IVINS CITY
PLANNING COMMISSION
MINUTES
July 18, 2017
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 Adel Murphy, Commissioner Bryan Pack, Commissioner Mike Scott, and Commissioner Lance Anderson.
Chairman Jeff Loris was excused.
Staff Attending: Dale Coulam-City Manager/Attorney, Mike Rodriguez-Building and Zoning Administrator, and Sharon Allen-Deputy City Recorder.
Audience Attending: Kerry and Julia Smith, Manuel Guerrero, Robert Heffernan, Kathy Barth, Rich Bryant, Don Mathews, Ryan Dastrup, Jared Madsen, CJ and Alan Koharcheck, Orville and Mary Lou Chigbrow, Dale Harris, David Cannon, Kay Hodson, Michael and Sharon Barton, Denise and George Otott, Nancy Albert, Mike and Joyce Thomas, Craig and Carol Arave, Jason Buckner, Jill Jefferson, Lonnie Roy Steve and Donna White, Becky Gonzalez, Charles Hammon, Claudette Larsen, Delores Osborn, Susan and Alan Holben, Lacey Martin, as well as others that did not sign in.

A. Acknowledgement of Quorum
B. Flag Salute--Commissioner Mike Scott
C. Invocation--Commissioner Lance Anderson
D. Disclosures

Commissioner Lance Anderson stated that he has a conflict with the Crescent Moon Village Conditional Use Permit agenda item. **Commissioner Mike Scott** stated he doesn't believe this is a conflict, but he is on the Arts Commission as the City's representative. No other conflicts.

2) REPORTS AND PRESENTATIONS -

A. Concept Plan Report for Best Acres, located at approximately 200 South between 200 West and 100 West. Tim and Gia Best-Owner. Brian Lewis-Applicant.

Mike Rodriguez stated that this application is for the new twinhome zone 5 lots minimum 10,000 sq ft. Each one will have a twinhome, which is a two-family home, each having a two-car garage. **Dale Coulam** stated the concept plan is consistent with what they have proposed. After we make this report to both the Planning Commission and the City Council they will file a preliminary plan.

B. Concept Plan Report for Westbrook Townhomes, located at approximately 200 South and 200 West. Troy Nelson-Owner. Brent Baxter-Applicant.

Mike Rodriguez stated that this parcel runs between 200 West and 250 West. It is comprised of three buildings, a triplex on both sides, and a twinhome in the center. Each dwelling unit will have a two-car garage and single story on one parcel. **Commissioner Bryan Pack** inquired if there would be separate ownership of the units? Are they separate parcels? **Mike Rodriguez** stated they are coming in as one parcel and sole ownership. Each unit will have its own utilities. The applicant may in the future choose to subdivide and selling them individually, but he is not subdividing at this time.

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C. <u>Concept Plan Report for Haven at Heritage Acres, located at approximately 400 West and 400 South. Seth Foster-Owner. Alpha Engineering-Applicant.</u>

Mike Rodriguez stated this parcel is South of Unity Park at the intersection of 400 West and 400 South, the Southeast corner. It is 20.47 acres. The applicant intends to building 62 units. we rezoned it to R-1-10. It also needed a land use change to get Medium Density, which was previously done. **Dale Coulam** added that not all of these lots are 10,000 sq ft. Because of the large open space, which will be for regional detention of water, that may be enough to open up a Subdivision Enhancement Overlay. They have indicated it is not their desire to ask for a density bonus, only the SEO to keep the density they were entitled to had they not given that up for regional detention. They have asked for 62 lots consistently which results in many of the lot sizes being just over 9,000 sq ft. Their intention is to give that regional detention area to the City. **Commissioner Lance Anderson** inquired if it is where it shows Lot 63? It helps the stormwater for the City. **Dale Coulam** stated correct. The stormdrain plan is driving this. **Commissioner Lance Anderson** inquired about the parking on 400 South there across from the park? **Dale Coulam** stated they will improve 400 South and it will be more organized parallel parking. **Commissioner Lance Anderson** stated if it was angled parking before, residents are worried it actually takes away parking.

3) BUSINESS LICENSES -None

4) PUBLIC HEARING AND ACTION ITEMS-

A. <u>Public Hearing on Preliminary Plan at Fremont at Snow Canyon, located at approximately 100 West Center Street. RDM Land and Development-Applicant. Fremont at Snow Canyon, LLC-Owner.</u>

Mike Rodriguez stated this is the parcel on Center Street on 100 West. This is comprised of eight separate buildings with a total of 30 townhouse units in it. This appears to be in compliance with the City's codes, two story buildings with two-car garages. **Dale Coulam** stated it meets the conditions of our townhouse zone. They were required to submit this to a traffic engineer. The City Engineer has reviewed the traffic report and has authorized this layout. **Commissioner Adel Murphy** opened the Public Hearing. Hearing no comments, **Commissioner Adel Murphy** closed the Public Hearing.

B. <u>Discuss and consider recommendation on Preliminary Plan at Fremont at Snow Canyon, located at approximately 100 West Center Street. RDM Land and Development-Applicant. Fremont at Snow Canyon, LLC-Owner.</u>

Dale Coulam noted for the record reflect a letter from Boma and Cat Johnson stating their concerns. A copy of the letter is on file and available at the City office upon request. **Commissioner Bryan Pack** stated that we have looked at this before. He is good with this. **Commissioner Mike Scott** stated that it conforms with what was presented in the past.

MOTION: Commissioner Bryan Pack moved to approve recommendation on Preliminary Plan at Fremont at Snow Canyon, located at approximately 100 West Center Street. RDM Land and Development-Applicant. Fremont at Snow Canyon, LLC-Owner.
SECOND: Commissioner Mike Scott
VOTE: The motion carried.

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

C. <u>Public Hearing on a Class V Amended Conditional Use Permit for Crescent Moon Village, located at approximately 1500 West off Hwy 91. RT Marten/Kayenta Development-Owner. Lance Anderson-Applicant.</u>

Commissioner Lance Anderson recused himself. **Dale Coulam** stated that the map of the existing area reflects some past changes to the buildings that still fell within the parameters of the Conditional Use Permit so an amendment was not required at that time. Now changes at Fire Lake Park and the use of building A has changed. With the entrance and parking for Fire Lake Park changing, the entrance road off Highway 91 moves to the East for better sight-clearance to make that intersection safer. It will also make a loop for public safety. There used to be buildings proposed that went into the proposed parking area for Fire Lake Park. Now is the time to bring all of these changes forward as an amendment to the Conditional Use Permit. We will be relocating those buildings up into the village. They will still have approximately the same number of units that they did before; that number dropped actually. **Commissioner Lance Anderson** stated that some folks are frustrated with traffic on Crescent Moon Trail. The work at Fire Lake Park cut off access to the village area. It caused traffic to use Crescent Moon Trail. In the Conditional Use Permit because of the issues of traffic and keeping that a quiet neighborhood it will be gated to go into the community. That area is all paved now. We have been working with the City on the parking area. The access goes into Fire Lake Park and we are moving it down 100 ft or so. The County and City would like parking for bikers so we are putting that in there. The path will go all the way to St. George from the Indian Reservation. Drainage, between the City and us have put a concrete wall in and drainage. There used to be future buildings approved and those have moved and it will be future area and when the need arises we will loop it. We are not changing any uses that we already have. We are just trying to clean up the map so that people can see where those uses are. **Commissioner Bryan Pack** stated what is the time frame on reconfiguring the access? **Commissioner Lance Anderson** stated maybe this fall. **Dale Coulam** stated it requires to be platted as a subdivision so that parking area will be designated as a lot that the City will acquire from Mr. Marten. Until this proceeds to subdivision approval, the City can't acquire that, but a lot of utility and access road work has been happening and we are hoping to get assistance from Washington County as well. The bike path that goes from Gunlock to Veyo and past our City is designated as an official bike trail. This layout provides additional parking for the cyclists. **Commissioner Lance Anderson** stated that one out of ten people out there may be from Ivins that are visiting the lake. We own to the reservoir, but there is a prescriptive easement and the landowner has agreed to let us widen the area out to get a path from Highway 91 up to the park. The wall was built so that we can complete it and get a path there without walking in the road. **Commissioner Adel Murphy** opened the Public Hearing. Dave Buchanan asked if improvements were going to have overhead lighting in that area? **Dale Coulam** stated Fire Lake Park is only open dawn to dusk. Other than security lighting on buildings he doesn't anticipate lighting on that street. Dave Buchanan stated they are a dark night community. There is no overhead lighting in that area. Tom Fabio inquired if the main entrance for the 40-50 housing units will be gated and the entrance will come off West Lake Drive. **Commissioner Lance Anderson** stated that the Conditional Use Permit took out the fire use only off Highway 91. Our intent is to ease that traffic. Richard Bryant stated that he has sewer system questions about those additional homes. **Commissioner Lance Anderson** stated if we don't subdivide lots, we can have 5000 a day in one septic field, 300 gallons per house. There is also an off-site treatment plant as another option. It will be pumped up to Kwavasa and then goes to the regional system. Building A has a septic tank. **Mike Rodriguez** stated we wouldn't

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issue building permits unless there is an adequate septic system. Richard Bryant inquired on the timeline. Building A has been under construction for 10 years. They had to stage it, but it is continuous. It goes on all day. Kayenta has restrictions on when construction can begin and end. **Commissioner Lance Anderson** stated it is the City hours and when we get complaints he tries to go out. **Commissioner Adel Murphy** inquired how long can they expect the construction vehicles? There are asphalt gravel trucks, vehicle noise, etc. There have been letters sent, speeding and construction noise complaints. **Commissioner Lance Anderson** stated as soon as the entrance opens back up that will alleviate that, but we are waiting on parts for the gate. Kathy Barth stated on plans submitted there was a parking area for open storage that was removed. She has a concern because Terry Marten loves to collect junk vehicles. **Commissioner Lance Anderson** stated that the open storage is for office spaces. There is no approval for open storage. We can use it for our own space though. The original Conditional Use Permit we were trying to park their RVs in it but that was denied so it has been crossed out. Tom Fabio asked if City Council approves, is a Conditional Use Permit good forever? **Dale Coulam** stated that a Conditional Use Permit runs with the land. Hearing no further comments **Commissioner Adel Murphy** closed the Public Hearing.

D. <u>Discuss and consider recommendation on a Class V Amended Conditional Use Permit for Crescent Moon Village, located at approximately 1500 West off Hwy 91. RT Marten/Kayenta Development-Owner. Lance Anderson-Applicant.</u>

Commissioner Bryan Pack inquired about the uses that are being used here, it is not really an expansion but more rearranging them. **Dale Coulam** stated yes but he agrees that what has been submitted seems a little vague. It would be helpful to list and go through and identify each use. **Commissioner Lance Anderson** stated it is in the text. It is named RS for Residential Storage. **Mike Rodriguez** stated there was a plan and the buildings and parking in the garage. **Dale Coulam** inquired if we could get an updated map with the legend. **Commissioner Adel Murphy** inquired what is the amendment for? **Commissioner Lance Anderson** stated it is for changing of the parking, the building that was approved to build previously became parking for Fire Lake Park so that was moved over. These used to be big storage units. That just became a garage. Where they are sitting on the property, the text says that those uses can be utilized. The text says that if someone wants residential more than storage they can do either/or. The environment of the market will decide that. **Dale Coulam** stated that the Conditional Use Permit needs to be approved before a Preliminary plan for the subdivision. The lot lines are showing a concept for the subdivision. If we were to continue this to the next meeting, it would be for clarification purposes and then the Preliminary plan. **Commissioner Bryan Pack** stated the narrative was from August 2009. **Commissioner Lance Anderson** stated yes, we crossed out the red and those reflect the changes. **Commissioner Bryan Pack** inquired so that is what is changed? **Commissioner Lance Anderson** stated yes and every one of those changes are on the map. RS is residential storage or art studio. This is the legend to the map. **Commissioner Bryan Pack** stated there is no problem moving it to the next meeting. On the map put this legend section to better clarify what each structure is. **Commissioner Mike Scott** stated it is just clarification from what was here before. **Commissioner Lance Anderson** stated exactly. **Commissioner Adel Murphy** stated that on the Preliminary plan, the map will be present to see what we are talking about.

MOTION: Commissioner Bryan Pack moved to continue Discuss and consider recommendation on a Class V Amended Conditional Use Permit for Crescent Moon Village, located at approximately 1500 West off Hwy 91. RT Marten/Kayenta

Development-Owner. Lance Anderson-Applicant.
SECOND: Commissioner Mike Scott
VOTE: The motion carried.

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

E. Public Hearing updating the Arts Master Plan.

Commissioner Mike Scott stated that two and a half years ago, the Arts commission was created to create an Arts Master Plan to be part of the General Plan. About 2 years ago the Planning Commission made a recommendation for that to be approved. in December 2015 it was adopted and selected members to be on the Commission and we implement the plan. This is the first annual report as to what has been accomplished. The additions are the work product that we have created over the years. One is on pages 8 through 10, we made changes to show what resource guides we have created a PDF called Art in Ivins showcasing art in our area. We created artist information forms to build an inventory of artists in Ivins. Pages 11 through 12 we identified areas in the city where there is art and where it is logical for art to be. This the art corridor. The third goal was to develop criteria for acquisition and disposition of art and a flow cart. Pages 14 through 16 we developed the criteria for guidelines for RFP and RFQs. Goal number four was funding opportunities on pages 17 through 18. Goal number five was maintenance on page 19. We have a plan to implement that this year. Goal number six was education and marketing the city created an arts commission page on the City website. Goal number seven was evaluation of the performance of the Arts Master Plan and the Arts Commission on pages 25 through 26. Pages 27 and 28 is the agenda for this year and into next year to accomplish and are identified in our action steps. **Commissioner Adel Murphy** opened the Public Hearing. Brad Osborn inquired about the far west roundabout with the horses. Was part of the plan on maintenance? He could see that vegetation would possibly cover up that artwork? **Commissioner Mike Scott** stated yes it develops the need for that plan. We intend to do that this year. Hearing no further comments, **Commissioner Adel Murphy** closed the Public Hearing.

F. Discuss and consider recommendation of the updated Arts Master Plan.

Commissioner Bryan Pack stated that the substance is fantastic. Procedurally or structurally though, he is wondering if we need an Arts Master Plan that we legislate? If you need to update it each year or can we just leave it vague and list the goals as a stand alone document that doesn't need amended each year? **Dale Coulam** the Arts Master Plan is an element of the General Plan so if you make changes to the Arts Master Plan you have to have a Public Hearing. **Commissioner Mike Scott** stated that we thought putting in visuals was useful because we believe that the plan is, in a way, marketing for the City of Ivins. Going forward, we could present an annual report rather than make it part of the plan. **Commissioner Bryan Pack** stated he would think it was easier to make it more like a report rather than run it through the Master Plan. **Commissioner Lance Anderson** stated he would support making it more general. **Commissioner Bryan Pack** stated it is a good statement of goals, but yet then it doesn't have to be amended every time something changes. It could be more as a report. **Commissioner Mike Scott** stated that would be preferable. **Commissioner Adel Murphy** stated that we could leave it this way and approve it and then on the next report make it a report only. It is very well done. **Commissioner Mike Scott** stated if we create others we can add it to the website as

another resource. **Commissioner Bryan Pack** stated he would suggest accepting this the way it is and do a report going forward. The goal about acquisition he would want a statement in there that says it is a case by case basis. This is not absolute criteria of whether something is acquired or disposed of. So we have flexibility there. **Commissioner Mike Scott** stated so on those items just say "may include but not limited to the following:" He is happy to make that change.

MOTION: Commissioner Bryan Pack moved to approve recommendation of the updated Arts Master Plan with changes on Page 14 on both acquisition and disposition to say "items to be considered may include but not limited to the following."

SECOND: Commissioner Mike Scott

VOTE: The motion carried.

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

G. <u>Public Hearing on a proposed Zoning Map Amendment, changing Mobile Home Zoning District (MH) to Single Family Residential, 5000 sq ft minimum lot size (R-1-5), located within the blocks of 400 South to 600 South, and between Main Street and 200 East.</u>

Dale Coulam stated that the land use map shows High Density Residential and there are some apartments and rental units here but they are also High Density Residential. The only single family residential zone for High Density Residential is R-1-5. Virginia Jones pointed out that there was a strip of commercial across from Family Dollar and the land use plan shows it as neighborhood commercial. The zone must be consistent with its land use. \All lots are at least 5000 sq ft. and it would not affect the ones that are zoned Multi-Family. They would stay Multi-Family. These five lots across from Family Dollar will need to be rezoned to Neighborhood Commercial. He appreciated Virginia Jones' call for that clarification. **Commissioner Bryan Pack** inquired if they could also change that back to High Density Residential there. **Dale Coulam** stated this is a zone change so the zone that is consistent with the land use is neighborhood commercial. **Commissioner Adel Murphy** opened the Public Hearing. Dale Harris inquired if a trailer or a modular home burns up, it will have to be a house there. **Dale Coulam** stated we currently don't allow trailers, but a manufactured home could be allowed. Existing trailers would become a legal non-conforming use. Jim Jaynes stated that the rumor was all the mobile homes were going to be sold out. **Dale Coulam** stated he has not heard anything like that. Jim Jaynes inquired if that area was zoned for business? **Dale Coulam** stated only the corner across from Family Dollar, the land use for that says commercial. Everything else is High Density Residential. There could be a home occupation business in residential. Susan Holben inquired about the RM designation where the six mobile homes sit. What are the obligations for the landlords in those? They are unsightly and then get cleaned up at times. **Dale Coulam** stated those were recently sold so there are new owners for that property. Call our Code enforcement and we can issue a courtesy notice, then a citation. We haven't received any applications on that property yet. Sharon Jenkins inquired if all lot sizes are 5000 sq ft? Where would it leave any one smaller or larger than that? **Dale Coulam** stated the smallest zone we have is 5,000 so it would be a legal non-conforming lot but you could still have your single family home there Virginia Grenier stated that she looked it up on a website and she believes these properties are all over 5,000 sq. ft. **Commissioner Adel Murphy** stated or go to the County website and pull up

your property and see your acreage. Lacey Martin inquired if the zoning will change the value or property taxes? **Commissioner Adel Murphy** stated no. Hearing no other comments, **Commissioner Adel Murphy** closed the Public Hearing.

H. <u>Discuss and consider recommendation of Public Hearing on a proposed Zoning Map Amendment, changing Mobile Home Zoning District (MH) to Single Family Residential, 5000 sq ft minimum lot size (R-1-5), located within the blocks of 400 South to 600 South, and between Main Street and 200 East.</u>

Commissioner Lance Anderson stated that if they have a non-conforming lot they can put a modular back on that property. **Dale Coulam** stated to remember that we will need to identify the five lots across from Family Dollar as neighborhood commercial. **Commissioner Lance Anderson** stated if something burns down can they build a house there? **Dale Coulam** stated they could if the use was a single family home on that property. **Commissioner Lance Anderson** stated we would like to do them as commercial and notify them and explain the situation. **Commissioner Bryan Pack** stated he is in favor and it doesn't change the use. **Commissioner Mike Scott** and **Commissioner Adel Murphy** agreed.

MOTION: Commissioner Bryan Pack moved to approve recommendation of Public Hearing on a proposed Zoning Map Amendment, changing Mobile Home Zoning District (MH) to Single Family Residential, 5000 sq ft minimum lot size (R-1-5), located within the blocks of 400 South to 600 South, and between Main Street and 200 East, with the exception of the lots on the Land Use commercial and those be changed to neighborhood commercial.

SECOND: Commissioner Mike Scott

VOTE: The motion carried.

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

5) DISCUSSION AND POTENTIAL ACTION ITEMS-

A. <u>Discuss and consider approval of Encanto Amended Final Plat.</u>

Mike Rodriguez stated there were two lots that were impacted by this change. Lot 24 had a side yard and Lot 15 had the rear yard included. The hammerhead was moved about 10 feet to the south. The City Engineer has reviewed and approved this. **Commissioner Bryan Pack** stated he was fine with the changes.

MOTION: Commissioner Bryan Pack moved to approve Encanto Amended Final Plat.

SECOND: Commissioner Mike Scott

VOTE: The motion carried.

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

B. <u>Discuss and consider approval of the Ivins City Planning Commission minutes for June 13, 2017.</u>

MOTION: Commissioner Bryan Pack moved to approve the Ivins City Planning Commission minutes for June 13, 2017.

SECOND: Commissioner Mike Scott

VOTE: The motion carried.

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

6) REPORTS

A. Planning Commission

B. Chairman

C. Building and Zoning Administrator, Mike Rodriguez

Mike Rodriguez stated we have a few applications coming forward for the next meeting.

D. City Attorney, Dale Coulam

Dale Coulam stated that we have a few text amendments coming forward soon to discuss.

E. Items to be placed on future agendas

7) ADJOURNMENT

MOTION: Commissioner Lance Anderson moved to approve ADJOURNMENT

SECOND: Commissioner Bryan Pack

VOTE: The motion carried.

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

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