
Planning Commission Minutes

December 19, 2018

Present: Commissioner Papa, Commissioner Henrie, Commissioner Martinsen, Commissioner Phetsomphou, Commissioner Coats, Commissioner Hansen, Attorney Jeff Starkey, Councilmember Ward, Kathy Spring, Brandon Wright, Bob Williams, Mark Caldwell, Russell Hinton, Bob Hermandson, Kent Larkin, Josh Poulsen, Tamra Goodrich, Paul Bradley, Rick Loghry.

Meeting Called to order: 5:30 PM

Invocation: Commissioner Papa

Pledge of Allegiance: Commissioner Phetsomphou

1. APPROVAL OF AGENDA

- a. Approval of the agenda for December 19, 2018.

Commissioner Henrie motioned to approve the agenda for December 19, 2018.

Commissioner Coats seconded the motion.

Motion passed unanimously.

2. APPROVAL OF MINUTES

- a. Approval of the minutes from December 5, 2018.

Commissioner Martinsen motioned to approve the minutes from December 5, 2018.

Commissioner Coats corrected that he didn't vote on the minutes from November 7, 2018 because he wasn't present.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

Commissioner Phetsomphou abstained from item 6A for personal reasons. He disclosed that he lives less than a mile from item 5 A & 6 A.

4. FINAL PLAT

- a. Consideration and recommendation to City Council for the Heritage Cove Final Plat located at approximately 1575 South and Carma Street. Applicant is Sullivan Homes.

Background

Kathy Spring reviewed report: The applicant is requesting approval of a final plat for the Heritage Cove subdivision, located at approximately 1575 South and Carma Street. This particular subdivision is proposing 17 lots on an area covering 9.39 acres. The specific location of this subdivision is zoned Single-Family Residential - 10,000 Sq. Ft. Min. (R-1-10). The Preliminary Plat was approved back on August 8, 2018.

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 Heritage Cove 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. The detention area / common space needs to be labeled correctly, as according to Public Works.

7. An “Engineer Signature Block” needs to added to the Final Plat.

8. The area between lots 16 and 17 needs to labeled as a 20’ Ingress / Egress and Access Easement. (not just “access” easement)

Commissioner Henrie asked about a note that the responsibility be addressed as the owners responsibility.

Bob Hermandson replied that it is the lot owners responsibility.

Commissioner Coats asked about the materials that will be used for the access between lot 16 and 17. He asked about the wall to the lots that run along Washington Fields Road that were just approved in a General Plan request.

Brandon Wright answered that the road would be built and the wall would be removed to allow access to the new duplex project along the Washington Fields Road. The project just went through a zone change.

Commissioner Coats stated he thought the survey is to sign the blocks.

Kathy Spring explained that there was a meeting and it was commented that the city did have a concern about who did the review but the ordinance still states the engineer needs to be the one that signs off on the mylar. We are working on a subdivision ordinance revision but for now the block needs to read engineer.

Commissioner Coats asked if the detention area is part of this project and the Nisson project.

Mr. Hermandson replied that it is part of both projects.

Commissioner Papa asked about construction restrictions on lot 1 in the shaded area 20 foot drainage easement showing on the plat.

Mr. Hermandson answered that along the east side is where the wall will go it is part of the trail and there would be a drainage pipe.

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

Commissioner Coats seconded the motion.

Motion passed unanimously.

5. 2 LOT SUBDIVISION

- a. Consideration to approve a conceptual Plan for a 2 Lot Subdivision corner of Washington Parkway and 1100 East. Applicant is Dean Terry.

Background

Kathy Spring reviewed report: The applicant is requesting approval for the conceptual Terry Minor Subdivision plan, located along the south side of Commerce Way between Washington Parkway and 1100 East. The applicant is wishing to split the present 34.27 acre parcel into two lots. Parcel (1) of the subdivision will be 13.17 acres, Parcel (2) of the subdivision will be 21.10 acres. Both proposed lots meet the minimum square footage required for the zoning at this location.

The proposed minor subdivision is currently zoned Service Commercial (C-2), with the surrounding zoning of C-2 and PCD to the north, PCD to the east, R-3 and OS to the south, and R-3, OS and RA-2 to the west.

Staff has reviewed the requested proposal, and the proposed conceptual Terry Minor Subdivision plan, conforms to the standards as set forth in the Zoning Regulations and Subdivision Ordinance of the city.

Recommendation

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

Findings

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

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.

3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. That a post maintenance agreement be recorded prior to the recording of the final plat.
5. Show all access and utility easements on the plat
6. Show detention area(s).

Commissioner Martinsen stated that there needs to be a correction on the plat to correct 1000 East to 1100 East.

Commissioner Coats asked if the corner of Terrible Herbst is a seperate lot.

Bob Hermandson answered yes.

Commissioner Martinsen motioned to approve the conceptual plan with the findings and conditions of staff with additional condition #7 that the 1000 East be corrected on the plat to 1100 East.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

6. CONDITIONAL USE PERMIT

- a. Public Hearing to consider approval of a Conditional Use Permit C-18-29 located at approximately Telegraph and 1100 East for a Hotel. Applicant is Bruce Dickerson.

Background

Kathy Spring reviewed report: The applicant is requesting approval of a Conditional Use Permit to build a Hotel project located at the northeast corner of Telegraph Street and 1100 East. This applicant is proposing an 81 unit, 3 story hotel, standing approximately 34'-6" feet tall. The unit break down has 36 single bedroom units and 45 two-bedroom units. There will also be an amenity area associated with the development comprising a large gated out-door pool and gathering area. 110 parking stalls are incorporated into the project with 5 of those dedicated to R.V. units.

The zoning regulations require any commercial developments exceeding 5,000 square feet in size to obtain an approved Conditional Use Permit. The parcel is already zoned Service

Commercial (C-2), where Hotels / Motels are permitted under the Conditional Use Permit process. The area is designated in the General Plan as Community Commercial.

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-18-29, allowing for a Hotel development 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 or exceed the requirements of City and State adopted codes. Including, but not limited to, the Building and Fire Codes of Washington City.
2. The development of the site shall comply with the development standards of the C-2 Zone.
3. Development of the site shall also comply with the recommendations of a geotechnical study and drainage study. Improvements for drainage and detention shall be approved by the Public Works Department prior to the issuance of building permits.
4. The applicant will submit a traffic impact study for review and approval by the Public Works Department. The City's Access Management Plan will be adhered to in the traffic design of the project. It is most likely that a "Right turn pocket" will need to be installed on Telegraph Street.
5. The parking will be adhered to as presented in the exhibits of this application (110 stalls minimum).

6. Any roof mounted equipment will be screened from view.
7. A detailed landscaping plan will be submitted for review and approval prior to any landscaping being installed throughout the project.
8. All lighting within the project development will be directed inward to the site.
9. All signage will be in accordance with the adopted sign regulations of the city.
10. Dumpster screening, and retaining walls throughout the property shall blend in with the surrounding development(s). Details for these items shall be submitted for review and approval prior to the issuance of associated/required permits.
11. A Fire-Sprinkling system will be required throughout the Hotel, and all adopted Fire Code regulations will be met or exceeded. All fire designs will be submitted for review and approval by the Fire Department before any associated permits are issued.
12. Construction drawings will need to be submitted for review and approval, prior to any work being done on the site.

Commissioner Papa asked Brandon Wright about the second access from Bristol Park and if it is going through this project and if it is going to be a public access.

Brandon Wright answered it is an emergency private access for Bristol Park. The access to this project has a traffic study and the Public Works is good with the study. It is 240 feet north from the intersection of 1100 East and Telegraph Street.

Commissioner Papa asked if this is private what is the required width.

Mr. Wright stated it will be addressed with the Fire Chief at construction drawing stage.

Commissioner Coats asked if the access is chained off.

Mr. Wright answered no.

Commissioner Coats asked why is it private.

Mr. Wright stated this is how it was submitted.

Mark Caldwell stated he lives in Bristol Park. He asked if the access is going to be left open. He stated the roads are narrow in his subdivision.

Josh Poulson lived in unit 40 in Bristol Park. He stated the roads are narrow and 1100 East is unimproved. He stated he kids walk to the bus stop and feels it isn't safe. He stated a Hotel brings in different people that they won't know.

Commissioner Papa asked about the Bristol Park main entrance and the distance to the bus stop.

Mr. Poulson stated it is at the Pine Valley subdivision.

Rick Loghry asked about the security between his property and this proposal.

Commissioner Coats motioned to close the public hearing.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

Ben Willits stated he represents the applicant.

Commissioner Papa asked about the second access.

Mr. Willits stated he would rather it be an emergency access.

Commissioner Henrie asked if it would have a knox box.

Mr. Willits stated yes. He stated this use isn't the same use as the residential. He stated he didn't think the traffic from the Bristol Park was meant to go through this property.

Commissioner Coats stated he does want this access to be closed. He stated he doesn't think it should be chained. He stated this is a private road going onto private drive.

Commissioner Henrie asked if there is an easement.

Mr. Willits stated there isn't an easement. He stated that from his conversations with Drew that this was an emergency access for Bristol Park.

Commissioner Coats asked if there is an easement for the access. He asked if there are three parcels.

Mr. Willits stated there are three parcels but there isn't an easement. He stated he is okay with what is needed. He stated he would like people from the Hotel not use the Bristol Park roads.

Commissioner Henrie stated he would suggest a gate with a knox box.

Mr. Willits stated he is okay with what is needed.

Commissioner Hansen asked if this is the second assess for Bristol Park.

Mr. Willits answered yes.

Commissioner Coats stated they could put speed bumps.

Commissioner Papa asked about the security to the business of RVz.

Mr Willits stated there will be a block wall.

Commissioner Hansen asked if there is going to be a block wall at the corner parcel.

Mr. Willits answered no there could be a business like a pizza or drink business that could serve the Hotel.

Commissioner Coats asked about the width of 1100 East and if they will widen it. He stated there is an applicant to the north that was required to do improvements. as part of their approval.

Commissioner Papa asked about the right turn down 1100 East.

Mr. Willits stated the right turn pocket is already there. He stated they placed the Hotel back in case the road needs to be widened.

Commissioner Coats stated he realized that the applicants side is done but the effect on this intersection may need to be widened because of the increase of traffic.

Mr. Willits stated he doesn't know why he would need to be required to do the widening.

Commissioner Hansen asked how long they have owned the property.

Mr. Willits answered he doesn't know for sure.

Commissioner Hansen stated he does feel there should be some widening to 1100 East and improve the intersection.

Commissioner Coats stated it needs to be addressed but doesn't know who would have to do it because this side is improved but it is increasing the traffic on the intersection.

Commissioner Henrie stated his understanding is that his side is improved.

Brandon Wright stated they can look at this further with the construction drawings and a condition could be added to look at it.

Commissioner Papa stated with Walmart at the peak of season there could be traffic issues at the intersection with the development to the north of 1100 East.

Mr. Wright stated it wasn't addressed on the traffic study for the increase of the traffic to the north. He stated there needs to be a more specific traffic study.

Commissioner Papa asked Mr. Wright if this is an emergency access to Bristol Park.

Mr. Wright stated there is a needed access and it was discussed in Staff Developers meeting that it is an emergency access.

Commissioner Papa asked Mr. Starkey if they approve this and request it to be gated.

Attorney Jeff Starkey stated he isn't aware of a recorded easement.

Mr. Willits stated it doesn't show on a plat or on a title report that he is aware of. He stated he thinks this was just an emergency access.

Commissioner Coats stated he isn't for blocking off the access.

Attorney Starkey stated there could be a condition to address the access. He stated this is a conditional use permit and it is a permitted use in the zoning designation.

Mr. Willits stated there are two accesses for Bristol Park and he feels he has adequate access for this project and the approval for a conditional use permit. He stated he thinks it is part of Bristol Park.

Commissioner Coats stated he feels the intent was that there are three different parcels next to Bristol Park.

Mr. Willits stated he is okay to address the access from Bristol Park.

Commissioner Coats asked if Mr. Willits is okay with not blocking off the access.

Mr. Willits stated he is okay.

Commissioner Henrie stated he feel there should be some research to see if there is a recorded easement and if there isn't one it is their private property.

Commissioner Coats stated it is being connected to this property.

Commissioner Hansen verified that Mr. Willits if he is okay with it being left open.

Mr. Willits answered he is okay with what needs to happen.

Commissioner Hansen asked the residents that commented tonight if they were for leaving the access open.

Mr. Caldwell and Mr. Poulsen indicated they would like it closed.

Commissioner Papa stated they have the responsibility to determine the safety of the request.

- Commissioner Henrie stated he would like to table this until research is done on if there is a recorded easement.

Commissioner Hansen asked who is it safer for.

Commissioner Henrie stated both.

Commissioner Hansen stated he is concerned with the residents not being able to get out in a case of emergency.

Commissioner Henrie stated he is aware of three project that have an emergency access.

Commissioner Coats stated his issue is 1100 East is just too tight.

Commissioner Henrie stated he has to consider the property owner.

Commissioner Papa stated he is aware of the public hearing being closed but there is a resident that want to make a comment.

Mr. Poulsen stated he is concerned with it being left open.

Commissioner Papa asked Ms. Spring about closing the public hearing.

Ms. Spring stated you can reopen the public hearing if you are going to table this.

Attorney Starkey stated the concern is if people have left prior to the motion and after the public hearing was held. He stated the public hearing if reopened should be to address certain issues.

Mr. Willits stated that Kathy Spring just informed him that the intent was that this was going to be part of the extension of Bristol Park but the owner decided to do a zone change to commercial so the access was an extension to Bristol Park. He stated that is why there isn't an easement. He stated he doesn't feel this needs to be tabled, the issue is rather to leave it open or not.

Commissioner Coats stated that makes sense has to why it is left open as it appears now. He stated he feels there should be an additional condition to address the access.

Commissioner Hansen stated he feels it should be left open until 1100 East is completely improved.

Commissioner Henrie asked if the residents use this access.

The residents indicated they don't use it.

Mr. Wright asked if they would be comfortable with a right in right out.

Commissioners indicated they would.

Mr. Willits stated there would have to be an island on Telegraph.

Commissioner Papa stated this is for a conditional use permit.

Commissioner Coats motioned to approve the conditional use permit with the findings and conditions of staff with an additional condition Condition # 13 The Bristol Park second access is to remain open and the applicant can come back in the future if problems occur to amend the conditional use permit to address the access.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

7. ZONE CHANGE

- a. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-18-18 to change from R-1-15 to RA-1 with Bonus Density located at approximately Royal Drive and Galilee Way. Applicant is Doug Dennett.

Background

Kathy Spring reviewed report: The applicant is requesting approval to change the zoning of approximately 3.664 acres, located at approximately Royal Drive and Galilee Way. The requested change is from the current zoning of Single-Family Residential - 15,000 Sq. Ft. Min. (R-1-15) to the proposed Residential/ Agricultural - 1 Acre Min. (RA-1) zoning designation. The (RA-1) request is for the purpose of developing this particular area to match the subdivision lots that were denied due to lot sizes not meeting the minimum size. The Bonus Density option available in the zoning regulations will allow the applicant to then have these particular lots meet the minimum required lot size(s).

The General Plan Land Use Designations for this location is the Very Low Density Residential (VLD). The Low Density Residential carries a 1.5 to 2.5 dwelling unit per acre density ratio and allows for zoning districts of RA-1/2 and R-1-15. The surrounding zoning to this parcel is RA-1 to the west, and R-1-15 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-18-18, for the zone change request from Single-Family Residential - 15,000 Sq. Ft. Min. (R-1-15) to the proposed Residential/Agricultural - 1 acre min. (RA-1) zoning designation, 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 the utilities that will be necessary for this type of development will be readily accessible to the site.

Commissioner Papa opened the public hearing.

Bob Williams asked what bonus density means.

Commissioner Hansen asked for explanation of the Bonus Density.

Brandee Walker explained there are certain things that are done to gain credits. Things like tree line streets, open space and that allows for different size lots.

Russ Hinton stated he doesn't want to see smaller size lots that don't match their subdivision. He stated he appreciates the road being done.

Commissioner Coats stated the lot sizes match what is currently there. He stated the lot sizes were only about 200 or 300 sq ft smaller and they will be single family homes.

Commissioner Coats 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 Coats seconded the motion.
Motion passed unanimously.

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

Meeting adjourned: 7:20 PM

Washington City

Signed by: Rex L Papa
Rex Papa, Planning Commission Chairman

Attested to: Kathy Spring
Kathy Spring, Zoning Technician