



Community Development Department
111 North 100 East
Washington City, UT 84780
Phone (435) 656-6325
Fax (435) 656-6371
www.washingtoncity.org

Minutes
WASHINGTON CITY PLANNING COMMISSION
June 4, 2014

Present: Commissioner Schofield, Commissioner Shepherd, Commissioner Papa, Commissioner Martinsen, Attorney Jeff Starkey, Councilman Nisson, Drew Ellerman, Lester Dalton, Kathy Spring, Charles Hill, Karen Hill, Allen Hall, Riley Richardson, Jared Lindquist, Teresa Lindquist, Tom Evans, Christy Clark, Gerri Clark, Bob Hermandson, Jerald Fullmer, William Riesbeck, Jeff Carlson, Joayne Bundy, Clarence Bundy.

Meeting called to order: 5:30 P.M.

Commissioner Schofield excuses Commissioner Smith and Commissioner Williams.

Invocation: Commissioner Matinsen

Pledge of Allegiance: Commissioner Papa

1. APPROVAL OF AGENDA

A. Approval of the agenda for June 4, 2014.

Commissioner Papa motioned to approve the agenda for June 4, 2014.

Commissioner Shepherd seconded the motion.

Motion passed unanimously.

2. APPROVAL OF MINUTES

A. Approval of the minutes from May 21, 2014.

Commissioner Shepherd motioned to approve the minutes from May 21, 2014.

Commissioner Papa seconded the motion.

Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. PRELIMINARY PLAT

A. Public Hearing for consideration and recommendation to City Council for the Hunter Run Preliminary Plat located at approximately 200 East 400 South.

Applicant: Hunter Run Land, LLC, Riley Richardson

Background

The applicant is requesting approval of a preliminary plat for the Hunter Run subdivision, located at approximately 200 East 450 South. The applicant is wishing to develop 8 lots on an area covering 1.00 acres. The location of this particular project is zoned Single-Family Residential - 6,000 square foot min. (R-1-6).

This proposed project is located directly west of the City's Dog Park. The owner of the Trailer Park (north side of this project) was wishing to sell this area of ground when he acquired the park a few years back. The project location recently went through a zone change and is now ready to be developed. The access for the subdivision will come off of 100 East, with an emergency access onto 200 East (the road that leads to the dog park from 400 South) which is on the east boundary line of the subdivision.

The requested preliminary plat meets the zoning regulation requirements and the other city ordinances as it relates to this location. Staff has reviewed the request and recommends approval with conditions, of the preliminary plat as outlined.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Preliminary plat for the Hunter Run subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the preliminary plat conforms to the Zoning Regulations and the Subdivision Ordinance as conditioned.

Conditions

1. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:

- A. A title report.
 - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
9. Driveway locations are to be approved by the Public Works Department.
10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
11. A Post Construction Maintenance Agreement needs to be recorded prior to the Final Plat recordation.

Commissioner Shepherd asked about the access.

Mr. Ellerman replied access will be on 100 East. Public Works has stated 200 East people would lose their homes and would become a hardship.

Commissioner Papa asked about condition 6 which states HOA or property owner he asked at what stage is that determined.

Mr. Ellerman stated you can't force an HOA so that is why they put HOA/property owner because HOA's can fall a part.

Commissioner Papa stated has is questions about the detention areas.

Mr. Ellerman stated the detention area would not be on just a lot to be developed. All conditions have to be addressed before the final plat comes for approval. Construction drawings are the next stage and all of the development is looked at before final plat.

Riley Richardson stated his engineer is out of town. There is a drainage plan that will be submitted as soon as he can. He stated drainage goes mainly down 100 East.

Commissioner Shepherd asked about the property exchange with the Bundy's.

Mr. Richardson stated the exchange is moving forward.

Commissioner Schofield opened the public hearing.

Jolayne Bundy stated the Richardson's have contacted them and the land swap is in process.

Charles Hill lives on lot 46 in Hobble Creek. He asked about ingress egress.

Mr. Ellerman stated access is just 100 East, the one to 200 is emergency only.

Mr. Hill asked about the time frame is for construction.

Commissioner Papa motioned to close the public hearing.

Commissioner Shepherd seconded the motion.

Motion passed unanimously.

Mr. Riley stated they would like to start in the next two months. The total construction time would be 4 to 5 months.

Mr. Ellerman stated he would get with Rosenberg to discuss drainage prior to City Council.

Commissioner Papa asked about the emergency access and what will prevent the people from using it.

Mr. Richardson stated they would have a metal gate with a lock on it.

Commissioner Shepherd stated the drainage issue is already addressed. She motioned to recommend approval to City Council with the findings and conditions of staff.

Commissioner Papa seconded the motion.

Motion passed unanimously.

- B. Public Hearing for consideration and recommendation to City Council for the Washington Vista Phase 5 Preliminary Plat located at approximately 2000 North 850 West. Applicant: Matt Lowe

Background

The applicant is requesting approval of a preliminary plat for the Washington Vista, Phase 5 subdivision, located at approximately 2000 North 850 West. The applicant is wishing to develop 18 lots on an area covering 6.53 acres. The location of this particular project is zoned Single-Family Residential - 10,000 square foot min. (R-1-10).

This phase 5 was not part of the original project (Washington Vista), but the developers, had an opportunity to acquire the parcel from SITLA. SITLA had just sold off land to another developer in this same area, and due to road configurations, this six (plus) acre piece was left over and abutted the Washington Vista boundaries on the south and east sides. Mr. Lowe bid on the parcel and was awarded it not too long ago. They are wishing to add it to the overall project currently under construction.

The requested preliminary plat meets the zoning regulation requirements and the other city ordinances as it relates to this location. Staff has reviewed the request and recommends approval with conditions, of the preliminary plat as outlined.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Preliminary plat for the Washington Vista, Phase 5 subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the preliminary plat conforms to the Zoning Regulations and the Subdivision Ordinance as conditioned.

Conditions

1. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:
 - A. A title report.
 - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).

6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
9. Driveway locations are to be approved by the Public Works Department.
10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
11. A Post Construction Maintenance Agreement needs to be recorded prior to the Final Plat recordation.

Mr. Ellerman stated there has been an issue with the road and the Engineer has requested that this be tabled to June 18 2014.

Commissioner Papa motioned to table 4 B to June 18 2014.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

5. ZONE CHANGE

- A. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-14-06 to change from OS (Open Space) to RA-1 (Residential Agriculture Minimum 1 Acre Lot). Located at approximately 700 South 2400 East North of Country Way Estates Phase 2. Applicant: Steve and Karen Martin

Background

The applicant is requesting approval to change the zoning of approximately 5.56 acres, located approximately at 700 South 2400 East (just north of Country Way Estates Phase 2). The requested change is from the current zoning of Open Space (OS) to a proposed Residential/ Agriculture - One Acre Min. (RA-1) zoning designation.

The General Plan Land Use Designation for this location is Estate Residential (EST) and Open Space (OS). The surrounding General Plan Land Use Designations are Estate Residential (EST) to south and east, Estate Residential (EST) and Open Space (OS) to the west, and Open Space (OS) to the north.

The surrounding zoning designations are Open Space (OS) to the north and west, and Residential/Agriculture - One Acre Min. (RA-1) to the south and east.

The applicants are wishing to rezone a portion of their property to the Residential/Agriculture - One Acre Min. for the purpose of building a home at this particular location. Open Space zoning does not allow for homes to be built as permitted uses and/or conditional uses. The applicants will also have to be mindful of the flood plain which runs through of this area. Both staff and the applicants engineer are fairly sure that the area set aside for this proposal will be out of the designated flood plain designation.

Staff has reviewed the requested zone change and finds it to conform to the General Plan, the Zoning Ordinance and surrounding proposed development.

Recommendation

Staff recommends that the Planning Commission recommend approval of Z-14-06, for the zone change request from Open Space (OS) to the proposed Residential/Agriculture - One Acre Min. (RA-1) zoning designation, to the City Council, based on the following findings below:

Findings

1. That the requested zoning conforms to the intent of the land use designation of the General Plan.
2. That the requested zoning will be compatible with surrounding developments.
3. The utilities that will be necessary for this type of development will be readily accessible to the site.

Commissioner Shepherd asked how close it is to the flood plain and if the city would have any liability.

Mr. Ellerman stated it is next to this and no the city would not have any liability.

Commissioner Shepherd asked about the septic tank in a flood plain.

Mr. Ellerman stated the septic tank wouldn't be too far from the home and doesn't feel there would be a problem. Septic tanks are going to be addressed with the County.

Commissioner Papa asked about utilities.

Mr. Ellerman stated power is going to be DREA. Public Works would have to work out the water with the property owner. There is a legal easement with the adjacent property owner. The road access would have to be worked out.

Commissioner Schofield stated the road would be a dirt road.

Mr. Ellerman stated yes it is a legal access.

Commissioner Shepherd asked if they could subdivide.

Mr. Ellerman stated when you subdivide you have to put in all the improvements and it would be expensive. The road would be a 50 -foot road through the adjacent property. It is possible but expensive.

Commissioner Schofield asked Mr. Ellerman to show the flood erosion and flood plain.

Mr. Ellerman showed on the exhibit the flood erosion area and the flood plain.

Commissioner Papa stated the erosion is a buffer to not build.

Bob Hermandson from Bush & Gudgell stated the Martins have no intent to subdivide. They just want to build a home.

Commissioner Schofield opened the public hearing.
Commissioner Papa motioned to close the public hearing.
Commissioner Shepherd seconded the motion.
Motion passed unanimously.

Commissioner Shepherd motioned to recommend approval to City Council with the findings of staff.

Commissioner Papa seconded the motion.

Motion passed unanimously.

6. AMENDMENT TO CITY CODE ORDINANCE

- A. Public Hearing for consideration and recommendation to City Council to amend the City Code Ordinance for Washington City Title 9, Chapter 9 2:B, Chapter 10-A 2:B, Chapter 10-B 2: B, Chapter 10-C 2:B to include Washington Fields Road and 300 East South of Telegraph. Applicant: Washington City

Background

The City is wishing to amend the City Code for the purpose of promoting orderly commercial development and protecting adjacent residentially zoned properties. With that said, the city code currently requires that a conditional use permit be approved for developments over 5,000 square feet in size that are located on Buena Vista Blvd., Telegraph Road or Washington Parkway.

Staff has noticed that with the options of possible commercial properties along 300 East and Washington Fields Road, that it would be prudent to add these two streets into that requirement.

Thus allowing for development review of commercial properties along this major corridor in the city.

The amended paragraph as found under conditional use permits would read as follows:

Development of any parcel of land for any of the principal uses listed in subsection A of this section, if said development exceeds five thousand (5,000) square feet in total building floor area, or of any parcel of land adjacent to Buena Vista Boulevard, Telegraph Road, Washington Parkway, **300 East or Washington Fields Road.**

With that said, staff is wishing to have our city code amended to add in 300 East and Washington Fields Road.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Amendment to the Washington City Code, Title 9, Chapters 9-2(B), 10A-2(B), 10B-2(B) and 10C-2(B), Conditional Uses - Development of properties adjacent to Buena Vista Boulevard, Telegraph Road, Washington Parkway, 300 East and Washington Fields Road to the City Council, based on the following findings:

Findings

1. The importance to protect residential properties adjacent to the development of commercial projects along the major corridors of the city.

Commissioner Schofield asked if they could add 3650.

Mr. Ellerman stated this would be a good time to do that.

Commissioner Shepherd asked if they would have to come for a CUP.

Mr. Ellerman stated if the zone is already in affect they could come for a CUP.

Commissioner Papa asked how far south will this go.

Mr. Ellerman stated 3650.

Commissioner Schofield opened the public hearing.

No response.

Commissioner Shepherd motioned to close the public hearing.

Commissioner Papa seconded the motion.

Motion passed unanimously.

Commissioner Papa motioned to recommend approval to City Council with the findings of staff and to include 3650 South.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

7. DISCUSSION ITEM

A. Planning Commission training and project status.

No discussion.

Commissioner Martinsen motioned to adjourn the Planning Commissioner Meeting for June 4, 2014.

Commissioner Papa seconded the motion.

Motion passed unanimously.

Meeting adjourned: 6:01 PM

Washington City

Signed by: 
Rick Schofield, Chairman

Attested to: 
Kathy Spring, Zoning Technician