



Community Development Department
111 North 100 East
Washington City, UT 84780
Phone (435) 656-6325
Fax (435) 656-6371
www.washingtoncity.org

Minutes
WASHINGTON CITY PLANNING COMMISSION
February 17, 2016

Present: Commissioner Smith, Commissioner Henrie, Commissioner Martinsen, Commissioner Hardman, Commissioner Phetsomphou, Attorney Jeff Starkey, Council member Kolene Granger, Drew Ellerman, Lester Dalton, Kathy Spring, Stephen Simister, Sharon Fraser, Jim Fraser, Brock Andrus, Christy Clark, Gerri Clark, Emerson Carnavgle, Robert Everett, Janet Everett, Rick Richardson, Riley Richardson, Karen Hill, Charles Hill, Charles Watkins, David Prior, James Thompson, Brad Simpson.

Meeting called to order: 5:33 P.M.

Invocation: Commissioner Phetsomphou

Pledge of Allegiance: Commissioner Henrie

1. APPROVAL OF AGENDA

A. Approval of the agenda for February 17, 2016.

Commissioner Martinsen motioned to approve the agenda for February 17, 2016.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

2. APPROVAL OF MINUTES

A. Approval of the minutes from February 3, 2016.

Commissioner Martinsen motioned to approve the minutes from February 3, 2016.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

3. PRO TEM APPROVAL

A. Consideration and approve Pro Tem for 2016.

Commissioner Henrie motioned to table a week until all of the Commissioner's were present.

Commissioner Martinsen motioned to appoint Commissioner Henrie as temporary pro tem for the February 17th meeting due to Commissioner Smith has a conflict with on of the items.

Commissioner Phetsomphou seconded the motion.

Motion passed unanimously.

4. DECLARATION OF ABSTENTIONS & CONFLICTS

Commissioner Smith has conflict with item 6-B. His firm did the work on the project.

5. PRELIMINARY PLAT

- A. Public Hearing for consideration and recommendation to City Council for the Iron Horse Preliminary Plat located at approximately 4300 South Washington Fields Road. Applicant is Stephen Simister.

Background

Drew Ellerman stated the applicant is requesting approval of a Preliminary plat for the Iron Horse subdivision, located at approximately 4300 South Washington Fields Road. The applicant is proposing 59 lots on an area of coverage of 25.24 acres. The zoning designation at this particular location is Single-Family Residential - 8,000 Sq. Ft. Min. (R-1-8).

The proposed subdivision conforms to the approved zoning. The request meets 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 Iron Horse 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 preliminary and 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. Along with condition #1 (above), an offsite storm drain extension will be required for discharge from this site as well as to accommodate pass-through water.
3. 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.

4. 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.
5. 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.
6. 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).
7. 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.
8. 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.
9. 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.
10. Driveway locations are to be approved by the Public Works Department.
11. 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.
12. A right turn pocket will be required coming off of Washington Fields Road.
13. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

Mr. Ellerman explained conditions # 2 and #12 is per public works request. He stated there aren't many 8,000 sq foot lots in the project, they are larger and that is a good thing.

Commissioner Henrie asked about the storm water pass through.

Lester Dalton stated there is a current discharge and there isn't a pass through at this time, the developer stated they would go to Treasure Valley for discharging pass through.

Commissioner Smith asked about the debris basin.

Mr. Dalton stated the dam is to the north.

Commissioner Hardman asked about landscaping in regards to the storm water area.

Mr. Ellerman stated it would be maintained by the HOA. As far as the design it is up to the engineer. He stated the city doesn't get too involved in what the landscaping will be.

Commissioner Hardman stated he would like to recommend what type of landscaping.

Mr. Ellerman asked are they trying to do what would help the HOA or what it looks like as you drive by.

Commissioner Henrie stated with rock fill the drainage comes with dirt that covers the rock then you have to replace the rock.

Commissioner Hardman stated he would like to have a discussion about landscape design.

Mr. Ellerman stated he would like to ask the applicant.

Stephen Simister stated the storm detention doesn't have any plan. He stated the engineer might have a better idea because of how it would flow.

Commissioner Hardman stated that putting in rock then dirt comes in and then there are weeds to contend with.

Commissioner Smith stated the rock is good because it cleans the water. There would have to be a maintenance criteria. He stated they could look at a standard for future projects. He stated as far as this project they couldn't require anything.

Commissioner Smith opened the public hearing.

No response.

Commissioner Henrie motioned to close the public hearing.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

Mr. Ellerman stated in considering the landscaping they would need to consider the water usage.

Attorney Starkey stated State legislature would if they could require restrictions.

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

Commissioner Hardman seconded the motion.

Motion passed unanimously.

- B. Public Hearing for consideration and recommendation to City Council for the Hunter Run Preliminary located at approximately 200 East 450 South. Applicant is Riley Richardson.

Background

The applicant is requesting approval of a Preliminary plat for the Hunter Run subdivision, located at approximately 200 East 450 South. The applicant is proposing a subdivision containing 8 lots on an area of coverage of 1.0 acres. The zoning designation at this particular location is Single-Family Residential - 6,000 Sq. Ft. Min. (R-1-6).

This same subdivision was originally approved back in June of 2014 by both the Planning Commission and the City Council, but was never built out and recorded with a final plat.

The applicant is now back with this proposed subdivision, which once again conforms to the approved zoning. The request meets 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 Hunter Run 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 preliminary and 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. **Pass-through water must be addressed not simply diverted.**
2. Appropriate sized area for detention need to be shown.
3. 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.
4. 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.
5. 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.
6. 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).

7. 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.

8. 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.

9. 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.

10. Driveway locations are to be approved by the Public Works Department.

11. 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.

12. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

Mr. Ellerman stated the applicant has asked that this item be withdrawn due to some legal issues. He stated this will be noticed when it comes to the city again.

6. ZONE CHANGE

- A. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-16-03 to change from A-20 (Agriculture 20 acre minimum) to RA-2 (Residential Agriculture 2 acre minimum). Located at approximately 240 West 3650 South. Applicant is Jim and Sharon Frasier.

Background

Drew Ellerman stated the applicant is requesting approval to change the zoning of approximately 4.73 acres, located approximately at 240 West 3650 South. The requested change is from the current zoning of Agricultural - 20 Acre Min. (Ag-20) to the proposed Residential/Agricultural - 2 Acre Min. (RA-2) zoning designation. The (RA-2) request is for the purpose of developing the parcel into a single family residence and to bring the parcel into compliance with zoning - lot size and use.

The General Plan Land Use Designation for this location is Low Density Residential (LD), which carries a 4.5 - 5.5 dwelling unit per acre density ratio. The surrounding zoning to this

parcel is R-1-15 to the east and west, Agricultural-20 to the south, and Residential/Agricultural-1 Acre to the north.

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-16-03, for the zone change request from Agricultural - 20 Acre min. (Ag-20) to the proposed Residential/Agricultural - 2 Acre min. (RA-2), 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 Henrie asked if there is an existing home.

Mr. Ellerman answered no.

Commissioner Hardman asked if it is an existing lot.

Mr. Ellerman stated it is, it doesn't meet the zone and it was annexed into the city that way.

Commissioner Smith opened the public hearing.

No response.

Commissioner Hardman motioned to close the public hearing.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

Commissioner Martinsen motioned to recommend approval to City Council with the findings and recommendation 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-16-04 to from PUD to Amended PUD (Planned Unit Development) located at 3585 South Camino Real. Applicant is Dave Prior for the Sunrise RTC.

Background

The applicant is requesting approval to amend the current zoning of approximately 3.63 acres, located approximately at 3585 South Camino Real. The requested change/amendment is from the current Planned Unit Development (PUD) zoning, to the proposed amended/new Planned Unit Development (PUD) zoning designation. The applicants are wishing to make changes in the site layout, and building designs of the future structures which differ from the previously approved (PUD).

The original conditions will have to be carried over to the proposed new/amended (PUD) and the additional conditions being added by staff.

The General Plan Land Use Designation for this location is Low Density Residential (LD), which carries a 4.5 - 5.5 dwelling unit per acre density ratio. The surrounding zoning to this parcel is Ag-20 ac. to the west, RA-1/2 to the east, R-1-8 to the south and RA-1 ac. to the north.

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-16-04, for the zone change request from current Planned Unit Development (PUD) to the proposed amended/new Planned Unit Development (PUD), to the City Council, based on the following findings and subject to the condition below:

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.

Conditions

1. The project shall conform at all times to the open space standards of the PUD zone.
2. All required licensing as mandated by the State of Utah, will be obtained and maintained at all times during operation of the facility. A current copy of that license(s) will be on file in the office of the Community Development Department
3. Any site improvements will be done in accordance to the city adopted building, fire and other codes.
4. A six foot (6') high block wall will be built along the north and east property boundaries. A six foot (6') high fence, built with stone pillars and rail fencing, as depicted in the original exhibits, will be built along the south and west property boundaries, which run parallel with the

street frontages. The wall plans shall be submitted for review, the wall shall be built prior to the opening of the academy.

5. The youth academy will only be allowed to house and have on site that which is allowed by state regulations and also in accordance with the building and fire codes which have been adopted by the city, but in no case, will the number of residents/students be greater than sixty (60). This PUD approval will allow for the type of multi-residential uses that be necessary for the housing of the students on site.

6. The youth academy will only be for youth between the ages of eight (8) to eighteen (18) years of age.

7. There will be a required ten foot (10') landscape strip along the street frontage of Camino Real and a thirty foot (30') landscape strip along 3650 South Street, between the fencing with stone pillars and the sidewalks of the aforementioned streets. Landscape and design will be submitted for staff review and approval before any work is started.

8. All landscape plans shall be submitted for review and approval prior to the start of any work.

9. Any changes to the project that differ from the approved site plan will require approval by the city through the amended PUD application process.

10. Drainage plan(s) will be submitted to the Public Works Department for review and approval for any work done on the entire site, which will include plans for drainage to be directed to the detention area(s). Grading permits shall be obtained prior to any land disturbing activity.

11. Any site work will require the approval of any and all construction drawings through the Public Works Department before any work is started.

12. A Post Construction Maintenance Agreement needs to be recorded prior to any work commencing on the site.

Applicant showed the elevations.

Commissioner Henrie asked about the total # of students.

Mr. Ellerman stated condition #5 would only allow 60.

Commissioner Phelsomphou asked what type of students does this school serve.

David Prior stated Sunrise houses only girls and they are young women that act inward not so much out ward.

Commissioner Henrie stated he likes the design and it is a good program. He asked the applicant to add more landscaping.

Mr. Prior stated he would be doing that.

Commissioner Henrie asked if they have to comply with the landscape requirement.

James Thompson stated they have a landscape plan.

Commissioner Henrie asked Mr. Ellerman if he is okay with them submitting a plan.

Mr. Ellerman stated he is.

Commissioner Henrie opened the public hearing.

No response.

Commissioner Martinsen motioned to close the public hearing.

Commissioner Hardman seconded the motion.

Motion passed unanimously.

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

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

Mr. Ellerman stated the requirement for PUD is for elevations and landscaping. He stated with the new changes he didn't require it tonight but the applicant knows that would have to be submitted. He stated that the elevations needed to match the existing building. They did submit a site plan. He stated at times an engineer will show landscaping as green and people think that is grass but it is just where the landscaping will be. He stated a new PUD would have more items to review than what is presented tonight.

7. DISCUSSION ITEMS

- A. Discussion for Planning Commission to review the training on Public and Open Meetings and Noticing.

Mr. Ellerman asked if the Commissioner's have any questions. He stated when there are more than 3 commissioners meet they have to give notice of a meeting. Chance meetings don't count. Public meetings public listens, public hearing the public speaks.

Commissioner Smith stated in the public hearings the public doesn't vote and a vote shouldn't be based on public clamor. He stated the commissioner's just need to listen for information.

Mr. Ellerman stated at one time in a meeting he was at there was a farmer and informed them that there were 500 gallon tanks buried on the property that the city didn't know about. He stated there is going to be an amendment to the noticing requirement.

Commissioner Smith stated St George and the County is 500 feet.

Mr. Ellerman stated a good example of why the noticing needs to change is in the Green Springs area the only ones that were noticed were Matt Lowe, BLM and SITLA.

The change is 300 feet or closest 30 residents or businesses. This assures the closest 30 residents will get a notice. There will be a minimum of 30 notices.

Commissioner Hardman asked would a particular subdivision with common area receive notice.

Mr. Ellerman stated probably not.

Commissioner Hardman stated he feels that when it affects the subdivision they should get notice.

Commissioner Smith asked how common areas show up on a recorded plat.

Attorney Starkey stated unless it is a community center it shows as common area. Usually it doesn't have a tax ID #.

Commissioner Hardman stated he thinks there is no harm in over noticing.

Commissioner Smith stated he doesn't think noticing an entire subdivision the size of Sun River or Coral Canyon would be feasible. He feels the HOA should receive a notice.

Mr. Ellerman stated some times HOA's break down over time then the property owners are responsible.

Mr. Dalton stated the expense is divided amongst the property owners.

Commissioner Henrie asked about the comment made by Roger about annexations.

Mr. Ellerman stated he thinks the focus has changed to the General Plan for this year.

Council Member Granger asked Mr. Ellerman if the Planning Commission could give recommendations to City Council. She stated she appreciates the comments and recommendations to the City Council.

Mr. Ellerman stated he encourages the commissioner's to make recommendations.

Attorney Starkey asked Council member Granger how she would prefer it to be presented.

Council member Granger stated they could recommend something such as 30 notices but if there is a property owner that owns multiple properties within the 30 do they still receive multiple notices.

Mr. Ellerman stated there are subdivisions that are still under the developers name and the city isn't going to send that same developer multiple notices. He stated he would like to encourage the commissioners to submit their suggestions in advance.

**Commissioner Hardman motioned to adjourn the Planning Commission Meeting.
Commissioner Henrie seconded the motion.
Motion passed unanimously.**

Meeting adjourned: 7:12 PM

Attested to: Kathy Spring
Kathy Spring, Zoning Technician

Washington City

Signed by: Jason Smith
Jason Smith, Chairman