



Community Development Department
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MINUTES
WASHINGTON CITY PLANNING COMMISSION
January 20, 2016

PRESENT: Commissioner Smith, Commissioner Shepherd, Commissioner Henrie, Commissioner Papa, Commissioner Martinsen, Commissioner Hardman, Attorney Jeff Starkey, Council Member Kolene Granger, Lester Dalton, Drew Ellerman, Kathy Spring, Steve Hurst, Andy Kitchen, Mark Owens, Packer Morley, Charlie Ford, David Jones, Stephen Wattles, Patrick Carroll, Ellen Arch.

Meeting called to order: 5:33 P.M.
Invocation: Commissioner Smith
Pledge of Allegiance: Commissioner Martinsen

1. APPROVAL OF AGENDA

A. Approval of the agenda for January 20, 2016.
Commissioner Henrie motioned to approve the agenda for January 20, 2016.
Commissioner Papa seconded the motion.
Motion passed unanimously.

2. APPROVAL OF MINUTES

A. Approval of the minutes from January 6, 2016.
Commissioner Papa motioned to approve the minutes from January 6, 2016.
Commissioner Shepherd seconded the motion.
Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

Commissioner Hardman discloses that his firm does work for Jack Fisher Homes but he will not be abstaining and will vote.

4. FINAL PLAT

A. Consideration and recommendation to City Council for the Brookhaven Fields Phase 3 subdivision located at approximately 3090 South 20 East. Applicant: Salisbury Homes, Rick Salisbury

Background

The applicant is requesting approval of a final plat for the Brookhaven Fields, Phase 3 subdivision, located at approximately 3090 South 20 East. This particular subdivision is proposing 21 lots on an area covering 9.37 acres. The specific location of this subdivision is zoned Residential-Agricultural - 1 Acre Min. (RA-1) utilizing the approved Bonus Density Program Credits. The Preliminary Plat was approved back on January 8, 2014.

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 Brookhaven Fields, Phase 3 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. All “Common Area” referenced on the plat needs to be called out as a blanket “P.U.E. and Drainage easement”.

Commissioner Hardman asked about the bonus density.

Mr. Ellerman stated the bonus density zoning is 1 acre. He encouraged Commissioner Hardman to read the ordinance due the length and details in the Bonus Density Program. There are variations of lot sizes with credits given for amenities and common areas such as parks and trails with tree lined streets. They are required to have external and interior connectivity similar to the PUD zones. He stated in the future he would like to do away with the bonus density because it is difficult to monitor them.

Commissioner Henrie asked if the landscape area is used as a catch drainage area.

Mr. Ellerman stated they could. All the landscaping along 3090 and 240 West will have to be enhanced a little bit.

Attorney Jeff Starkey stated Lester Dalton usually is on top of issues with drainage.

Mr. Ellerman stated in this area there use to be a swamp. There has been dirt removed and soil brought in.

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

Commissioner Hardman seconded the motion.

Motion passed unanimously.

- B. Consideration and recommendation to City Council for the Steeplechase at Washington Fields Phase 2 located at approximately Steeplechase Road 3970 South. Applicant: Robert Smith

Background

The applicant is requesting approval of a final plat for the Steeplechase at Washington Fields, Phase 2 subdivision, located at approximately 3650 South Camino Real. This particular subdivision is proposing 28 lots on an area covering 7.94 acres. The specific location of this subdivision is zoned Single-Family Residential - 6,000 Sq. Ft. Min. (R-1-6). The Amended Preliminary Plat was approved back on March 13, 2013.

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

Recommendation

Staff recommends that the Planning Commission recommend approval of the Final plat for the Steeplechase at Washington Fields, Phase 2 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 amended 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.

Commissioner Smith asked about the requirement on the access.

Mr. Ellerman stated the requirement was to connect to the Treasure Valley Road. The construction access will still have to be on the southern road.

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

5. PRELIMINARY PLAT

- A. Public Hearing for consideration and recommendation to City Council for the Coral Canyon Area 4 Phase 2 Preliminary Plat located at approximately Black Canyon Ave south of Rock Creek Drive. Applicant: Jack Fisher Homes, Ben Willits

Background

The applicant is requesting approval of a Preliminary plat for the Coral Canyon Area 4, Phase 2 subdivision, located at approximately Black Canyon Avenue and Rock Creek Drive of the Highland Park area of Coral Canyon.

Due to the City already having mailed out notices to surrounding property owners, and the applicant not having a completed application as of this date, staff is asking that a “Tabling” of this item be given. Staff would have just removed it from the agenda, but again, since notices were mailed out, the item had to be posted on the agenda.

Recommendation

Staff recommends that the Planning Commission Table this item to either the February 3rd or 17th meeting agenda.

Commissioner Shepherd motioned to table public hearing to February 3, 2016.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

6. MINOR SUBDIVISION

- A. Consideration to approve a conceptual plan for the R&K Minor Subdivision located at approximately 3090 South 300 East. Applicant: St George Charter Holdings LLC

Background

The applicant is requesting approval for the conceptual R&K Minor Subdivision plan, located at approximately 3090 South 300 East. The applicant is wishing to split the present 36.891 acre parcel into two lots. Lot (1) of the subdivision will be 9.374 acres and Lot (2) will be 27.517 acres in size. Lot (1) will become a charter high school, and lot (2) will remain an undeveloped parcel of land at this time.

The proposed minor subdivision is currently zoned Agricultural (AG), with the surrounding zoning of RA-½ acre to the west, RA-1 acre and RA-2 acre to the north, and AG to the east and south.

Staff has reviewed the requested proposal, and the proposed conceptual R&K Minor subdivision plan, conforms to the standards as set forth in the State Code for schools (public and charter).

Recommendation

Staff recommends that the Planning Commission approve the conceptual design of the R&K 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 State Code for the proposed school use.
2. That the minor subdivision conforms to the Washington City Subdivision Ordinance as outlined.

Mr. Ellerman stated there aren't any conditions.

Commissioner Hardman asked about State regulations and if this is going to meet the requirements.

Mr. Ellerman stated the city only has certain things like public safety that they can have any say on. Location and size the city has no say. He stated the one to the north of the city has changed how he deals with Minor Subdivisions per the ordinance. They will have to meet traffic requirements. The building official will be with the State and they will handle the building permit process. The State Fire Marshall will also handle those inspections and issues.

Commissioner Smith asked if the zoning is okay. He asked if the city has any say on design.

Mr. Ellerman stated schools are able to go in any zone in any city. The city has no say on location and design.

Commissioner Henrie asked if they would do a traffic study.

Mr. Ellerman stated the engineer on this project has been good to work with and they will do a traffic study if required by public works.

Commissioner Henrie asked if there is a time line for this.

Andy Kitchen stated they are looking for an 2016 fall opening.

Commissioner Shepherd asked why this lot and not the corner lot for better access.

Mr. Kitchen stated this lot works better and they have worked with public works to address concerns of access. The other lot will stay with the current property owner.

Commissioner Henrie stated he appreciates the applicant for his efforts. These schools are needed.

Commissioner Henrie motioned to recommend approval of the minor subdivision.

Mr. Ellerman asked that the motion be amended to approve the conceptual design.

Commissioner Smith asked if there are any road dedications.

Lester Dalton stated the roads are already dedicated roads.

**Commissioner Henrie motioned to approve the conceptual design.
Commissioner Papa seconded the motion.
Motion passed unanimously.**

7. DISCUSSION ITEMS

A. Discussion and training of Planning Commission Washington City Ordinance Title 9 Chapter 3, Planning Commission Powers, Duties and Terms. .

Mr. Ellerman stated the State requires training for Planning Commissioners. He stated the last meeting is a good example of what the training might accomplish. He stated he felt he just needed to listen at that meeting. Part of the job he has is to be there for the planning commission. Some of the points are, first what do the planning commissioners feel their responsibilities are.

Commissioner Hardman stated to receive some instruction from City Council as to what they would like and he would like to have a meeting with them to get a sense of direction. He would like to hear some of the Council's ideas and what their direction is so they can make good decisions.

Mr. Ellerman stated that is a good idea. It is important to know what the City Council wants. This year he has been instructed to look at the General Plan and make changes if need be.

Jeff Starkey stated the City Council wants the help from the Planning Commission. He suggested a joint meeting, to let Drew know and set it up. Something like the 5th week in a month because there aren't any meetings.

Mr. Ellerman stated there is a retreat this Friday and he will bring it up.

Commissioner Shepherd stated the Planning Commission has the responsibility of discovery. There are at times things come up during a public hearing and that give an opportunity to make other suggestions.

Mr. Ellerman stated usually the Planning Commission is where the public hearing is held. Our City Council lets the public speak. Some cities don't do that at their City Council level.

Commissioner Henrie stated they become the listening ear. He stated he listens and filters out some things that are said.

Council Women Kolene Granger stated tonight she has heard comments about traffic that referred to the charter school that came in her area. She also heard about the bonus density and would like the commissioners to consider their ideas and what the city wants for the next 10 to 20 years.

Mr. Ellerman stated to add to what is said there is an ordinance that explains the duties of the planning commissioners in title 9, chapter 3. He stated that in the meeting two weeks ago it was they heard the voice of the people and it appeared that they listened to the people and felt they had to agree with the public. That is not what the commissioners are to do.

He stated he has brought up the NIMBY (not in my back yard) and that is a problem when you listen to much that direction and then you end up with a bedroom city, there is a need for tax money. The houses don't bring in tax revenue to run the city. Property taxes go mostly to the County. Without commercial, taxes will be raised. He stated he has been doing this for 23 years and you may fill a room but the folks that aren't at the meeting are usually okay with the project.

Commissioner Smith stated some don't know what it is about.

Mr. Ellerman stated he realizes that but the point he wants to make is not to give into the public.

Commissioner Hardman stated his opposition last time was with a general plan and the property owner might not have come in for approval for what they would bring in.

Mr. Ellerman stated not necessarily. They often have to come back for a zone change.

Commissioner Smith stated his opposition was that the general plan is neighborhood commercial and 40 acres is too much because with 40 acres you could bring in a Walmart. He would have preferred less acreage. The new Lin's is on 4 acres and the surrounding businesses will be on the remaining 15 acres. He stated there are commercial areas in the fields.

Jeff Starkey stated there is a difference in neighborhood commercial and community commercial.

Commissioner Smith stated the residents like their space.

Mr. Ellerman stated the C-1 is for small retail. The C-2 and C-3 are the larger businesses. He stated he has spoken with the Nisson's and there could be an opportunity to make the proposal a smaller area. He stated he would rather the commissioner's table an item if they want more information and use it like a tool.

Commissioner Henrie stated he felt that there is a need for commercial in the field's area.

Mr. Ellerman stated if you don't like something ask more questions and then ask for the item to be tabled. Some times the applicant wants to take the denial but they can state that in a meeting.

Commissioner Shepherd asked what is the difference between denial and tabling an item. She stated she sees the denial would be better. She stated you have to give a reason why you deny it. She feels that if they table it and they don't come back with any changes it seems a waste of time but if you deny it they would have to come back with something different.

Mr. Ellerman stated if they deny it the applicant has to spend more money.

Commissioner Smith stated he usually asks the applicant if they wanted to table but in this case it was the city.

Mr. Ellerman stated he didn't hear that question. He stated he heard that was an option.

Commissioner Smith stated he might have not made it clear. He stated that Washington City was the applicant and that concerned him. The property owner was here and didn't speak so it was a question in his mind. He considers the property owners rights and they didn't speak and that was disappointing.

Mr. Ellerman stated the Nission's and their real estate person realized they should have spoke.

Commissioner Henrie asked if they table something do they have to give a reason.

Mr. Ellerman stated yes you could ask for more information. You can ask for something less but not more.

Commissioner Henrie stated there needs to be more back and forth information.

Mr. Ellerman stated some times there are negotiations in a meeting. An example is the elevations on another item that night.

Brandee Walker stated some times they would rather have a denial because they have looked at everything possible. She stated she would not mind tabling and she would always let the commissioners know.

Commissioner Henrie stated he appreciates all the work the Ms. Walker does because she is here a lot.

Commissioner Smith stated some times they have to bring things to the city to see if it can get approved.

Mr. Ellerman stated, referring to Warner Gateway the citizens wanted a lot but even the city couldn't require more because it meets the criteria.

Commissioner Smith stated he would like to look at the bonus density but wouldn't want it to go away.

Mr. Ellerman stated the category other is some times abused. Treasure Valley was one of those but we learned from that project. It is a good project but no one has come in complaining about the alley's. He encouraged the commissioners to come in or call him after they receive the packets with their questions, ideas and concerns.

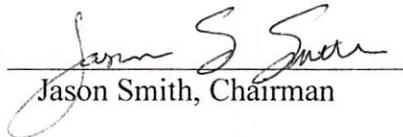
Commissioner Smith acknowledged Commissioner Shepherd for her years of service.

Mr. Ellerman stated he appreciates the 6 years that Lauri has been with the commission. He stated just an item of interest the noticing requirements will change, it will be 300 feet and a minimum of 30 property owners.

**Commissioner Papa motioned to adjourn the Planning Commission Meeting.
Commissioner Shepherd seconded the motion.
Motion passed unanimously.**

Meeting adjourned: 7:14 PM

Washington City

Signed by: 
Jason Smith, Chairman

Attested to: 
Kathy Spring, Zoning Technician