



Community Development Department
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AGENDA
WASHINGTON CITY PLANNING COMMISSION
March 4, 2015

Present: Commissioner Smith, Commissioner Shepherd, Commissioner Williams, Commissioner Henrie, Commissioner Papa, Attorney Jeff Starkey, Councilman Nisson, Drew Ellerman, Lester Dalton, Kathy Spring, Tyler Hoskins, Tonie Searie, Brock Andrus, Larry Hancock, Todd Fuson.

Meeting Called to Order: 5:35 PM. Commissioner Smith excused Commissioner Martinsen.

Invocation: Commissioner Henrie

Pledge of Allegiance: Commissioner Smith

1. APPROVAL OF AGENDA

A. Approval of the agenda for March 4, 2015.

Commissioner Henrie motioned to approve the agenda for March 4, 2015.

Commissioner Shepherd seconded the motion.

Motion passed unanimously.

2. APPROVAL OF MINUTES

A. Approval of the minutes from February 18, 2015.

Commissioner Williams motioned to approve the minutes from February 18, 2015.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

Commissioner Smith abstains from item 5-A due to his firm did the work on the project.

4. CONDITIONAL USE PERMIT

A. Consider approval of a Conditional Use Permit C-15-03 for a Communication Tower located at approximately 1900 N 500 East. Applicant is InSite Towers LLC, Debbie DePomei.

Background

Drew Ellerman stated the applicant is requesting approval of a Conditional Use Permit to install a 100 foot monopole wireless communications tower and associated facility building located at approximately 1900 North 500 East. The site will house communication service boxes along with the 100 foot high monopole in a fenced area of approximately 60 foot by 60 foot. The new yard will be fully closed in by a 6 foot high chain link fence topped with security barbed wire.

This location is being designed for future needs in mind with room for growth to the tower and site.

This request is actually the third time the applicant has applied for this C.U.P.. Back in October of 2011, a conditional use permit was granted by the planning commission. The applicant never did the onsite work, and thus, due to the time lapse, the use permit expired. Then back in September of 2013, another conditional use permit was granted by the planning commission, with an extension (of six months) granted as well by staff in September of 2014. The issues this time were working out all approvals with SITLA (owners of the land), which delayed the project several months. Once again, the project approval expired. They are ready to go again, having worked the issues with SITLA, and seeking approval for the project.

The parcel is currently zoned Open Space (OS), this kind of use is permitted in this zoning district through the conditional use permit process. The location is already home to a city water tank and another communication facility. This particular area is somewhat remote and a good fit for the benefit it will bring in better cell service for the area as a whole. Staff, once again, has no concerns with this proposal.

Recommendation

Staff recommends that the Planning Commission approve C-15-03, allowing for a cell tower facility to be located at approximately 1900 North 500 East, based on the following findings and subject to the following conditions:

Findings

1. The proposed use, at the particular location, is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood and community; and
2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of the persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and
3. The proposed use will comply with the regulations and conditions specified in this title and associating state and federal titles, for such use; and
4. The proposed use will conform to the intent of the general plan.

Conditions

1. Any site improvements shall meet the requirements of City and State adopted codes.

2. A building permit, with associated construction plans, will be obtained through the Building Department before any construction work.
3. The necessary utilities will be installed and/or upgraded at the site before the tower can be moved into place.
4. All out buildings and poles (current and future), must be painted with the standard color(s) as approved by the Public Works Department.

Commissioner Smith opened the public hearing.

Todd Fuson stated he represents the applicant and they are ready for construction and hope to break ground in July.

Commissioner Henrie motioned to close the public hearing.
Commissioner Williams seconded the motion.
Motion passed unanimously.

Commissioner Williams motioned to approve the Conditional Use Permit with the findings and conditions of staff.

Commissioner Shepherd seconded the motion.

Motion passed unanimously.

5. FINAL PLAT

- A. Consideration and recommendation to City Council for the Roadrunner Ridge Phase 1 final plat located at approximately 3500 South Camino Real. Applicant is Garret Bangerter

Background

Drew Ellerman stated the applicant is requesting approval of a final plat for the Roadrunner Ridge, Phase 1 subdivision, located at approximately 3500 South Camino Real. This particular subdivision is proposing 11 lots on an area covering 3.46 acres. The specific location of this subdivision is zoned Residential / Agricultural - One acre min. (RA-1), and utilizing the Bonus Density Program. The Preliminary Plat was approved back on October 9, 2013.

Staff has reviewed the requested proposal, and the proposed final plat, conforms to the approved preliminary plat.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Final plat for the Roadrunner Ridge, Phase 1 subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

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. When applicable, in the General Notes, where the terms “Home Owners Association”, or “Property Owners” are used, they shall be changed to read as “Property Owners and/or Home Owners Association”.
5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.
6. Note 1 of the General Notes shall include the “Open Space” along Camino Real, and be labeled to be a “blanket PUE and Drainage Easement” over said “Open Space”, before the recording of the final plat.
7. Note 4 of the General Notes shall be removed before the recording of the final plat. It is an unnecessary statement for this subdivision plat.
8. Road labeled “Washington Fields Road”, shall be changed to “Camino Real” before the recording of the final plat.
9. The “Open Space” along Camino Real needs to be labeled as “Detention Area” as well.
10. The street name “Roadrunner Drive” needs to be added to the plat between lots 1 -11 before the recording of the final plat.

Commissioner Williams asked for clarification of what the additional conditions are and if they need to put them in the motion.

Mr. Ellerman stated 6 through 10 and no there is no need to add them in the motion.

Commissioner Shepherd asked for clarification of condition 9.

Mr. Ellerman stated the note is just to be called out per public works outside the usual PUE.

Commissioner Shepherd stated it is referenced as PUE and open space.

Mr. Ellerman stated that is correct.

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

Commissioner Henrie seconded the motion.

Motion passed unanimously.

6 PLAT VACATION

- A. Public Hearing for consideration and recommendation to City Council a Plat Vacation for Kennsington Subdivision Parcel 2 located at approximately 3930 South 400 East. Applicant: Steve Kemp

Mr. Ellerman stated due to some things that have come to his attention since the report was sent out he is requesting this to be tabled to April 1st 2015. He stated the easements needs to be worked out.

Commissioner Smith asked the applicant if they are okay with the tabling.

Tyler Hoskins stated they are okay with tabling until April 1, 2015.

Commissioner Shepherd motioned to table the item and public hearing to April 1, 2015.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

7. ZONE CHANGE

- A. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-15-02 from A-20 (Agriculture) to R-3 (Multiple Family Residential and C-1 (Community Commercial) located at approximately 3800 South Washington Fields Road. Applicant is Dan Hoopes

Background

Drew Ellerman stated the applicant is requesting approval to change the zoning of approximately 16.55 acres, located approximately at 3800 South Washington Fields Road. The requested change is from the current zoning of Agricultural - 20 acre min. (A-20) to a proposed Multiple-Family Residential (R-3) and Community Commercial (C-1) zoning designations. The (R-3) portion of the request is for an area covering 12.08 acres and borders the east boundary of the Steeplechase development, and the (C-1) portion of the request is for 4.47 acres along the Washington Fields Road frontage.

The General Plan Land Use Designation for this location is Medium High Residential Density (MHD) and Neighborhood Commercial (NCOM) along the Washington Fields Road frontage. The surrounding zoning to this parcel is R-1-6 to the west, and A-20 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-15-02, for the zone change request from Agricultural - 20 acre min. (A-20) to Multiple-Family Residential (R-3) and 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 Smith asked if the school property is below this property.

Mr. Ellerman stated the school property is just below this property.

Commissioner Shepherd asked why they are making the request for two zones at the same time.

Mr. Ellerman stated there can be dual zones on a parcel.

Tyler Hoskins stated he represent the applicant. He stated there are two accesses onto Washington Fields Road and the reason for the dual zoning is to provide for double access. He stated he doesn't know what the commercial is going to be they want to comply with the General Plan.

Commissioner Williams asked where 4200 South is from this property.

Mr. Ellerman stated it is connected to Treasure Valley and will continue to this property.

Commissioner Papa asked how this zone change would be an advantage to Washington City.

Mr. Hoskins stated recently the Planning Commission approved a commercial area then City Council denied it but the conversation was there needs to be commercial. This seems to be a logical plan for commercial.

Commissioner Papa stated some people just do it for money but the city needs to look at the benefit to Washington City.

Commissioner Smith opened the public hearing.

No response.

Commissioner Henrie motioned to close the public hearing.

Commissioner Shepherd seconded the motion.

Motion passed unanimously.

Commissioner Shepherd stated she likes this compared to the request on the corner of 2000 South.

Commissioner Henrie asked if the east side on Washington Fields Road has come before the city.

Mr. Ellerman stated that is the Andrus property and there has not been anything brought to the city for a zone change.

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

Commissioner

Motion passed unanimously.

8. PRELIMINARY PLAT

- A. Public Hearing for consideration and recommendation to City Council for the Vincent Lane Preliminary Plat located at approximately 500 West Vincent Lane. Applicant is Chris Madsen.

Background

Drew Ellerman stated the applicant is requesting approval of a Preliminary plat for the Vincent Lane Townhomes subdivision, located at approximately 500 West Vincent Lane. The applicant is wishing to develop 9 units on an area covering 0.61 acres. The location of this particular project is zoned

Multiple- Family Residential (R-3). The surrounding zoning is R-3 to the north, east and west, and C-2 along with Downtown Mixed Use to the south.

Recently, the Planning Commission approved a Conditional Use Permit for the project to go forward in seeking this Preliminary Plat application. The proposed subdivision conforms to the subdivision requirements and 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 Vincent Lane Townhomes 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 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. Post Construction Maintenance Agreement will need to be recorded prior to Final Plat recordation.

12. Rock Fall Hazard assessment recommendation from Geotechnical report shall be completed prior to final plat approval.

Mr. Ellerman stated he would request that note 12 be removed it doesn't apply to this project.

Commissioner Williams stated he appreciates the applicant for removing one of the units.

Mr. Ellerman asked Brandee Walker to work with the solid waste to make sure they can get to the dumpster.

Commissioner Papa asked about the fire hydrant in the back of the property.

Ms. Walker stated it would be removed and relocated per the Fire Marshall.

Commissioner Smith opened the public hearing.

Commissioner Henrie stated he would also like to commend Mr. Madsen for the change he made to eliminate one of the units and to work with the concerns that were expressed.

Commissioner Papa motioned to close the public hearing.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

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

Commissioner Shepherd seconded the motion.

Motion passed unanimously.

9. DISCUSSION ITEMS

A. Discussion of project status and general information.

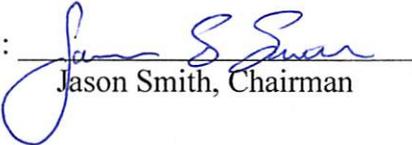
Mr. Ellerman asked if anyone wanted to attend the conference on April 1st though the 3rd.

Commissioner Smith stated he would like to attend. Mr. Ellerman stated this is good training for the Commissioners and would encourage them to attend. He stated he has one of the courses on Administrative Law Judge verse Board of Adjustment. He stated that the commissioners were given a handbook and there is a form to sign.

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

Meeting adjourned: 6:26 PM

Washington City

Signed by: 
Jason Smith, Chairman

Attested to: 
Kathy Spring, Zoning Technician