# IVINS CITY
# PLANNING COMMISSION
# MINUTES
# January 31, 2017
# 435-628-0606

**1) WELCOME AND CALL TO ORDER**

**A. Acknowledgement of Quorum**

**CHAIRMAN AND COMMISSIONERS:** The meeting was called to order at 5:30 p.m. All present included Commissioner Adel Murphy, Commissioner Mike Scott, Commissioner Bryan Pack, and Commissioner Lance Anderson.

**Staff Attending:** Dale Coulam-City Manager/Attorney, Sharon Allen-Deputy City Recorder.

**Audience Attending:** Mark Howard, Cheryl Hill, Kevin Lameka, Vickie and Detlef Schwurack, Ken Kiser, Mike Wolschon, Paul Bottino, Barry Burcile, Brent and Carla Hanks, Jared Madsen, Lisa Rutherford, Laura Erdmann, Richard Hall, Glyn Hall, Brandee Walker, as well as others who did not sign in.

**B. Flag Salute--Commissioner Mike Scott**

**C. Invocation--Commissioner Bryan Pack**

**D. Disclosures**

**Commissioner Lance Anderson** stated that he has a conflict with Taviawk IX-P. No other conflicts.

**2) REPORTS AND PRESENTATIONS - None**

**3) BUSINESS LICENSES -None**

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

**A. Public Hearing on a Preliminary Plan for Red Desert Subdivision, located at approximately 350 North and 600 East. Rob Roush-Owner/Applicant.**

**Dale Coulam** stated this is an 18 lot subdivision with one of the lots already having a home on it. This is a lot averaging overlay which requires a public hearing. One lot is smaller than the 15000 sq foot minimum lot size. They showed on the concept plan two possible roads to the east; now they've chosen to mirror the one to the West. It meets City ordinances as far as lot averaging. Otherwise it is a conventional subdivision. TRC has met on this and recommends it for approval. A representative of the applicant is here if you have questions. **Commissioner Adel Murphy** opened up the Public Hearing. Lisa Rutherford stated that that she didn't want to see repeated a boundary issue that came up with the Palisades subdivision. We need to seriously consider that all these boundaries along the Reserve property line are proper. There is no mention of this on the Staff Report. It is something that needs to be looked at carefully before any approvals. **Dale Coulam** stated that the Palisades problem is further to the East of this development. Staff is not aware of any discrepancies. Brandee Walker stated she is with Civil Science Engineering and that the little x's along the northern boundary line show that it has been surveyed. Mike Wolschon lives on other side of Red Mountain Estates. There was a wall put up while we were gone. It used to be a barbed wire fence. It is now a wall. The HOA has no knowledge of who put it there or how it got built. Heather Birch stated that she lives in Red Mountain Estates and she believes the top wall across the arroyo behind her property, went up at the same time as the wall on Rob Roush's property. Mike Wolschon inquired if the City knew who put the wall up along the common space? He would like an answer for the HOA and it is

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now blocking his view of what once was. **Dale Coulam** stated he does not know about the wall and it is outside the scope of the proposed Preliminary Plan. **Commissioner Adel Murphy** closed the Public Hearing

**B. Discuss and consider recommendation of Preliminary Plan for Red Desert Subdivision, located at approximately 350 North and 600 East. Rob Roush-Owner/Applicant.**

**Commissioner Bryan Pack** stated that the wall on a different parcel does not affect this parcel. **Dale Coulam** stated the wall was done prior to their approval process. It doesn't jeopardize this process, but it might create a civil dispute between the HOA for Red Mountain Estates and Mr. Roush. They will have to resolve that separately. Brandee Walker is taking notes. I'm sure they'll come to a resolution. **Commissioner Bryan Pack** stated any issue with the boundary line will be worked out during engineering. He can see no reason to stop this process. He is in favor of the project. **Commissioner Lance Anderson** inquired if they have looked at their drainage issue. **Dale Coulam** stated yes they have the hydrology studies and drainage studies to catch the water. On the South lots a drainage line has been proposed along the back of those as well as storm drain inlets at various points in the street.

**MOTION: Commissioner Bryan Pack moved to approve Preliminary Plan for Red Desert Subdivision, located at approximately 350 North and 600 East. Rob Roush-Owner/Applicant.**

**SECOND: Commissioner Mike Scott**

**VOTE: The motion carried.**

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| Commissioner Adel Murphy | AYE |
| Commissioner Mike Scott | AYE |
| Commissioner Bryan Pack | AYE |
| Commissioner Lance Anderson | AYE |

**C. Public Hearing on a Preliminary Plan for Santarra Estates Subdivision, located at approximately 400 West Center. New Trend Construction LLC-Owner. Alpha Engineering-Applicant.**

**Dale Coulam** stated that this is directly West of Suncrest West subdivision. There is a stub road out of Suncrest West that limited their design and creative possibilities for the layout of this subdivision. Again this is a lot averaging overlay. so one or two are under the required 10,000 sq feet. In dealing with the drainage, part of a lot has been cut off to increase the amount of detention area along 400 West. The northern portion has also been designed to drain out to 400 West so it does not run down into Suncrest West. There is some slope to this and Chuck Gillette worked closely with the applicant on the grade of that slope and the adjoining elevations and it resulted in a smaller lot to compensate. The applicant is present to answer any questions. TRC has reviewed this on a couple of occasions and they've made modifications. Staff recommends approval. **Commissioner Adel Murphy** opened the Public Hearing. Mark Howard Suncrest West pointed out this is normally a very dark area and inquired what the lighting would be like. He feels it would be a good idea to illuminate this. He assumes it will have a sidewalk. Paul Bottino lives in Suncrest West. The first two houses in Suncrest West are at least four feet lower presently than the ones from this subdivision. He is concerned about runoff and drainage. We are famous for floods on 400 (West) that end up on 200 (South) up to peoples' garage doors. He is on the board there and he would like to hear assurance that there would be no major flooding. Cheryl Hill inquired about the gopher problem on that street. She wondered if there were going to be two separate walls? **Dale Coulam** stated that he wished he could control the gophers and that they are in the area. It isn't a requirement of the Preliminary Plan application process to

address gophers. Utah State extension service can offer assistance for gophers. It is just a problem in the area, like the goathead weed. Cheryl Hill stated that they will dig and it will get worse. Richard Hall lives in Suncrest West. There is a wall here now. How will it merge with the new wall here? This wall would have to come down four feet. There is a detention pond now that does a pretty good job. He also bought fairly large stones to break the water up. Would someone move those stones onto his property? Brent Hanks stated that he lives in Suncrest West. He inquired if the homes would be single story or two story homes in the development? Jared Madsen stated he was with Alpha Engineering and represents the developer. The concerns he had noted was the lighting for 400 West. Drainage from North and the walls that adjoin Suncrest West. On the lighting, he submitted a utility plan with Ivins City and Rocky Mountain Power and the plan is to put bollards along Center Street along the trail and there is a light pole right near the detention basin and entrance to the Project They will be per Ivins City standards and they have a hood on them to keep the lights low. Regarding the drainage from the North, you can't increase the flow or change the flow characteristics that are already existing. Right now, it dumps a lot of water onto 375 West. This subdivision has done a hydrology study and looked at the tributary basins and the drainage that is coming onto the property. We have looked at how much increase in flow will be created. Along Center we will put curb, gutter and sidewalk and we will also do it along 400 West and it will intercept a lot of the tributary flows coming down on the lot. Additionally, this area will be built up to drain out to 400 West and eliminating as much drainage from going into Suncrest West. They hydrology study shows we will not be increasing any flows. There will be storm drain run down 400 West. It should make conditions better for drainage going into Suncrest West at 375 West. We did preliminary grading and coordinated with Ivins City and have stepped up on the pads. These other lots will stay at current grade and the road slope we kept as mild as possible but it drains out. The maximum elevation difference is maybe 4 feet. We will not disturb the walls and if they do, the developer will have to replace them. Drainage will be in the back of the lots. There are stones that Richard Hall paid to have put in and they want to keep them. He is sure they can coordinate that. On two-story homes that is up to the developer after the subdivision is built. He will have to follow the City's height requirements. **Dale Coulam** stated that a one or two story home height limit is 25 feet regardless. It has to be within that limit. The preliminary plan stage is the infrastructure layout and they are not required to give us a housing plan. We can ask Jared Madsen to take the information back to the developer that there is a concern from Suncrest West homeowners especially the ones that adjoin about two story homes going in that subdivision. Mark Howard inquired if there would be a four foot wall that runs with the development. Jared Madsen stated yes there will be a privacy wall that runs along the back of the lots that is typically a 6 feet high maximum. [Commissioner Bryan Pack was excused (37:51)] Gary Brile stated that he is a Suncrest West resident and his question is drainage and where it comes out. Jared Madsen stated basically there are two drainage basins that comprise this subdivision. He pointed to the high point and where it drains to the street. It has been analyzed and calculated and does not exceed flows. Gary Brile stated that those lots with the four foot difference could face a two story home on top of that. Jared Madsen stated that we are using the same wall. **Dale Coulam** stated they will not leave the adjoining walls undone. If it was damaged it would not be approved unless the walls were intact. **Commissioner Lance Anderson** stated when Suncrest West came in to develop, Amber Estates had your same problem. **Commissioner Adel Murphy** closed the Public Hearing.

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**D. Discuss and consider recommendation of Preliminary Plan for Santarra Estates Subdivision, located at approximately 400 West Center. New Trend Construction LLC-Owner. Alpha Engineering-Applicant.**

**Dale Coulam** stated there is no density bonus here, so we follow the ordinance with no negotiation for the height requirement. **Commissioner Adel Murphy** stated all the lots are bigger than 10,000 except for three. **Commissioner Lance Anderson** inquired if they need to show pad elevations. **Dale Coulam** stated that the topography shows the elevations. **Commissioner Mike Scott** stated that the issue is that everything slopes from one end to the other but it fits within the ordinance.

**MOTION: Commissioner Mike Scott moved to approve the Preliminary Plan for Santarra Estates Subdivision, located at approximately 400 West Center. New Trend Construction LLC-Owner. Alpha Engineering-Applicant.**

**SECOND: Commissioner Lance Anderson**

**VOTE: The motion carried.**

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| Commissioner Adel Murphy | AYE |
| Commissioner Mike Scott | AYE |
| Commissioner Lance Anderson | AYE |
| Commissioner Bryan Pack | ABSENT |

**E. Public Hearing on Ordinance 2017-03, regarding zoning text amendments on swimming pool enclosure requirements.**

**Dale Coulam** stated that we adopted a section in the zoning ordinance in 2005 that addressed pool enclosure requirements. Two years ago we adopted Appendix G of the 2012 International Residential Code which addressed pool enclosures in more detail. We have now adopted the 2015 version of the IRC and Appendix G no longer addresses pool enclosures. So we have to take those requirements that were in Appendix G and move them into our zoning ordinance section that still exists. **Commissioner Lance Anderson** stated that St. George doesn't require you to put a gated fence around the pool if there is a pool cover. Is this an opportunity to work on that? **Dale Coulam** stated that this time around it is subject to a Public Hearing and you make recommendation on it for Council to consider and they will hold a Public Hearing and adopt the final ordinance. **Commissioner Lance Anderson** stated that now is an opportunity. **Commissioner Mike Scott** inquired if the pool covers support his weight? **Commissioner Lance Anderson** stated yes. **Commissioner Adel Murphy** opened the Public Hearing. Maggie Lameika inquired if this is the fenced in barrier around the property or is it just the area around the pool? **Commissioner Lance Anderson** stated it is 4 feet fence around the pool, five feet away from the pool. Maggie Lameika stated she does not like that idea because she has no kids, they have locked gates and a locked pool cover. She lives in Tenaya Estates and there would be so many houses that are in violation of this ordinance. **Dale Coulam** stated this applies only going forward. It was allowed under the previous ordinance so you would have vesting on that. New permits going forward would have to comply with whatever the City Council adopts. **Commissioner Adel Murphy** closed the Public Hearing.

**F. Discuss and consider recommendation on Ordinance 2017-03, regarding zoning text amendments on swimming pool enclosure requirements.**

**Commissioner Lance Anderson** stated he would like to continue the discussion at the next meeting when all the commission members are present.

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**MOTION: Commissioner Lance Anderson moved to continue Discussion and consider recommendation on Ordinance 2017-03, regarding zoning text amendments on swimming pool enclosure requirements.**
**SECOND: Commissioner Mike Scott**
**VOTE: The motion carried.**

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| Commissioner Adel Murphy | AYE |
| Commissioner Mike Scott | AYE |
| Commissioner Lance Anderson | AYE |
| Commissioner Bryan Pack | ABSENT |

**5) DISCUSSION AND POTENTIAL ACTION ITEMS-**

**A. Discuss and consider approval of the Final Plat for Taviawk IX-P, located at approximately 762 W Wicasa Way-Lance Anderson.**

**MOTION: Commissioner Bryan Pack moved to approve suspending the rules of order to address Item 5A Discuss and consider approval of the Final Plat for Taviawk IX-P, located at approximately 762 W Wicasa Way-Lance Anderson.**
**SECOND: Commissioner Mike Scott**
**VOTE: The motion carried.**

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| Commissioner Adel Murphy | AYE |
| Commissioner Mike Scott | AYE |
| Commissioner Bryan Pack | AYE |
| Commissioner Lance Anderson | RECUSE |

**Commissioner Lance Anderson** recused himself. **Dale Coulam** stated that this final plat conforms to the Preliminary Plan and TRC has reviewed this and recommends approval.
**MOTION: Commissioner Bryan Pack moved to approve the Final Plat for Taviawk IX-P, located at approximately 762 W Wicasa Way-Lance Anderson.**
**SECOND: Commissioner Mike Scott**
**VOTE: The motion carried.**

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| Commissioner Adel Murphy | AYE |
| Commissioner Mike Scott | AYE |
| Commissioner Bryan Pack | AYE |
| Commissioner Lance Anderson | RECUSE |

**B. Discuss and consider approval of the Ivins City Planning Commission minutes for January 17, 2017.**

**MOTION: Commissioner Mike Scott moved to approve the Ivins City Planning Commission minutes for January 17, 2017.**
**SECOND: Commissioner Lance Anderson**
**VOTE: The motion carried.**

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| Commissioner Adel Murphy | AYE |
| Commissioner Mike Scott | AYE |
| Commissioner Lance Anderson | AYE |
| Commissioner Bryan Pack | ABSENT |

**6) REPORTS**

**A. Planning Commission**

**B. Chairman**

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**C. City Attorney, Dale Coulam**

**Dale Coulam** stated that pending before the City Council we have the potential appointment of a new building official and zoning administrator. He is relocating from another area and buying a home here in Ivins.

**D. Items to be placed on future agendas**

**7) ADJOURNMENT**

**MOTION: Commissioner Lance Anderson moved to approve ADJOURNMENT**
**SECOND: Commissioner Mike Scott**
**VOTE: The motion carried.**

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| Commissioner Adel Murphy | AYE |
| Commissioner Mike Scott | AYE |
| Commissioner Bryan Pack | AYE |
| Commissioner Lance Anderson | AYE |

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