



Community Development Department
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Minutes
WASHINGTON CITY PLANNING COMMISSION
May 20, 2015

Present: Commissioner Smith, Commissioner Shepherd, Commissioner Henrie, Commission Papa, Commissioner Martinsen, Attorney Jeff Starkey, Councilman Nisson, Drew Ellerman, Lester Dalton, Aaron Langston, Jair Almaraz, Kirk Sharp, Jared Madsen, Stephen Simister, Dan Hoopes, LeAnne Hoopes, Karl Larson, Richard Farnsworth, Jacob Hardy, Chris Hardy, Katherine Staheli, Jim Raines, Kendall Turner, Michael Fannesbeck, Bruce Fannesbeck, Norma Lacy, James Lacy, Leslie Hendrickson, Tyson Oldroyd.

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

Commissioner Smith excuses Commissioner Williams and Commissioner Shepherd will come late due to High School Graduation.

Invocation: Commissioner Martinsen

Pledge of Allegiance: Commissioner Papa

1. APPROVAL OF AGENDA

A. Approval of the agenda for May 20, 2015.

Commissioner Papa motioned to approve the agenda for May 20, 2015.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

2. APPROVAL OF MINUTES

A. Approval of the minutes from May 6, 2015.

Commissioner Papa motioned to approve the minutes from May 6, 2015.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. CONDITIONAL USE PERMIT

A. Public Hearing to Consider approval of a Conditional Use Permit C-15-05 for a new Entrance and Storage Office Facility at the Bella Vista Storage Units located at approximately 850 East Telegraph. Applicant: Kendall Turner

Background

Mr. Ellerman stated the applicant is requesting approval of a Conditional Use Permit to build a new street entrance and additional storage office facility. The location of the proposed new entrance and office building is at approximately 850 East Telegraph. This location is the Bella Vista Storage Units development with storage lockers and open vehicle storage as well. This new entrance and office building are located more toward the center of the development which will add convenience to the customers and also improve the entering and exiting the business. The new office will be designed in such a way that it can also be used as an on-site residence for employee(s).

The parcel is currently zoned Service Commercial (C-2) and is located on Telegraph, thus requiring any development to be run the Conditional Use Permit process.

Recommendation

Staff recommends that the Planning Commission approve C-15-05, allowing for a new site entrance and new office facility (with living quarters for on-site employee), to be located at approximately 850 East Telegraph, 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 lighting fixtures for the parking lot and associated landscaping will be such that the light is directed downward and not wash over to adjoining residential properties.
4. Garbage receptacles will be housed by walls designed to match the exterior of the building.
5. Landscaping improvements associated with the new developed area will be approved by the Community Development Department before it is installed.

Mr. Ellerman added condition #6 that the west access be used as emergency access. That it is gated and locked per Lester in public works.

Commissioner Smith asked Mr. Turner if he was aware of the additional condition and the existing office would still be used.

Kendall Turner answered that the gate would be for an emergency situation. He stated the far east access is gated and rocks are in the drive. He stated the difference is 500 feet from the old access too the new one.

Commissioner Henrie asked what Mr. Turners plan is for the new building?

Mr. Turner stated that the main office would be the new proposed office. It is about 20 X 20.

Commissioner Henrie asked about the use of the old building.

Mr. Turner stated possibly renting it out or use it as part of their existing business.

Commissioner Smith asked Lester Dalton from public works if it is the access management plan that is the concern.

Mr. Dalton stated yes it is and if a turn lane is going to be required depending on traffic trip count. The use will justify what they will require. Once an access is there it is hard to get rid of it.

Commissioner Smith asked if there is an issue with the established access.

Mr. Dalton stated there is already an established access and there is going to be another.

Commissioner Smith asked what the minimum distance is.

Mr. Dalton answered the distance is 650 feet. He stated there is room for another access. He stated he doesn't have adequate information as to what the use will be to justify the second access. He stated moving to another is not a problem.

Commissioner Papa asked what Mr. Dalton meant by the access needs to go away.

Mr. Dalton stated the old access is not used as a main access.

Commissioner Papa asked for clarification of the gated access and is it locked all the time.

Mr. Turner answered that it is gated and rocks are across the access.

Commissioner Papa asked Mr. Dalton if the east end entrance could be an emergency access.

Mr. Dalton stated the new proposal is in the middle. He stated there is already two accesses and this would be a third access.

Commissioner Papa asked if there could be more rocks to eliminate the accesses that would not be in use.

Commissioner Smith stated Mr. Turner wants the access to use the existing but they don't know what the existing building would be used for. That is his concern.

Mr. Dalton stated he doesn't know that it would be a problem but he doesn't know what the use of the existing building would be.

Commissioner Henrie asked if Mr. Turner could come back to them when he determines the use of the old building.

Mr. Dalton stated that would work for him.

Commissioner Papa asked if it is for the office location and the storage units are to the south.

Mr. Turner answered yes then the RV storage.

Commissioner Papa asked if there is only one way to the storage area.

Mr. Turner answered yes.

Commissioner Smith asked Mr. Turner if he would come back to them when he knows what the use for the old building would be.

Mr. Turner answered he would come back.

Commissioner Smith asked about the color of the building.

Mr. Turner answered it would be rock and stucco and would be brown color.

Commissioner Papa asked about signage for the entrance.

Mr. Turner stated he would tear the existing sign down and put it at the new entrance.

Commissioner Smith opened the public hearing.

No response.

Commissioner Papa motioned to close the public hearing.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

Mr. Ellerman asked Mr. Turner if he was okay with the additional condition.

Mr. Turner indicated he was okay with the additional condition.

Commissioner Papa motioned to approve the Conditional Use Permit with the findings and conditions of staff with added condition #6 that the west current entrance be close for everything except for emergency access until Public Works approves as another access. Commissioner Henrie seconded the motion. Motion passed unanimously.

- B. Public Hearing to Consider approval of a Conditional Use Permit C-15-06 for 48 Unit Independent Senior Living Development located at approximately 3800 South Washington Fields Road. Applicant: Dan Hoopes

Background

Mr. Ellerman stated the applicant is requesting approval of a Conditional Use Permit to build a townhome project for senior living quarters known as the Bedford Senior Resort, located at approximately 3800 South Washington Fields Road. The site is proposing 48 dwelling units (in the form of twelve four-plex buildings).

The parcel is currently zoned Multiple Family Residential (R-3), this kind of use is permitted in this zoning district through the conditional use permit process. The General Plan Land Use Designation at this location is Medium High Density Residential (MHD) which carries a 7-12 dwelling unit per acre density limit. This proposed townhome project located on a parcel which is 12.08 acres in size and is proposing 48 dwelling units which is a 4 d.u./ac. density ratio.

Staff has reviewed the proposed project and finds that it meets the standards as outlined in the General Plan and Zoning Ordinance.

Recommendation

Staff recommends that the Planning Commission approve C-15-06, allowing for a multi-family townhome project to be built and located at approximately 3800 South Washington Fields Road, 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. Subdivision plat(s) will have to be applied for and approved if any of the units are to be sold individually at a future date.
3. Building permits, with associated construction plans, will be obtained through the Public Works Department and Building Department before any construction work.
4. Any other conditions the Planning Commission wishes to impose at this time.

Commissioner Henrie asked for clarification if they sell.

Mr. Ellerman stated they would have to come back to subdivision. These are more like apartments.

Tyler Hoskins stated there are 13 buildings for a total of 52 units and this is for senior living.

Commissioner Papa asked if he knows of other businesses in the area.

Dan Hoopes stated there is one in St George and they modeled theirs after ones in California and Arizona. This is like assisted living but a level below that.

Commissioner Smith asked about the size of the units.

Mr. Hoopes answered 800 sq feet with a garage.

Commissioner Papa asked if there is a second level.

Mr. Hoopes answered no.

Commissioner Smith opened the public hearing.

Katherine Staheli asked about the location in relation to the farm.

Commissioner Smith stated south of her property.

Ms. Staheli asked if this going to be rented out and is strictly for seniors and not to a lot of teenagers.

Commissioner Smith answered it is catering to 55 and older.

Commissioner Henrie motioned to close the public hearing.

Commissioner Papa seconded the motion.

Motion passed unanimously.

Commissioner Henrie asked if it is approved for 55 and older.

Mr. Ellerman stated he doesn't have the legal right to say just 55 and older. Federal laws don't allow them to do that. The applicant is just letting people know that is what there intent is.

Commissioner Henrie motioned to approve the Condition Use Permit with the findings and conditions of staff.

Commissioner Shepherd seconded the motion.

Motion passed unanimously.

5. ZONE CHANGE

- A. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-15-05 to change from RA-1 Residential Agriculture 1 acres) to R-1-15 (Single Family Residential 15,000 sq ft lots) located at approximately Majestic Drive and Washington Fields Road. Applicant: Darwin Russon

Background

Mr. Ellerman stated the applicant is requesting approval to change the zoning of approximately 2.66 acres, located the northeast corner of Washington Fields Road and Majestic Drive. The requested change is from the current zoning of Residential/Agricultural - 1 acre min. (RA-1) to a proposed Single-Family Residential - 15,000 Sq. Ft. Min. (R-1-15) zoning designation.

The General Plan Land Use Designation for this location is Low Density Residential (LD). The surrounding zoning to this parcel is RA-1 to the north and east, A-20 to the south, and RA-2 to west.

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-15-05, for the zone change request from Residential/Agricultural - 1 acre min. (RA-1) to Single-Family Residential - 15,000 Sq. Ft. Min. (R-1-15), 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 Papa stated this would give a buffer for the school property.

Commissioner Smith opened the public hearing.

No response.

Commissioner Hernie 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 recommendation and findings of staff.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

- B. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-15-06 to amend current PCD (Planned Community Development) adding proposed Residential Rental, Short Term use located at approximately 1860 East 925 North. Applicant: Ivory Southern, LLC

Background

Mr. Ellerman stated the applicant is requesting approval to Amend portions of the Sienna Hills PCD project, as found in the Site Plan Map, PCD Project Plan and, if necessary, the Development Agreement.

More specifically:

- An amendment to the text of the PCD Project Plan, proposing that Section 3.3.1(B) be changed to allow for short term/nightly rentals.
- The text amendment will also require an update to the Sienna Hills PCD "Site Plan Map". Parcel 3 will be highlighted with a new legend color to reflect the change in the Project Plan booklet.
- SITLA is also wishing to update the drainage map at this time, reflecting changes that have had to be made with future proposed development in commercial areas that will affect the residential areas to the south as drainage makes it way through the entire development.

[SEE ATTACHED TEXT AND MAPS]

Staff has reviewed the proposed amendments to the Sienna Hills PCD. Staff is supportive with all of the proposed amendments as outlines.

Recommendation

Staff recommends that the Planning Commission recommend approval of Z-15-06, for the zone change request, Amending the Sienna Hills PCD and associated documents, to the City Council, based on the following findings:

Findings

1. That the requested zoning amendment conforms to the intent of the land use designation of the General Plan.
2. That the requested zoning amendment will be compatible with surrounding developments.
3. That no other changes (only those as outlined above) are implied to the remaining Sienna Hills PCD.

Commissioner Smith stated there was a letter from citizens regarding this request.

Jeff Starkey asked Mr. Ellerman where most of the signees from the letter are from.

Mr. Ellerman stated the two developments that the letter is signed by are from Copperleaf and the Garden Homes subdivision.

Commissioner Henrie asked about the Sienna Hills Parkway.

Mr. Ellerman stated he would rather have the SITLA representative answer that question.

Aaron Langston stated Sienna Hills was a project that they took on a long time ago and have waited to see what development will come in. He stated the wish is for more commercial. They have had a lot of interest in commercial and received an offer for parcel 10 but at this time he will be careful to not divulge too much information. He stated parcel 3 in Sienna Hills is unique and they control the zoning and the city approved it. When they put this under contract the developer asked if they could do nightly rentals and since the city amended the city code to allow for this zone it was a consideration. They had a meeting for all in the Sienna Hills and only one showed up. He stated this is a good use of the project.

Commissioner Shepherd asked if there has been any discussion about the school and this location.

Mr. Langston stated no but one of the concerns they looked at is what the traffic impact would be with the school should the nightly rentals come in.

Commissioner Smith stated his concern is when people come on vacation is there a requirement for some to over use a pool and the one that lives there wouldn't be able to use it.

Mr. Langston stated Sienna Hills doesn't have a pool and SITLA does monitor what goes on in Sienna Hills and they have what is called an ancillary HOA. Ivory Homes would build amenities especially for this project.

Commissioner Papa asked what the build out time is for this project.

Mr. Langston stated the south end is built out, about 20 lots.

Commissioner Smith asked the width of Grapevine crossing.

Mr. Langston stated about 25 feet it is a neighborhood collector road.

Jair Alvaraz stated he represents this area from Ivory Homes. He stated there has been a lot of time spent on this request for short-term rental. He stated this would compliment the commercial that would come in and doesn't go through any other subdivisions. This is like the casitas at Hidden Valley with a townhomes with two car garages with CC&Rs with private HOA that will monitor the activities. There is a taking away of the rights to rent them out if there is a problem. He stated they want to be good neighbors.

Commissioner Smith asked if Ivory Homes would maintain the HOA.

Mr. Alvaraz stated until the last unit they would maintain the HOA. Some of the people will own and live there but there will be others that will do the rental and there will be a property manager.

Commissioner Smith asked if there would be one property manager.

MR. Alvaraz stated they could choose from 1 of the 4.

Commissioner Henrie asked if there would be an on site property manager.

Mr. Alvaraz stated there would be an onsite manager.

Commissioner Henrie stated that the letter has stated some concerns and one is that there wouldn't be onsite property manager.

Mr. Alvaraz stated he would provide one manager that would be over the whole subdivision and they would contact the responsible parties.

Commissioner Papa stated that is written in the contract.

Mr. Alvaraz stated that is correct.

Commissioner Smith asked what the density is for this project.

Mr. Alvaraz answered about 8 du per acre. There are about 144 townhomes. He stated it would have it's own amenities.

Commissioner Henrie asked if he had seen a copy of the letter.

Commissioner Smith opened the public hearing.

Mr. Alvaraz stated he feels the city was wise to come up with a way to do the short-term rental.

Leslie Hendrickson stated she is responsible for the letter and she lives in Copperleaf and she went to the Garden Homes to get their signatures. She stated her concern is having people coming and going constantly and a property manager isn't enough. She stated they have long-term rental in Copperleaf and you can tell the difference in the ones that live there full time and the rentals. They do have an HOA. She stated she didn't have any problem getting signature. She stated there are a lot of people that do rent their homes and some are second homes.

James Lacy stated people did come at 9:00 the night before the actual meeting. He stated his is one of the original homes in his subdivision and feels he was misrepresented when he bought his property as single family residential. He stated he was an officer and knows what short term rental can do. He is concerned about traffic and the school is close to this subdivision. He stated he is concerned with how many people would come in. He stated there is a flier put out that this is a done deal.

Bruce Foncesbeck stated the builder stated when this first came in it was casitas and now it is townhomes. He stated his complaint is now he sees rooftops. He stated the traffic is a concern and now this is a real estate scam. He stated this is a second home for him. When they move here he is not sure he wants to live there with all the traffic. He stated he has rented these with scout troops and with high school teams and he knows how these are treated. He stated the kids would raise hell and the noise was an issue. He stated the city needs to be careful because these types of rentals become zoos. He stated his remembrance of Washington City was like Laverkin with not so many codes. He stated in regards to the HOA that a property management needs to be 24 7 and there needs to be security on site with 144 units. He stated parking will be an issue and he is concerned with people using the garage for storage and the quality of the subdivision goes down the toilet because people will park all over the streets. He stated the parks will have a lot activity and the residents that live there will be upset. He stated as someone that pays HOA fee he would like for the developer to provide for security.

Jim Rianes stated they developed the subdivision and Ivory bought this from Brennon Holdings. He stated the units are individually owned and the interest in rental has been in demand in the State of Utah. He stated that Ivory Homes when they bought this asked if this was a potential use. He spoke with the city and was told they were working on an ordinance for short-term rentals. He stated he lives in an area where there is a large home that rents out their home and is not a problem. He stated how many per bedroom is already regulated by state regulations and fire code. This is not a commercial enterprise it is individually owned and renting is happening all over Washington County. He stated the reason they didn't do it when they came in was because the city didn't have a code for it but now there is a code. Ivory Homes wrote their CC&Rs with this use in mind. He stated Ivory Homes wants to do this the right way and manage it the right way instead of like most rentals that just do it anyway. It was approved as a 144 townhomes subdivision and it is the same as it was approved as.

Mr. Alvaraz stated he stated the landscape area affect them as well and it would be managed very well. He stated as he has read the concerns the HOA would take care of the majority of the concerns. He stated he doesn't know who would own the homes and who would stay in them due to these

being second homes. The individuals would be responsible for relaying the rules. He stated people do take care of second homes.

Commissioner Shepherd asked if they have someone that would enforce the rules.

Mr. Alavaraz stated he could for example require no more than 10 people at a time per the fire code.

Mr. Ellerman stated there are two ways to deal with occupancy one is if it is sprinkled then occupancy could be more than 10 people.

Commissioner Papa asked if there is marketing being done at this time for vacation rentals.

Mr. Alavaraz stated he has been active with the city to request this but they have not marketed it as such until this is being approved.

Commissioner Papa stated he appreciates that because he doesn't want something being advertised before approved.

Commissioner Shepherd asked if it would be possible as HOA rules after the road is built to encourage renters to travel through the commercial zone.

Mr. Ellerman stated that would be handled another way.

Norma Lacy asked if Ivory Home was in charge of the HOA until the last home is built. She asked if any of the commissioners have been involved with short-term rentals. She stated she would be living here full time and feels this is a commercial use. She stated she knows of a group of boys that come yearly they come to the area and rent some of the homes and they would be maxed out on occupancy.

Mr. Alvaraz stated he would like to have rules that would restrict one unit per owner.

Commissioner Shepherd stated she is concerned that one owner would buy 5 units for rental use.

Leslie Hendrickson stated once Ivory Homes leaves then what happens. She stated the roads are already being built when will the other road be built. She asked who would enforce the 10-person rule. She stated it wouldn't be just friends and family that will rent the units.

Commissioner Smith stated often times if would be a complaint turned over to the police department. He stated it appears that the developer is not going to turn this into a commercial use.

Ms. Hendrickson stated she did get a letter in the mail from Sienna Hills an update that states they are going to be rentals.

Aaron Langston stated he appreciates the homeowners coming to the meeting. He stated the letter didn't specify the Casitas and not nightly rentals. It was for the rental possibility for Sienna Hills.

He stated this is not just Ivory Homes it is SITLA property and will be active after they are done. He stated SITLA would always protect Sienna Hills. He stated even after he leaves SITLA will still be there.

Victoria Mandoza stated she lives in Copperleaf. She stated if something is advertised as a nightly rental there is a possibility of one owner buying multiple units. She stated the landscaping in the area is beautiful. She would want someone available onsite 24 hours. She is concerned with the school being so close. She stated the access to the park is through Copperleaf and finds it disconcerting. She stated she received the letter and that her interpretation was that this is for nightly rentals as well. She stated she read the CC&Rs and if this were going to be a possibility she wouldn't have bought in the area.

Mr. Alvaraz stated there seems to be a difference in rental vs. nightly rental. He stated there are long-term rentals and in this case it is also short-term and it will be maintained. How this is monitored will be through the HOA.

Bruce Foncesbeck stated he would like to thank Commissioner Shepherd for her comments on one owner. He stated he is still concerned with who is coming and going. He stated his children come and clean up but someone that pays with a credit card is commercial use.

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

Commissioner Smith asked Mr. Alvaraz about parking setbacks.

Mr. Alvaraz stated there are designated parking areas.

Jim Raines stated there is 20 feet in front off the garage. There is adequate visitor parking.

Commissioner Smith stated he is concerned that there are three couples that show up and the all have a bedroom and three cars.

Jim Raines stated there are almost 2 extra parking per unit.

Commissioner Smith asked Mr. Ellerman about the city parks.

Mr. Ellerman stated the park in Copperleaf is not a city park and they have the right to tell people to leave their park. The splash pad park is the city owned park it is the Sienna Hill City Park.

Commissioner Henrie stated there are 35 signatures he asked how many are in the subdivision.

Mr. Ellerman stated there are 44 home in Copperleaf and 20 in the Garden Homes for a total of 64.

Commissioner Shepherd stated the Planning Commission has had many meetings on vacation rental and the number of people doing the rentals illegally. The code was created to allow people an opportunity to do so with regulations. She stated she believes the regulations are good and her only reservation is the size of this project with 144 units. She would like to see only one owner per unit and that there would not be an owner owning multiple units due to 144 and the number of people visiting at one time.

Mr. Ellerman stated there are 203 units in Coral Ridge Townhomes. He stated the biggest complaint is there is only one pool and during holidays it is crowded. He stated he has suggested they build a second pool because of the volume.

Commissioner Shepherd asked about the overlay zone.

Mr. Ellerman stated he couldn't do an overlay zone over a PCD. This is a PCD amendment for SITLA. He stated Aaron was correct when he said Sienna Hills has their own plan and it is stricter than city code. He stated during the time of planning for short-term rentals the Planning Commission selected the terms and restrictions. This is only for Parcel 3 in Sienna Hills. Stucki Farm came in not to long ago to amend their PCD amendment to allow for short-term rentals. He stated the commissioners might want to add addition recommendation to city council.

Jim Raines stated they are only amending the PCD not doing something different than what the city requires.

Commissioner Smith stated there have been a lot of comments not in favor of short-term rentals and some have stated they used rentals. He stated this is being done in Washington City illegally. He stated there are about 200 yards from back yard to back yard and there could be some noise but not as much as a next door neighbor. He stated this is a large area and would like Ivory Homes to restrict that only one owner per unit in the subdivision.

Commissioner Henrie stated he has rented units that he felt he was a part of the neighborhood and in a bigger city that this. He stated the Planning Commission worked hard on what would work for the city to allow for short-term rental.

Commissioner Papa stated he feels this isn't a good area for this. He stated he is okay with long-term rentals.

Commissioner Henrie asked if they recommend approval could they add conditions.

Mr. Ellerman stated they could add conditions but it may be a recommendation that City Council gets a chance to read the CC&Rs. He stated that SITLA is supportive of this and they are responsible for the property.

Jeff Starkey stated the Planning Commission has worked hard on how to deal with this type of use.

Mr. Ellerman stated as far as parking they could require that there is no street parking. He stated people could call the police when there is a problem regardless of permanent neighbors or short-term rental property. There are laws that have to be enforced. He stated that all building code for State and City be adhered to.

Commissioner Papa asked Mr. Ellerman about the site plan and drainage plan.

Mr. Ellerman stated no he will correct that statement on his report. The maps will be amended if approved.

Commissioner Shepherd asked Mr. Langston about the school location and her reservation about a stranger not aware of the area.

Mr. Langston stated it is a fair concern. He stated he isn't as concerned with the school and this project is for townhomes with people living full time and part time. If this weren't approved people would do the nightly rental anyway. He stated there are areas where people camp near schools. He stated they have a great relationship with the school district.

Jeff Starkey asked if the school has been approved.

Mr. Langston stated they have sold to the school district. They stated they would build based on the need.

Jeff Starkey stated it is good to ask now because a school can come in without the approval of the city.

Commissioner Henrie motioned to recommend approval to City Council with the findings and conditions of staff with additional that no multiple units per owner, no street parking, that City Council reviews the CC&Rs and that all State and City adopted building and fire codes are met.

Motion dies for lack of second motion.

Commissioner Papa motion to recommend denial to City Council based on when this was proposed the first time it was not for short-term rental and is not appropriate for children that would live there all the time.

Commissioner Shepherd seconded the motion based on the location of the school.

Commissioner Papa amended his motion with an additional reason to include that he feels the school property is too close to the parcel 3 and the direct affect of the children's future.

Commissioner Martinsen voted Aye

Commissioner Papa voted Aye

Commissioner Henrie voted Nay

Commissioner Smith voted Nay
Commissioner Shepherd voted Aye
Motion passed 3-2.

Mr. Ellerman informed the citizens that this would go to City Council in three weeks and the meeting starts at 6:00 PM.

- C. Public Hearing for consideration and recommendation to City Council a Zone Change Z-15-08 Request for the Stucki Farms PCD Amendment for the purpose to amend the Development Agreement-Exhibit E Street Cross Section & Curbing to allow for additional street sections to be constructed. Applicant: Karl Larson

Background

Mr. Ellerman stated the applicant is requesting approval to Amend a portion of the Stucki Farms PCD project, as found in the Development Agreement, Exhibit 'E' - "Street Cross Sections and Curbing". The request is to add two new street cross section designs to be allowed in certain developments within the PCD. A proposed 52' cross section and a 20' private alley way section. See attached designs at the end of this report.

Staff has reviewed the proposed amendment to the Stucki Farms PCD project plan. Staff is supportive with the proposed amendments as outlined.

Recommendation

Staff recommends that the Planning Commission recommend approval of Z-15-08, for the zone change request, Amending the Stucki Farms PCD project plan and associated Development Agreement, Exhibit 'E' - Street Cross Sections and Curbing, to the City Council, based on the following findings:

Findings

1. That the requested zoning amendment conforms to the intent of the land use designation of the General Plan.
2. That the requested zoning amendment will be compatible with surrounding developments.
3. That no other changes (only those as outlined above) are implied to the remaining Stucki Farms PCD project plan and associated Development Agreement.

Commissioner Smith asked if there is a double curb.

Mr. Ellerman stated no it staggers these are casitas type homes.

Commissioner Smith asked if this is restricted to the homeowners and he asked if there is trash pick up.

Mr. Ellerman stated this would come to the city when the plats come in.

Commissioner Smith opened the public hearing.
No response.
Commissioner Shepherd motioned to close the public hearing.
Commissioner Martinsen seconded the motion.
Motion passed unanimously.

Commissioner Shepherd motioned to recommend approval to City Council with the recommendation and findings of staff.
Commissioner Martinsen seconded the motion.
Motion passed unanimously.

6. GENERAL PLAN AMENDMENT

- A. Public Hearing for consideration and recommendation to City Council for a General Plan Amendment G-15-02 request to change from LD (Low Density), VLD (Very Low Density), Park and OS (Open Space) to C-1 (Community Commercial and MD (Medium Density) located at approximately 4000 South Washington Fields Road. Applicant: Stephen Simister

Background

Drew Ellerman stated the applicant is seeking to amend the General Plan Land Use Map in the area located at approximately 4000 South Washington Fields Road. The requested area covers 24.12 acres. The current Land Use designations are Low Density Residential (LD), Very Low Density Residential (VLD), Park (P) & Open Space (OS). The requested change is to the Community Commercial (CCOM) and Medium Density Residential (MD) General Plan Land Use Designations, as shown in the exhibit attached to this report.

The request to amend these parcels is for future commercial and residential development in this particular area. The current surrounding General Plan Land Use designations are Low Density Residential to the north and west, Park and Open Space to the east and south. Staff has reviewed the request and has no concerns with this proposal.

Recommendation

Staff recommends that the Planning Commission recommend approval of G-15-02 to amend the General Plan Land Use Map as outlined above, to the City Council.

Commissioner Papa asked for clarification, is it 200-feet.

Mr. Ellerman stated yes it would still have to meet setbacks and parking requirements.

Brandee Walker stated the width is for the client and this is just clean up.

Commissioner Smith opened the public hearing.
No response.
Commissioner Shepherd motioned to close the public hearing.

Commissioner Papa seconded the motion.
Motion passed unanimously.

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

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

7. PLAT AMENDMENT

- A. Public Hearing for consideration and recommendation to City Council for The Casitas at Sienna Hills Phase 1 Plat Amendment to adjust the location of buildings 9-11, 12-14, 28-30, 31-33 and 34-36 to allow for a better clearance from all utilities located at approximately 1860 East 925 North. Applicant: Ivory Homes

Background

Drew Ellerman stated the applicant is requesting approval of an Amended Final plat for The Casitas at Sienna Hills, Phase 1 subdivision, located at approximately 1860 East 925 North (within the Sienna Hills PCD). The reason for this amendment request, is due to utility locations that are too close to the building footprints as it relates to units 9-11, 12-14, 28-30, 31-33 and 34-36.

The townhome units need to be moved to the north or south (depending which side of street they exist on) roughly 4-6 feet to give sufficient space for the buried lines minimum required clearance. This is the only change for this requested amendment.

Staff has reviewed the proposed amended final plat and finds it conforms to the PCD zoning that is part of this development approval. The subdivision also remains in compliance to the Subdivision Ordinance of the City.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Amended Final Plat for The Casitas at Sienna Hills, Phase 1 subdivision to the City Council, based on the following original findings and subject to the following original conditions:

Findings

1. The amended final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the amended final plat conforms to the Washington City Zoning Ordinance and 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. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a post maintenance agreement be recorded prior to the recording of the final plat.

Commissioner Smith opened the public hearing.

No response.

Commissioner Martinsen motioned to close the public hearing.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

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

Commissioner Papa seconded the motion.

Motion passed unanimously.

8. DISCUSSION ITEMS

- A. Discussion of project status and general information for the Planning Commission.

Mr. Ellerman explained the difference in noticing for plat amendments and that only people affected by the amendment are noticed.

Commissioner Henrie motioned to adjourn the Planning Commissioner meeting.

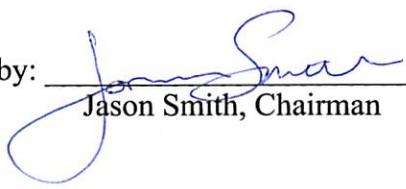
Commissioner Martinsen seconded the motion.

Motion passed unanimously.

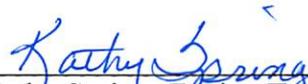
Meeting adjourned: 8:57PM

Washington City

Signed by: _____


Jason Smith, Chairman

Attested to: _____


Kathy Spring, Zoning Technician