearing on a proposed Preliminary plan for Crimson Canyon subdivision, located at 250 East 300 North, Craig Flowers-Applicant. Development Solutions-Owner.
Dale Coulam stated that this subdivision is zoned RE12.5 and includes 13 lots on 5 acres. Lot 6 already has an existing house on it. All the lots comply with the zoning requirements. The discussion point is largely centered on the detention basin used to overflow water into an existing storm drain, which ties into the Red Mountain Estates storm drainage system. What it needs is a stub-up to drain into it. This subdivision will be a good and necessary storm drain improvement and it will install a proper inlet to get clean water into that pipe. This last storm, water backed up against Red Mountain Estates walls because the pipe was underground with no inlet. A hole in the wall to the east could also give an alternative route for overflow water if that backed up beyond what that storm drain could handle, similar to Red Cliff Estates That would be negotiated through third parties. These items are noted but the City has no jurisdiction to require it, because it is not part of the owner's property. Either the Red Mountain Estates HOA or particular lot owners may be inclined to cooperate or do something in conjunction with this subdivision so that in addition to the storm drain being proposed here, they may make additional storm drain improvements that would enhance that situation and avoid flooding in the future. But that is not before the Commission tonight. **Commissioner Lance Anderson** inquired if the detention basin was designed for post-development flows and what storm that was being based

on. **Chairman Jeff Loris** stated that yes it would be the 100 year flow. He then opened the Public Hearing. **Larry Malak** lives on lot 14 where he is having a problem with the overflow of heavy rainwater runoff from Mr. Flowers' property. There is a 12 inch pipe at the corner of Mr. Flowers' lot but unfortunately he doesn't think the diameter of that pipe is going to be sufficient for heavy rainwater flowing like there was last year in September. He offered a solution to go north above Craig Flowers' home where there is a wall running parallel to Red Mountain Estates and they get a lot of rain runoff. It is being inundated from water from that wall and then filtering down. This is where the trouble is. If we alleviate the problem above that to help filter water it would solve the problem. Catching the water before it comes down would be his idea. **Ken Miller** with Development Solutions is the engineer. He stated that Larry Malak brings up a good point. The detention basin is designed for the 100 year flow for the existing condition and the pipe does have the capacity to handle the water for the existing condition. The detention does detains the excess runoff. Craig Flowers can also speak to this but he believes there was some piping along the existing wall on the Northern property line along Red Mountain Estates. Those are undeveloped walk-out lots and they have spoken to the City Engineer about that. He believes it was designed to convey their flows in a pipe along that Northern property line to an off-site discharge area; however no inlets were ever installed because these are undeveloped lots **Dale Coulam** asked from which lots the detention basin receives water. **Ken Miller** stated that all 13 of the lots will drain to that basin. That is the existing condition right now. There is a high point right about 300 North at Craig Flowers' property line. Dale Coulam stated that what Larry Malak described would be Red Mountain's wall and their property. After no further comments, **Chairman Jeff Loris** closed the Public Hearing.

B. Consider recommendation of a Preliminary plan for Crimson Canyon subdivision, located at 250 East 300 North, Craig Flowers-Applicant. Development Solutions-Owner.

Chairman Jeff Loris stated that the site plans are designed for 100 year flood. **Dale Coulam** stated that Larry Malak's suggestion to catch the water high is a good one but that is not the applicant's property. We have no jurisdiction to require the applicant to do something different to this wall or to Red Mountain's back yard drainage system. A hole in the wall as an overflow into Red Mountain Estates storm drain system would as also be a possible back up. That is also a negotiated item with a third party. The City can't impose that as a requirement on this subdivision. They just have to make sure to the satisfaction of the engineers that the detention basin and the 12 inch pipe through which the water would drain, is sufficient to handle the 100 year storm. **Chairman Jeff Loris** stated that they followed all the City's requirements to satisfaction. **Commissioner Lance Anderson** inquired if water was coming through the wall underneath it or does their water need to go somewhere else. **Dale Coulam** from what Ken Miller has stated there is a drainpipe along the backside of this wall that is supposed to be carrying water out from that back yard and may not have functioned as designed. **Ken Miller** confirmed that was the case. **Commissioner Lance Anderson** inquired as to whether the houses on the North side of that road will have issues with flooding underneath that wall. **Ken Miller** stated that they are higher, but the Red Mountain Estates' drainage isn't functioning as designed. **Commissioner Lance Anderson** stated that overall the subdivision would help the system but until the others fix their property, what about these homeowners? **Ken Miller** stated that those lots are obviously his concern. If their system isn't functioning and it backs up against the wall he has the same problem that Larry Malak is having. **Dale Coulam** stated that this is an item worthy of negotiating a resolution with the HOA and/or lot owners to get resolved. owners. **Commissioner Lance Anderson** stated that they are dealing with a problem that is really not their problem. **Craig Flowers** confirmed there are pipes in the back of each Red Mountain Estates' lot to the north but they are unfinished lotsand so the system is not

working. **Dale Coulam** stated that maybe the City can exert some influence then. There is an approved drainage system that has not been implemented yet because the lots haven't been developed.

MOTION: Commissioner Adel Murphy moved to approve a recommendation of a Preliminary plan for Crimson Canyon subdivision, located at 250 East 300 North, Craig Flowers-Applicant. Development Solutions-Owner.

SECOND: Commissioner Mike Scott

VOTE: The motion carried.

Commissioner Mike Scott	AYE
Commissioner Brian Pack	AYE
Commissioner Adel Murphy	AYE
Commissioner Lance Anderson	AYE
Chairman Jeff Loris	AYE

C. <u>Public Hearing on a proposed Class IV Conditional Use Application for a Casita/Guesthouse, located at 936 Molinaro Court. Colette Szczesny, Owner/Applicant.</u>

Dale Coulam stated that this is located in Kayenta. They have both a detached two car garage and an attached garage. They are converting the detatched garage into a casita. It does meet all the requirements for a casita including the maximum size and building height. It is an existing building so it matches the primary residence architecture and meets the minimum setbacks. We have sketches and photographs. **Commissioner Lance Anderson** inquired about the city parking requirements. **Dale Coulam** stated that Kevin Rudd assured him that it meets those requirements. **Commissioner Lance Anderson** stated that from an ACC standpoint this particular area doesn't allow outside parking but they've met the City's ordinance. **Dale Coulam** stated that the ACC is beyond the City's ordinance. **Chairman Jeff Loris** opened the Public Hearing. **Marybeth Beck** lives on Wintook Drive. She inquired about the existing garage and that they are in fact converting an existing building. **Chairman Jeff Loris** stated yes. **P.G. Wilks** lives on Chavano Drive and stated if the garage is converted to a casita it will be a problem as far as the ACC goes if it is turned into a rental. He is opposed to rentals and guesthouses because it is a residential area and could very well be a problem with parking for a guesthouse. He would prefer that it stayed a garage. He is sure the ACC will have questions about the parking arrangements. Seeing no further comments, **Chairman Jeff Loris** closed the Public Hearing.

D. Consider approval of a proposed Class IV Conditional Use Application for a Casita/Guesthouse, located at 936 Molinaro Court. Colette Szczesny, Owner/Applicant.

Chairman Jeff Loris There is a rule about having a house and a guesthouse rental. The ACC won't allow bed and breakfasts. **Commissioner Adel Murphy** stated that Dale Coulam spoke to Kevin Rudd about the parking. It meets the code. City laws are one thing. The HOAs rules are another. **Commissioner Lance Anderson** stated that his only question was the parking but it looks like they had plenty of stalls beforehand.

MOTION: Commissioner Mike Scott moved to approve recommendation of a proposed Class IV Conditional Use Application for a Casita/Guesthouse, located at 936 Molinaro Court. Colette Szczesny, Owner/Applicant.

SECOND: Commissioner Adel Murphy

VOTE: The motion carried.

Commissioner Mike Scott	AYE
Commissioner Bryan Pack	AYE
Commissioner Adel Murphy	AYE