IVINS CITY
PLANNING COMMISSION
MINUTES
August 15, 2017
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 Jeff Loris, Commissioner Mike Scott, Commissioner Adel Murphy, Commissioner Bryan Pack, and Commissioner Lance Anderson.

Staff Attending: Dale Coulam-City Manager-Attorney, Mike Rodriguez-Building and Zoning Administrator, and Sharon Allen-Deputy City Recorder.

Audience Attending: Eric McFadden Claudette Larsen, Dennis and Karen Jensen, Teresa Hoffman, Dee Osborn, Fred Rainey, Brent Baxter, as well as others that did not sign in.

A. Acknowledgement of Quorum

B. Flag Salute

C. Invocation

D. Disclosures

Commissioner Lance Anderson stated he has conflicts with Items 4A, 4B, 5A, 5B, and 5C. **Chairman Jeff Loris** stated that the project at Tuscan Grove Estates was done by his employer.

2) REPORTS AND PRESENTATIONS --

A. Concept Plan Report for Tuscan Grove Estates, located at approximately 150 North 525 West, Real Capital Funding Ltd.-Owner. Randy Matthews-Fireball Construction LLC-Applicant.

Mike Rodriguez stated this is located at the NE corner of Center and 600 West. These were 20 lots initiated several years ago and the litigation has been resolved. There are improvements that will need to be updated and approved by the City Engineer. They are proposing to stay with the original plan as presented so far. The applicant will need to make the improvements in compliance with City requirements.

3) BUSINESS LICENSES -None

4) PUBLIC HEARING AND ACTION ITEMS-

A. Public Hearing of a proposed Preliminary Plan for Crescent Moon Village, located at approximately 1500 West off Highway 91. RT Marten/Kayenta Development-Owner. Lance Anderson-Applicant.

Commissioner Lance Anderson recused himself. **Dale Coulam** stated that TRC has reviewed this and recommends approval. This is the preliminary plat. Last meeting, we had the public hearing on the amended Conditional Use Permit for this area. The established uses could continue under one ownership or ownership could be subdivided as this proposes. The Conditional Use Permit goes back to 2009 and that was submitted as the mixed-use plan. Dale Coulam displayed a copy of the old map of the conditional use area that is being updated and subdivided. This public hearing is for the preliminary plan, which is the street layout and subdivision into lots. **Chairman Jeff Loris** opened the Public Hearing. Hearing no comments, **Chairman Jeff Loris** closed the Public Hearing.

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B. <u>Discuss and consider recommendation of a proposed Preliminary Plan for Crescent Moon Village, located at approximately 1500 West off Highway 91. RT Marten/Kayenta Development-Owner. Lance Anderson-Applicant.</u>

Commissioner Brian Pack inquired if the lots listed are what will be subdivided. **Dale Coulam** stated yes and some new streets, including the entrance off Highway 91 which has been moved to the East for safety reasons. It was at the top of the hill, making visibility hard so they worked with the City to move that entrance down the hill for better sight distance. The entrance off Highway 91 will be gated access into the Crescent Moon Village area. **Chairman Jeff Loris** inquired if this included anything on the other side of Highway 91? **Commissioner Lance Anderson** stated that there is just a small parcel between Shivwits and Santa Clara. That is where we are talking about the City entrance sign. **Commissioner Mike Scott** inquired about lighting, noise from construction and building requirements. **Commissioner Lance Anderson** stated they will meet the standard of the city and lights in the storage area are from 2004. Construction times for the city is 6-10 pm. **Dale Coulam** stated that a lot of those issues are Conditional Use Permit issues. Those are possible adverse impacts. A lot of the circumstances out there were in place before the lighting ordinance. **Commissioner Adel Murphy** stated she has no concerns.

MOTION: Commissioner Adel Murphy moved to approve recommendation of a proposed Preliminary Plan for Crescent Moon Village, located at approximately 1500 West off Highway 91. RT Marten/Kayenta Development-Owner. Lance Anderson-Applicant.
SECOND: Commissioner Mike Scott
VOTE: The motion carried.

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

C. <u>Public Hearing of proposed zoning text amendments.</u>

Dale Coulam stated most of this is to clean up the domino effects of other recent amendments to the zoning ordinance. Section 6 is to clarify that the legislature doesn't refer to home occupation, now it is home-based businesses. Licensing has changed and is now eliminated. There is no fee for them now. There is no license requirement unless it involves children. Section 9 is parking for townhouses. For 2-3 bedroom units, it has changed to 2 instead of 2.5. The 2.5 requirement is for more than 3 bedrooms. No more mandatory covered parking, the market will drive that, so it was changed from 1 per unit to say "may be provided." It now states screened from view by landscaping rather than "completely concealed." The Conditional Use Permit presentation we had was on the statute that says we can establish reasonable conditions after you apply applicable standards to offset or mitigate any perceived adverse impacts from the project. We had a section in our code already listing out reasonable conditions authorized. As stated now it says applicable standards for determining reasonable conditions. We are thinking of doing Conditional Use Permits similar to a subdivision with a concept plan, a preliminary site plan, a final plat, etc. Large projects have naturally followed that process. Smaller ones really aren't outlined as clearly as they could be. **Commissioner Lance Anderson** stated that in figuring out spaces the standard should always round up because we are being conservative on the townhome parking. **Mike Rodriguez** stated that we always round up to the next higher number. **Chairman Jeff**

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Loris opened the Public Hearing. Hearing no comments, **Chairman Jeff Loris** closed the Public Hearing.

D. <u>Discuss and consider recommendation of proposed zoning text amendments.</u>

MOTION: Commissioner Bryan Pack moved to approve recommendation of proposed zoning text amendments.

SECOND: Commissioner Mike Scott

VOTE: The motion carried.

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

5) DISCUSSION AND POTENTIAL ACTION ITEMS-

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

Commissioner Lance Anderson recused himself. **Dale Coulam** stated that the map contains the preliminary plan and the lots. It also covers several of the uses, such as storage, and artist studios. There is a key that is on the plan. Initially they were granted a lot of storage. We don't allow additional or new storage so they still have quite a bit of storage space left. **Commissioner Lance Anderson** stated that the access off highway 91 has been widened so that a path can come in along there. The parking for Fire Lake Park has been enlarged. **Dale Coulam** One issue is that Paragraph 5 established a density, and this new version says it will vary with the new plan. **Commissioner Lance Anderson** stated we gave up residential spaces between the parking and the building and showed those defined spaces on the plan. **Dale Coulam** stated he would prefer it to say "as per the plan." Another issue is that Paragraph 9 disappeared regarding commercial open space. Kayenta will not continue to park construction equipment or use the area for storage or construction supplies. It was already stricken so it was taken out? **Commissioner Lance Anderson** stated yes it was never approved in the original CUP. We did away with open storage. **Commissioner Lance Anderson** stated on the old plan it showed RV Storage. We found that RV Storage, Residential or just storage doesn't matter. We are saying those buildings are enclosed, and can be used for any of those things. We had 19 and reduced it to 16 buildings. Part of it related to the car barn and part of it related to the parking. **Commissioner Adel Murphy** stated so they can live upstairs or put all their storage in the bottom, it is up to them. Either way, the buildings are the same. **Commissioner Lance Anderson** stated we found we can't outsmart the economy so if the outsides fit the desires, what happens inside doesn't matter. The legend is the key on the right-hand side of the map. The key is listed in the plan itself. ST was for studio RS is for Residential. **Commissioner Bryan Pack** stated he has no questions or concerns. He has a much better understanding of it. **Commissioner Mike Scott** stated he likes the two changes Dale Coulam brought up ("as per the plan"). **Commissioner Bryan Pack** stated lighting and construction hours are governed by the city. This doesn't change their uses, but they are just shifting the areas of what they've done. We are not adding any uses but designating better parking and access. **Commissioner Adel Murphy** stated there is a difference between the City ordinance and Kayenta CC&R rules. We are putting conditions on the uses, but when there is construction they will abide by City ordinances. We mitigate it the best we can. We don't need additional conditions on that use.

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MOTION: Commissioner Bryan Pack moved to approve recommendation of a Class V Amended Conditional Use Permit for Crescent Moon Village, located at approximately 1500 West off Highway 91. RT Marten/Kayenta Development-Owner. Lance Anderson-Applicant, as amended.
SECOND: Commissioner Mike Scott
VOTE: The motion carried.

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

B. <u>Continued discussion and consider approval of Final Plat for Indigo Trails 1B, located on Wild Indigo Way-Lance Anderson-Owner/Applicant.</u>

Commissioner Lance Anderson recused himself. **Mike Rodriguez** stated this is a total of 3 lots on 1.01 acres. The final plat complies with the preliminary plan. TRC reviewed this and recommends approval. **Chairman Jeff Loris** pointed out the 3 lots and the border across Hwy 91 for the wall system.

MOTION: Commissioner Bryan Pack moved to approve Final Plat for Indigo Trails 1B, located on Wild Indigo Way-Lance Anderson-Owner/Applicant.
SECOND: Commissioner Mike Scott
VOTE: The motion carried.

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

C. <u>Discuss and consider approval of Amended and Extended Final Plat for Coyote Gulch Commercial, Located at approximately 932 B Art Village Way. Kayenta Development-Owner. Lance Anderson-Applicant.</u>

Commissioner Lance Anderson recused himself. **Mike Rodriguez** stated that they amended the plat, primarily the Kayenta Center for the Arts that were two parcels incorporated into one lot.

MOTION: Commissioner Bryan Pack moved to approve Amended and Extended Final Plat for Coyote Gulch Commercial, Located at approximately 932 B Art Village Way. Kayenta Development-Owner. Lance Anderson-Applicant.
SECOND: Commissioner Mike Scott
VOTE: The motion carried.

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

D. <u>Discuss and consider a Class IV Conditional Use Permit for Westbrook Townhomes, located at approximately 200 South and 200 West. Troy Nelson-Owner. Brent Baxter-Applicant.</u>

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Mike Rodriguez stated that this is a multi-family project along 200 South and between 200 West and Suncrest West subdivision. It consists of eight separate dwelling units, two triplexes on both ends and one twinhome in the middle. This is the application for the Conditional Use Permit so they can get this project constructed. **Dale Coulam** inquired what improvements and arrangements need to be documented, so we can outline those improvements on the record? **Mike Rodriguez** stated full improvements on 200 West on both sides of the street and some drainage improvements along 250 West. **Eric McFadden** stated that 250 West is the alleyway and it was discussed in TRC that the City would put in the money to finish the west half of that, curb gutter and a little bit of sidewalk and relocate the storm drain box. We would do our half and instead of improvements on 250 West, we would do curb and gutter on the south side of 200 South. We haven't figured out who is paying for the 6-7 foot swath of asphalt along the south side of 200 South. **Mike Rodriguez** stated there was discussion about contacting the other people on that street to help participate. **Eric McFadden** stated we talked about that but the City didn't think that would ever really happen. We are willing to put the curb and gutter in, we know there is a lot of flooding issues and we want to mitigate that. We are talking about 6 feet of asphalt for 400 feet. **Mike Rodriguez** stated on your side of the improvements, you are putting a block wall up. **Eric McFadden** stated correct. The City engineer asked that we step it back 12 feet in case the road does get improved in the future. If 250 West goes in the existing wall would have to get moved to allow that easement. You can't put a wall within 10 feet of the road. **Dale Coulam** stated we cannot approve this without having agreement on how 200 South gets fully improved. **Mike Rodriguez** stated that his recollection was that the developer was going to do those improvements. **Dale Coulam** stated that was his understanding as well, but in lieu of having to do the West side of 250 West, the developer was going to go to the homeowners. **Eric McFadden** stated that 250 West is only 90 feet long and the other street is 500 feet long and he can't imagine they would agree to that. **Dale Coulam** stated we needed to continue the discussion until we have an agreement. **Commissioner Lance Anderson** inquired about anything else for the Conditional Use Permit? **Dale Coulam** stated that the potential detrimental effect in this area is flooding. The key point is having 200 South finished with the gutter on the South side to collect that water. **Mike Rodriguez** stated that also, as far as height, they are single-story and they have offset break-outs so they are not an expanded line. **Eric McFadden** stated before next meeting we will compile an engineer's estimate with how much each of us is paying for. **Dale Coulam** stated that we will put it on TRC in two weeks and have Troy Nelson come.

E. <u>Discuss and consider approval of the Ivins City Planning Commission minutes for August 1, 2017.</u>

MOTION: Commissioner Adel Murphy moved to approve the Ivins City Planning Commission minutes for August 1, 2017.
SECOND: Commissioner Mike Scott
VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Mike Scott	AYE
Commissioner Adel Murphy	AYE
Commissioner Bryan Pack	AYE
Commissioner Lance Anderson	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) <u>ADJOURNMENT</u>

MOTION: Commissioner Lance Anderson moved to approve ADJOURNMENT
SECOND: Commissioner Bryan Pack
VOTE: The motion carried.

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

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