



Community Development Department
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Minutes
WASHINGTON CITY PLANNING COMMISSION
JULY 16, 2014

Present: Commissioner Shepherd, Commissioner Williams, Commissioner Papa, Commissioner Martinsen, Commissioner Henrie, Councilman Nisson, Attorney Jeff Starkey, Drew Ellerman, Lester Dalton, Kathy Spring, Bob Hermandson, Jim Raines, Ben Willits, Christy Richards, Jeff Richards, Katherine Staheli, David Mayfield, Peggy Stevens, Robert Stevens, Marvin Stewart.

Commissioner Williams began the meeting with a motion to recommend Commissioner Shepherd as the Pro Tem for 2014.

Commissioner Martinsen seconded the motion,
Motion passed unanimously.
Commissioner Smith excused.

Invocation: Williams

Pledge of Allegiance: Martinsen

Commissioner Shepherd called meeting to order at 5:37.

Commissioner Shepherd welcomes Commissioner Rick Henrie.

1. APPROVAL OF AGENDA

A. Approval of the agenda for July 16, 2014.

Commissioner Williams motioned to approve the agenda for July 16, 2014.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

2. APPROVAL OF MINUTES

A. Approval of the minutes from June 18, 2014.

Commissioner Williams motioned to approve the minutes from June 18, 2014.

Commissioner Papa seconded the motion.

Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. GENERAL PLAN AMENDMENT

- A. Public Hearing for consideration and recommendation to City Council for a General Plan Amendment request G-14-02 to change from (N Comm) Neighborhood Commercial to (LD) Low Density Residential located approximately 600 East 2100 South. Applicant: Judd Palmer

Background

Drew Ellerman stated the applicant is seeking to amend the General Plan Land Use Map in the area located at approximately 600 East 2100 South. The requested area covers 1.77 acres. The current Land Use designation is Neighborhood Commercial (NC). The applicant is seeking approval to have the Land Use designation changed to the Low Density Residential (LD) designation as outlined in the General Plan.

The applicant is wishing to amend this parcel for future residential growth in the area. The current surrounding General Plan Land Use designations are Neighborhood Commercial to north and east, Low Density Residential to the west, and Open Space to the south.

Recommendation

Staff recommends that the Planning Commission recommend approval of G-14-02 to amend the General Plan Land Use Map as outlined above and shown on the exhibit attached hereto, to the City Council.

Commissioner Shepherd opened the public hearing.

No response.

Commissioner Williams motioned to close the public hearing.

Commissioner Papa seconded the motion.

Motion passed unanimously.

Commissioner Shepherd stated she is happy that this is being changed back to Low Density. She stated previously she made the recommendation that it be changed.

Commissioner Williams stated he also agrees that it needed to be changed and hopes that homes can be developed in the area.

Commissioner Papa motioned to recommend approval to City Council with the recommendation of staff.

Commissioner Williams seconded the motion.

Motion passed unanimously.

5. PROJECT PLAN

- A. Conversation to consider and recommend approval to City Council the Project Plan for the Brillo del Sol Planned Community Development Project. Applicant: Henry Walker Homes

Background

Drew Ellerman stated the applicant is requesting approval of the Brillo del Sol Project Plan. The Planning Commission has reviewed this at a previous date as part of the requested zone change to PCD.

The zone change was approved by the City Council on May 28th, 2014. The project plan and development agreement usually follow the zone change approval. Thus, the requested item is now before the commissioners at this time. It is the same document that was reviewed previously.

Staff has reviewed the requested Brillo del Sol Project Plan, and finds it to conform to the General Plan, the Zoning Ordinance and the approved PCD zone change.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Brillo del Sol Project Plan guide, for the approved Planned Community Development at this location, to the City Council, based on the following findings and such to the conditions below:

Findings

1. That the requested Project Plan conforms to the intent of the approved PCD.

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

**Commissioner Martinsen seconded the motion.
Motion passed unanimously.**

6. PRELIMINARY PLAT

- A. Public Hearing for consideration and recommendation to City Council for the Brillo del Sol Phase 1 Preliminary Plat located at approximately 300 West 600 North.
Applicant: Henry Walker Homes

Background

Drew Ellerman stated the applicant is requesting approval of a preliminary plat for the Brillo del Sol - Phase 1 subdivision, located at approximately 300 West 600 North. The applicant is wishing to develop 106 lots on an area covering 81.90 acres. These lots will consist of 104 residential lots, a large lot for the proposed community center and the commercial lot for a residential treatment facility as approved in the PCD Plan. The location of this particular project is zoned Planned Community Development (PCD). This particular phase of the project is proposing 104 residential lots, a large community center pad and several open space areas.

Surrounding zoning is Open Space to the north and west, Single-Family Residential - 6,000 square feet min. (R-1-6), Open Space and Multiple-Family Residential (R-3) to the east, Service Commercial (C-2), and Multiple-Family Residential (R-3) and Planned Unit Development (PUD) to the south.

The request meets most of the zoning regulation requirements and other city ordinances as it relates to this location. Staff has reviewed the request and recommends that the proposed

subdivision be recommended for approval, with the stipulation that the city council approve the project plan guide and the development agreement that will be presented to them in three to four weeks. More specifically, the Street Cross-sections as proposed in the project plan. These are extra conditions are noted below.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Preliminary plat for the Brillo del Sol - Phase 1 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. Street cross sections will have to be approved by the city council through adoption of the Project Plan Book, and Development Agreement.
12. A signed, stamped letter stating compliance with the Brillo del Sol streets, water, sewer and storm water master plans needs to be submitted with construction drawings.
13. A Post Construction Maintenance Agreement needs to be recorded prior to the Final Plat recordation.

Commissioner Shepherd asked about the difference in street standards from what the city requires.

Mr. Ellerman clarified sidewalks on one side and the road roll curbs.

Commissioner Shepherd asked why the different is style of curbing.

Mr. Ellerman stated because of the hard cut on most subdivisions, but this project will be different in that the roll curb won't require cutting into the curb.

Commissioner Williams asked if the plan shown is what the roads will be.

Mr. Ellerman stated yes there are three designs for phase 1.

Ben Willits stated the major thing with the curbing is to handle drainage with the topography of the site. The roll back curb seems to be able to work better with the drainage.

Commissioner Shepherd asked if the smallest street width is 35 feet.

Mr. Willits stated the smallest is 50' residential. There are three other widths that will be used.

Commissioner Henrie asked why sidewalks on one side.

Mr. Willits stated the market analysis showed they work.

Commissioner Shepherd asked what material would be used for the trails.

Mr. Willits stated asphalt.

Commissioner Papa asked about marking the street crossing.

Mr. Willits stated there will be pedestrian marking and it will include ADA marking.
Commissioner Shepherd opened the public hearing.

Jeff Richards stated he lives in Millcreek Springs. He would like to see the open space area and the houses coming in correlate to maintain what is already there. He asked if there would be retaining walls.

Commissioner Shepherd asked if the wall is the concern or the homes.

Mr. Richards stated the homes but would not want to look at walls from his residence.

Peggy Stephens lives on Quail Ridge and wants to know what the proposal is to maintain the trails.

Commissioner Shepherd stated the trail will be maintained by the city but the open space is accessible to the public.

Mr. Willits stated he and Mr. Blake from the city walked the area to see where the trail should be. The trail will be a city standard trail. The rim homes will have to have some retaining walls but they are trying to stay back to keep the view that is there. They will have to do some blasting of the rock but they intend to reuse them in the retaining stage.

Commissioner Shepherd asked if the rock is used would he allow for block wall.

Mr. Willits stated more like wrought, decorative wall.

Commissioner Papa asked if the owner would have options to choose from.

Mr. Willits stated there would be.

Commissioner Shepherd asked if the open space would be left natural.

Mr. Willits stated yes they want to keep it natural. There will be a drainage basin just before it goes into Millcreek. They still want the natural look even in that drainage area.

Commissioner Shepherd asked if they would maintain the land.

Mr. Willits stated yes.

Commissioner Henrie asked when they disturb vegetation will they return it to it's natural state.

Mr. Willits stated it depends on the rock but they intend to keep the vegetation as natural as possible.

Peggy Stephen asked about the basin.

Commissioner Shepherd stated it is a drainage area.

Commissioner Henrie stated they are draining off the street and the requirement is to allow for sediment.

Mr. Willits stated that with the topography the flow goes to the basin area. It is a current natural drainage area, the water has to go to an area before it can return to Millcreek. The basin is the lowest area and that is why the basin is there. There won't be too much work because it is a current natural drainage. The sediment now goes to the basin, but with the drainage plan they have a lot of sediment will be discharged prior to getting to the basin. They plan to use rock and natural vegetation.

Commissioner Shepherd asked about the size of the basin.

Mr. Willits stated they don't know for sure right now.

Commissioner Shepherd stated Mr. Willits has expressed concern about keeping the natural integrity of the area.

Commissioner Papa motioned to close the public hearing.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

Commissioner Williams motioned to recommend approval to City Council with the findings and conditions of staff.

Commissioner Papa seconded the motion.

Motion passed unanimously.

7. PLAT AMENDMENT

- A. Public Hearing for consideration and recommendation to City Council for the Preliminary Plat Amendment for The Arroyo at Sienna Hills located at approximately 1900 East 600 North. Applicant: Bennan Holdings No 100, LLC

Background

Drew Ellerman stated the applicant is requesting approval of an Amended Preliminary Plat for The Arroyo at Sienna Hills subdivision, located at approximately 1900 East 1000 North. The applicant is wishing to develop 177 lots on an area covering 58.45 acres. The location of this particular project is zoned Planned Community Development (PCD), being part of the Sienna Hills development.

The reason for the amendment to the original preliminary plat is due to soils problems that were discovered during testing. A bad batch of soil was found in a particular area. It was necessary to

move the lots and roadway in that section of the subdivision over to the west to locate it better soil conditions. It was enough of a change to warrant an amendment to the plat, also to mention some lots were lost (8 total) resulting from the change in design.

The proposed subdivision conforms to the subdivision requirements and other city ordinances (including the approved PCD) 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 Arroyo at Sienna Hills 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 PCD agreement for the proposed area.
2. That the preliminary plat conforms to the Zoning and the Subdivision Ordinances 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 signed stamped letter stating compliance with the Sienna Hills streets, water, sewer and storm water master plans needs to be submitted with construction drawings.
12. A Flood Plain development Permit will be required prior to any land disturbing activities if ANY work is to be performed within the SFHA.
13. Post Construction Maintenance Agreement will need to be recorded prior to Final Plat recordation.
14. Sandy Talus Drive will need to be shifted to the north to prevent impact to the FEMA Floodplain. Otherwise a CLOMR will be needed to be submitted and approved by FEMA prior to Construction drawing submittal.
15. Intersection Flares will need to be installed on Sandy Talus Drive at the intersection in the vicinity of lots 166 and 170 to comply with the PCD Traffic Study.
16. Lot 95 on the preliminary plat is showing possible issues for legal access due to close proximity to round-a-bout design. Needs to be addressed before construction plan submittal.
17. Lots 171 & 177 will have to be adjusted to meet the minimum lot sizes required by the PCD.

Commissioner Henrie asked about the FEMA flood mark and if there is any condition for that concern.

Lester Dalton stated there are a couple of conditions that will address the concerns. There has been line revision from 2009. There are some affected flow lines. The concerns will be addressed in the construction drawings.

Commissioner Williams asked between lot 11 and 1 will there be a bridge.

Mr. Dalton stated they should be able to go through it. The construction drawing will show more details.

Commissioner Shepherd asked about the unstable soil area.

Mr. Dalton showed on the map where the area is located.

Mr. Henrie asked about the natural area.

Mr. Dalton stated it is a drainage area. He explained that this is going to be an ongoing maintenance issue. He stated they have submitted a drainage study and he will be looking at that later.

Commissioner Henrie asked if the vein of clay runs to the proposed school area.

Mr. Ellerman stated he didn't know.

Mr. Raines stated clay is everywhere and it varies from location to location. The clay in this area was located and that is why they amended the plan. Clay is a layer of ash not faults. They have done a soil study and that is why they eliminated 8 lots.

Commissioner Shepherd asked if Mr. Raines is satisfied the change will take care of the problem

Mr. Raines stated yes. He stated this phase is to work sewer out first.

Commissioner Shepherd asked who would maintain the clay area.

Mr. Raines stated open space will maintained by the HOA.

Commissioner Shepherd opened the public hearing.

Katherine Staheli asked why someone isn't accountable when homes that are affected by the clay and then the homes fall a part.

Commissioner Williams stated he knows the area she is talking about. He stated yellow clay and blue clay is the same as far as causing damage. He stated in his agreement he put buyer beware. He stated the responsibility is on the buyer.

Katherine Staheli asked if it comes back to the city.

Commissioner Williams stated it doesn't come back to the city. He stated in Sienna Hills there aren't a lot of lawns. The piers are usually 20 feet and 20 feet and above you would worry about it.

Attorney Starkey stated before he moved here his law firm dealt with soils problems. He stated the builders should look at the soils reports. He stated the city can't allow people to not build. Washington County has soil issue and in some areas it is really bad.

Mr. Raines stated you can build on bad soils and the Geo Tec does the studies and they will not build on bad soils that would require mitigation. In the Washington Beach they were given recommendation and the recommendation were not met.

Mr. Ellerman stated in the Silver Falls area the insurance companies are fixing some of the homes. The Geo Tec was supposed to test the soil but they were too busy to do the inspections and their company's insurance is taking care of it. Santa Clara is the worst in the County, people have lost their homes. There are ways to fix the problems but they are very expensive.

Attorney Starkey stated it is a nightmare to fix.

Commissioner Papa motioned to close the public hearing.
Commissioner Martinsen seconded the motion.
Motion passed unanimously.

Commissioner Papa motioned to recommend approval to City council with the findings and conditions of staff.
Commissioner Williams seconded the motion.
Motion passed unanimously.

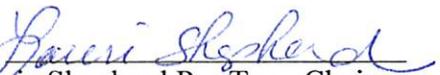
8. DISCUSSION ITEMS

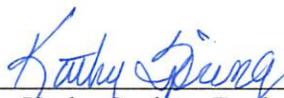
A. Discussion of Planning Commission training.
No discussion held.

Commissioner Williams motioned to adjourn the Planning Commissioner meeting.
Commissioner Papa seconded the motion.
Motion passed unanimously.

Meeting adjourned: 7:00 PM

Washington City

Signed by: 
Laurie Shepherd Pro Tem, Chairman

Attested to: 
Kathy Spring, Zoning Technician