



Community Development Department
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Minutes
WASHINGTON CITY PLANNING COMMISSION
February 4, 2015

Present: Commissioner Smith, Commissioner Shepherd, Commissioner Williams, Commissioner Martinsen, Commissioner Henrie, Councilman Nisson, Drew Ellerman, Lester Dalton, Kathy Spring, Greg Whitehead, Katherine Staheli, Glen Maclellan, Heidi Maclellan, D. Glen Esplin, Helen Esplin, Joan Chipman, Mel Harmon, Ilene Hafen, Steve Hafen, Kelly Blake, Karen Blake, Nicole Kinzie, Kent Abegglen.

Meeting called to order: 5:31 PM
Commissioner Smith excused Commissioner Papa.
Invocation: Commissioner Martinsen
Pledge of Allegiance: Commissioner Smith

1. APPROVAL OF AGENDA

A. Approval of the agenda for February 4, 2015.
Commissioner Shepherd motioned to approve the agenda for February 4, 2015.
Commissioner Williams seconded the motion.
Motion passed unanimously

2. APPROVAL OF MINUTES

A. Approval of the minutes from January 21, 2015.
Commissioner Henrie motioned to approve the minutes from January 21, 2015.
Commissioner Shepherd seconded the motion.
Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. STREET ABANDONMENT

A. Public Hearing for consideration and recommendation to City Council for a 33-foot platted roadway abandonment located at approximately 2600 South Washington Fields Road. Applicants are D. Glen Espliin and Melvyn Harmon.

Background

Mr. Ellerman stated the applicant is requesting approval for the abandonment of platted roads in an undeveloped area, located at approximately 2600 South Washington Fields Road. The applicants are wishing abandon 33 foot wide platted roadways that currently run through farmed fields. The platted roadways would not meet our city standards, not does the city have any need to keep them as recorded/platted roadways. Thus the adjoining property owners are wishing to have the roadways abandoned and turn back into their ownership.

Staff has reviewed the requested proposal, and finds no reason to object to the request, only asking that all future access management requirements will be met on any future development as it relates to these two properties.

Recommendation

Staff recommends that the Planning Commission recommend approval the Street Abandonment as outlined in the exhibit, located at approximately 2600 South Washington Fields Road, to the City Council.

Mr. Ellerman stated he is requesting that any future roads would have to comply with the access management plan.

Commissioner Smith asked if with the vacation does it eliminate access for any one else.

Mr. Ellerman stated no there is adequate access with this vacation.

Commissioner Shepherd asked if there was any monetary exchange when the road was platted.

Commissioner Smith stated it was done along time ago and this is probably on a section line and in his opinion this is just for clean up.

Mr. Ellerman stated when they abandon a road it usually goes back to the property owner. It has to be advertised and this is what is happening with this request.

Commissioner Smith opened the public hearing.

No response.

Commissioner Henrie motioned to close the public hearing.

Commissioner Williams seconded the motion.

Motion passed unanimously.

Commissioner Shepherd motioned to recommend approval to City Council with the recommendation and added condition of staff that the Access Management Plan is complied with in the future.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

5. MINOR SUBDIVISION

- A. Consideration to approve a Minor Subdivision for the Washington City Police Station building located at 135 North 100 East. Applicant: Washington City, Police Chief Jim Keith

Background

Mr. Ellerman stated the applicant is requesting approval for the Washington City Hall Minor Subdivision, located at approximately 135 North 100 East. The applicant is wishing to split the present 4.87 acre parcel into two lots. Lot One (1) of the subdivision will be 0.53 acres and Lot Two (2) will be 4.34 acres in size. The applicant will then develop the Washington City Police Station on the newly created parcel. The only reason for the lot split is due to bonding and loan criteria associated with the new police station.

The proposed minor subdivision is currently zoned Single-Family Residential - 6,000 Sq. Ft. Min. (R-1-6), with R-1-6 zoning to the north, east and west, and Administrative Professional to the south.

Staff has reviewed the requested proposal, and the proposed Washington City Hall Minor Subdivision, conforms to the intent of the General Plan and meets the standards as set forth in the subdivision ordinance of the city.

Recommendation

Staff recommends that the Planning Commission approve the conceptual design of the Washington City Hall Minor Subdivision, based on the following findings and subject to the following conditions:

Findings

1. The minor subdivision conforms to the land use designation as outlined in the General Plan for the proposed area.
2. That the minor subdivision conforms to the Washington City Subdivision Ordinance as outlined.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. That a post maintenance agreement be recorded prior to the recording of the final plat.

5. The access (ingress and egress) to and from the properties shall be reviewed and approved by the Public Works Department before the recording of the plat.
6. 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.
7. A final geotechnical study shall be submitted to the City for review and approval. All recommendations of the geotechnical study shall be adhered to.
8. Construction drawings shall adequately address prevention of nuisance storm water drainage across the lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
9. Any required landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
10. If a traffic study is deemed to be necessary by the Public Works Department, one shall be submitted for review and approval, prior to any site work or any building permits approved and issued.

Commissioner Smith asked if the community garden would be eliminated.

Mr. Ellerman stated the first year it was good but hasn't had much interest since then. He explained the city owns the property next to this and if there was still a desire in the garden it could be in the dirt area.

Commissioner Williams motioned to approve the Washington City Hall Minor Subdivision with the recommendation of staff.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

6. ZONE CHANGE

- A. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-15-01 from R-1-12 (Single Family Residential minimum 12,000 sq foot lots) to C-1 (Community Commercial) located at approximately 2000 South Washington Fields Road. Applicant: Greg Whitehead

Background

Mr. Ellerman stated the applicant is requesting approval to change the zoning of approximately 3.07 acres, located approximately at the Southwest corner of 2000 South and Washington Fields Road. The requested change is from the current zoning of Single-Family Residential - 12,000 square foot min. (R-1-12) to a proposed Community Commercial (C-1) zoning designation.

The General Plan Land Use Designation for this location is Neighborhood Commercial (NCOM), with Low Density Residential (LD) to the north, east, west and south. The surrounding zoning to this parcel is R-1-12 to the west, R-1-10 to the north, east, and south.

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

Recommendation

Staff recommends that the Planning Commission recommend approval of Z-15-01, for the zone change request from Single-Family Residential - 12,000 square feet min. (R-1-12) to Community Commercial (C-1), to the City Council, based on the following findings.

Findings

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

Commissioner Shepherd asked if there are any changes from the last time this was brought to them.

Mr. Ellerman explained the pork chop along 600 East was added to eliminate going through into the subdivision. He explained you can enter and exit but would follow the curvature road to 2000 South

Commissioner Smith asked

Mr. Ellerman stated Washington Fields Road is 80 foot and 2000 South is 66-foot road.

Commissioner Smith asked what the traffic plan for that intersection is.

Mr. Dalton stated there is a signal light designed and the bid is being worked on they are waiting for the materials. It meet warrants just waiting for materials. It will be about 4 to 5 months.

Commissioner Shepherd asked about the mediums.

Mr. Dalton stated it would be right in and right out on Washington Fields Road. There will be additional throoting to deal with the stacking. He stated he has already discussed this with the traffic engineer and they said they could make the changes

Commissioner Shepherd asked if the will need to be exist lane.

Mr. Dalton stated no this meets the criteria.

Commissioner Henrie asked about the intersection and if there will be a crosswalk.

Mr. Dalton answered yes there will be some ADA improvement as well.

Attorney Starkey asked if the developer is responsible for the crosswalk.

Mr. Dalton answered no it is part of installing the light. The developer will have to do some improvement on 600 East and what involves their project.

Commissioner Smith opened the public hearing.

Kelly Blake asked if there are rendering and if the C-1 could be defined. He stated C-1 stated no outside sales and this looks like a gas station.

Commissioner Smith stated this is for a zone change but would prefer to have Mr. Ellerman address the question.

Mr. Ellerman explained the C-1 per the code states Condition use would need to be applied for. Under an automobile service it states that it would be allowed with a condition use permit and so out door sales would be allowed. He reviewed the allow uses and the ones that would need a Conditional Use Permit.

Mr. Blake stated he doesn't agree that a gas station or convenient store should be approved in this area.

Commissioner Smith stated this item tonight is a zone change. He asked Mr. Blake he would like to see in that area.

Mr. Blake answered next to single family neighbor a doctor's office would be more appropriate. He stated he feels that it would not create as much traffic. He stated he doesn't want alcohol being sold that close to his neighborhood. He stated with selling alcohol increases the possibility of someone getting hit in that area.

Commissioner Smith clarified that it is more the gas station than the C-1.

Mr. Blake stated yes.

Glen Maclellan stated he agrees with Mr. Blake that a gas station is not a good idea in this area. He stated this isn't on the master plan. There is a blind corner and speed is a problem. The people that live on 600 have kids. He stated people would use the 600 road. He feels this is dangerous and there are schools coming in and that is where a gas station belongs. He stated changing to C-1 he knows the gas station will come in and he would like to see houses instead. He stated kids play in streets even though they shouldn't in the neighborhood.

Kent Abegglen stated his question is if it benefits an individual with commercial coming in will it devalue his property that is next to the gas station. He asked if he could change the use of his home to commercial. He asked how many of the commissioner would like to have a commercial in there are.

Commissioner Smith explained that originally planned the Washington Fields Road was going to be a main road. He explained that the plan was never meant to be residential. He stated the question should be what is the best use for the property.

Mr. Kent stated he wouldn't like to live on an 80-foot road. This is better use as a residential than commercial. He asked why the commercial on one lot.

Commissioner Smith stated neighborhood commercial is less intrusive. He stated he understands why everyone is talking about the gas station. He stated they could ask for other types of commercial type than a gas station but tonight is for a zone change.

Nicole Kinzie stated that safety, location and property value are issues she wants to address. She stated a gas station is the worse choice to put in that area. She stated in a city there should be consistency in planning. She stated when she bought her home 14 years ago because it was a quite neighborhood. She stated what is better for that area is residential. This change would change the feel of the fields and a gas station is smelly, seedy and noisy. She stated the pork chop wouldn't change the traffic from going past and affect the home on 600 East. She stated the intersection of 2000 South and Washington Fields road is dangerous. This area is not safe, people speed around the corner. She stated that staff even stated prior that it was shorter than what is mandated, there is not a turn lane. This isn't fair to devalue property value in the Nichols Peak area. She stated with a grandfather clause once it is there it doesn't go away. She stated she is strongly against this. She stated she doesn't want a gas station or a doctor's office or any commercial in the field's area.

Harold Studley stated his son is an officer in Santa Clara and his son told him this is a worse idea because the crime will go up. Mr. Studley stated he was told there area was for residential only. He stated he bought the property from Ralph Staheli and was told it would be family neighborhood only. He stated he would rather have houses and not commercial. He stated he would help put in a block fence.

Commissioner Williams stated he knew the bridge would come in his neighborhood and now with the growth there are now two grocery stores coming in that area. He stated the intersection is one of the busiest intersections in that area and it isn't safe. He stated there is more of a smell on the other side of their neighborhood. The property above has come before them to add lots but what is before them tonight is a developer that wants to develop and no one has come before them with a development for homes. The city needs commercial and the commissioners want good growth. The citizens will have increase in property tax if there isn't commercial. He stated he understands the difficulty of growth and the concerns of the citizens.

Mr. Studley stated he wants commercial but not in this area.

Sheerie Reeder asked what is it currently zoned.

Commissioner Smith stated R-1-12.

Ms. Reeder asked why this is different than the other times it has come before them. She stated she knows that growth is going to happen. She stated with big walls she is concerned with the visibility of traffic and the corner is already unsafe. She stated she is concerned with taking away more of Nichols Peak. She stated a law office would be a better fit. She stated she has lived there for 25 years. She stated her dad doesn't own the property any more and would like Mr. Whitehead to look at another area for commercial. The current home on 600 East would be affected. She stated she admires the people that have expressed their feelings.

Mr. Maclellan stated he wants commercial in the right place and C-1 opens up for commercial and he just wants the zone to stay the same.

Joan Chipman stated she has lived here longer than almost any one else and people are going to be affected. She stated this is a very dangerous area since Pine View Estate came in. She is concerned with safety for those driving in the area and those that live in the neighborhood.

Karen Blake stated she resents Commissioner Williams's comments that he has growth in his area and growth happens. She stated a gas station isn't good for this area. She built her home with the idea that there would be homes not commercial.

Commissioner Williams stated his point is that the subdivision was not built out and now there is a proposal and that is what they have to consider. This is on the General Plan as commercial so they have to consider the request.

Ms. Blake stated once it is changed to C-1 it opens options for other things that they don't want for their neighborhood then they have no recourse. She stated it isn't safe with the traffic and for the home on 600.

Mr. Maclellan asked why they couldn't consider a park in that area. He asked if it could be a nice open space area.

Kent Abegglen stated if walking from the southwest to across the road you will get hit because you can't see cars coming around the corner, a turn lane and light might help. He stated speed would have to be reduced because people go 50 mph. He asked just because a lot didn't sell it is turned into commercial.

Commissioner Williams stated that isn't what he said, he stated what is being brought tonight is an idea for them to consider. Previously there was a picture of a potential plan but not for approval.

Greg Whitehead stated he is the applicant. He stated regardless of the outcome of the zone change there is a traffic concern. He stated the property is currently for sale. What they are presenting tonight is an idea and nothing concrete.

Mr. Whitehead stated there are two changes from the previous proposals; one being deterring traffic going into the neighborhood street by adding the pork chop and the other was a traffic study was done for Washington Fields and 2000 South at capacity level. He stated he has friends that live in the area and have called that they wanted something convenient in the area and are in favor of this becoming a C-1. He stated he appreciates Ms. Reeder's comments about a developer that would listen to them. He stated he drove around and looked at different areas that back residential an example is Green Valley and Bloomington Fields. He spoke with the residence and they expressed that it didn't have any negative affect on them and as far a smells or making them feel unsafe and has been a convenience for them.

Nicole Kinzie sated she wants to clarify that Commissioner Williams stated no one has come with another plan and why didn't they (the neighbors) come in with a better plan. She stated they aren't contractors or developers and that is why they haven't purchased the land. She stated she wants to emphasis safety without a turn in and out and that staff stated it does fall short and that 600 East is residential with a home. She stated if it is a challenge game on, give her a year and she will find a contractor to build homes.

Glen Maclellan stated Mr. Whitehead has not come into the neighborhood to talk to them. He stated the only time he spoke with anyone is when they put up a sign and a gas station was mentioned.

Tyler Hoskins stated he did the traffic study for this location for data. He stated in the study the calculation were based on a market with a war wash and gas station and about 26,000 square feet of shopping center; which is about the size of a strip mall. The peak hours were for PM peak hour from 5 to 6 o'clock would generate about 148 trips, 74 cars that would come in and 74 cars that would go out. The total of weekday traffic load is 1666 a day for this site. More or less coming down Washington Fields Road. Most of the traffic will come off of that road and a deceleration lane starting at 2000 South. He stated they would be working on the southern access. He stated he has met with Lester and it needs to be 50 feet backing for stacking. The depth is about 25 to 30 feet. He stated one of the other things is the pedestrian traffic will be a part of the signal light and will reduce the speed in that area because of the signal light. The light will help the safety issues at the intersection. He also stated that on 600 East, it isn't a good way to get to this area.

Commissioner Shepherd asked about the data for coming out of the development. She asked what would be other possibility to exist the property turning left. She stated she would use the upper exist. She asked about the amount of cars coming out of the south exit.

Mr. Hoskins stated during peak hours there might be 18 to 20 cars in one hour. He stated the study shows 37 cars turning left leaving to the south and 4 turning right. He stated the study showed that this would operate okay with a grade service A and one dropping to a service B. He stated the other recommendation is a raised medium to Washington Fields Road and the pork chop to go out and through the subdivision this forces them to turn right.

Commissioner Shepherd asked with the pork chop how does it help.

Mr. Hoskins stated it would defer traffic going through the neighborhood street. He stated they couldn't go straight they have to turn right.

Commissioner Smith asked what the distance is from 2000 South to the entry on 600 East.

Mr. Hoskins answered 185 feet and 275 feet is what is required per the standard. Moving it another 90 feet is still in the raised medium area. He stated the reason they put it in the location is for circulation onto 600 East and to keep traffic out of the subdivision. He stated he has been working with the city on this.

Commissioner Shepherd asked if they are restricted to one or two accesses off of Washington Fields Road.

Mr. Hoskins stated according to the access management plan they can't have any access 660 feet between full movement accesses.

Mr. Dalton stated he thought that the clarification was a major arterial to require a 660 but that doesn't happen until Lost Ridge Drive so their access meets the requirement.

Commissioner Shepherd asked if they need two accesses off of Washington Fields Road.

Mr. Dalton stated he would strongly suggest it because of the lack of access would compound the issue coming off of 600 East.

Commissioner Shepherd asked Mr. Dalton how he feels about the access on the south side and the curve.

Mr. Dalton stated the site distance is there and meets requirements. He stated the speeding is an issue.

Mr. Hoskins stated he worked on the Freddy's in St George and there were a lot of public comments and now people are happy it is there. He stated he lives by a gas station and is happy that it is there.

Mr. Starkey asked what the posted speed limit is.

Mr. Dalton stated 40 mph.

Sheerie Reeder stated she would invite people to come on a walk with her and see how dangerous it is. She stated the difference in Freddy's and this is Freddy's has sidewalks. She stated people would go into Silver Falls to turn back onto Washington Fields Road.

Commissioner Henrie motioned to close the public hearing.

Commissioner Shepherd seconded the motion.

Motion passed unanimously.

Commissioner Henrie asked Mr. Ellerman what is the date of the existing General Plan.

Mr. Ellerman stated the general plan was about 2004 or 2005 and it was designated commercial. It was brought up to expansion about two and half years ago to include the north portion but this piece was already designated commercial.

Commissioner Smith stated the general plan was done about 10 years ago and about two to three years ago they did some of the commercial changes to the general plan but this didn't expand. He stated he has always joked that he would like a convenience store to have a coke and check the roast on Sunday. He stated tonight is a zone change not a gas station approval and is very aware of the safety and blindness of that road but this isn't as unsafe as people think on the south access. He stated he has stood there and observed the traffic. He stated speeding is an issue. This is a small difficult area for commercial and there was a traffic study done. He stated with his profession he reviews traffic studies and grade A or B is great but viewing it as a citizen it looks different. He stated he understands the concerns of the citizens.

Commissioner Shepherd stated she was looking for a change from the previous proposal. She stated the prior proposal was with a right in right out which is the same as the medium. She stated her concerns are the same with access. She stated at the open house she asked people about this area and people expressed there is a safety problem in this area. She stated she is reluctant to turn left so she would use the exit off of 600 East and others would do that also and that is a concern for her.

Commissioner Williams stated previously the light was a consideration and now it is in the process. He stated 600 East is a concern voiced in prior meetings and still is. He stated the adjacent upper lot is going residential and is glad to have that, and that this piece of property is difficult. He stated he would rather have had the subdivision finished out. He stated tonight they are looking at a zone change and not a gas station even though that is implied.

Commissioner Martinsen stated he would also take 600 East out and is also concerned with safety.

Commissioner Shepherd stated with changing the zone to C-1 the city is bound by that zone. She stated she likes neighborhood commercial but is concern with it here. She stated there seems to be a disconnect with C-1 in a neighborhood and what is the best fit.

Commissioner Smith stated C-1 is for small commercial and they are looking at access that will push the limits. He stated there are some commercial that could go in there with the conditional use permit.

Commissioner Shepherd asked if they could condition hours of operation and lighting.

Mr. Ellerman stated yes with the conditional use permit application but couldn't go over board with required conditions. He reviewed the General Plan and the land use plan designation purpose for neighborhood commercial NCOM is "Small commercial businesses catering

primarily to users from their surrounding areas: buildings should be small-scale to relate to surrounding residences. Uses include convenience stores, gas stations, restaurant, professional offices and video rentals. Neighborhood Commercial is often located at the intersections of neighborhood and arterial streets to take advantage of higher traffic volumes. A mix of uses is encouraged, in the form of residences over shops or businesses."

Commissioner Shepherd asked about the conditional use permit and the requirement for lightening and hours of operation.

Mr. Ellerman stated they would look at the types of lightening. He stated lightening now days are very high technical and is required to be turned inward and toned down. The hours of operations can be addressed but limiting it has to be within reason. He stated to deny a condition use permit it has to be very specific why it was denied.

Commissioner Shepherd stated she wants to address issue tonight for a potential conditional use permit to make sure she can make a decision tonight for a zone change.

Mr. Ellerman stated conditional use permits have conditions but city's need to be careful how many and what the conditions are going to be.

Commissioner Smith asked if there is more latitude with neighborhood commercial. He stated with a conditional use permit there is room for conditions.

Mr. Ellerman stated if it went to court the conditions would be a consideration. He stated he has visited area in Canada and the small commercial is common and works very well.

Attorney Starkey stated hours of operation are to be handled carefully.

Commissioner Smith asked what the size of this project is.

Mr. Ellerman stated 3.7 acres.

Commissioner Henrie stated he lives in the area and the comment he hears is they wish they could go get a loaf of bread without driving all the way to Walmart or Albertsons and Washington City needs sales tax from commercial. He stated he isn't against the people that live in the area but there is a bigger picture.

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

Commissioner Henrie seconded the motion

Commissioner Martinsen Nay

Commissioner Henrie Aye

Commissioner Shepherd Nay

Commissioner Williams Aye

Commissioner Smith Aye

Vote 3-2

Commissioner Smith called for a 5 minute recess.
Commissioner Smith called the meeting to order.

7. DISCUSSION ITEMS

A. Discussion of the Planning Commission Open House held January 29, 2015.

Mr. Ellerman explained and showed the map with the dots placed by the citizens to show areas that they want or don't want commercial.

Commissioner Henrie motioned to adjourn the Planning Commissioner meeting.
Commissioner Matinsen seconded the motion.
Motion passed unanimously.

Meeting adjourned: 8:17 PM

Washington City

Signed by:


Jason Smith, Chairman

Attested to:


Kathy Spring, Zoning Technician