
Planning Commission Minutes
February 6, 2019

Present: Commissioner Papa, Commissioner Henrie, Commissioner Coats, Commissioner Hansen, Councilmember Ward, Drew Ellerman, Brandon Wright, Kathy Spring, Rick Meyer, Jerry Ritzman Onni, Frank Mann, Linda Mann, Megan Hunniantt, Cameron Carlson, Fred Lewis, Wilma Lewis, Karyn Evertsen, Rick Evertsen, Susan Stewart, Marvin Stewart, Justin Whitworth, Matt Ferguson, Mark Whitworth, Lucy Ford, James Millward, Shawna Millward, Reed Thurgood, Gregan Gibson, Enrique Rivera, Patty Gibson, Jed Johnston, Bryan Adams.

Meeting called to order: 5:30 PM

Commissioner Papa excused Commission Martinsen and Commission Phetsomphou.

Invocation: Hansen

Pledge of Allegiance: Henrie

1. APPROVAL OF AGENDA

- a. Approval of the agenda for February 6, 2019.

Commissioner Henrie motioned to approve the agenda for February 6, 2019.

Commissioner Coats seconded the motion.

Motion passed unanimously.

2. APPROVAL OF MINUTES

- a. Approval of the minutes from January 16, 2019.

Commissioner Coats motioned to approve the minutes from January 16, 2019.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

3. PRO-TEM FOR 2019

Commissioner Henrie motioned to table this item to February 20, 2019 due to absence of Commissioner Martinsen and Commissioner Phetsomphou.

Commissioner Coats seconded the motion.

Motion passed unanimously.

4. DECLARATION OF ABSTENTIONS & CONFLICTS

Commissioner Coats will abstain from voting on item 7-A due to his firm did some work on the project but he will participate.

5: FINAL PLAT

- a. Consideration and recommendation to City Council for the Chaparral Ridge Phase 6 Final Plat located at approximately Desperado Drive and Wild Horse Ridge. Applicant is Kent Rasmussen.

Background

Drew Ellerman reviewed report: The applicant is requesting approval of a final plat for the Chaparral Ridge, Phases 6 subdivision, located at approximately Desperado Drive and Wild Horse Ridge. This particular subdivision is proposing 13 lots on an area covering 5.59 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 7, 2002.

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 Chaparral Ridge, Phase 6 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. Show the detention area and label it as detention / common area. A note shall be added to the general notes stating that all common areas will have a blanket Public Utility and Drainage Easement.

Commissioner Coats asked about the drainage in this area and if it is to the north.

Mr. Ellerman stated it is to the north and it has been addressed.

Commissioner Coats stated he is concerned with the 10 feet behind the lot Common Space and if there is adequate space to access the area but if public works is okay he won't have an issue with it.

Commissioner Papa asked about the turn around.

Mr. Ellerman stated it meets the criteria.

Commissioner Coats asked if there is another property owner.

Mr. Ellerman stated it is the same property owner.

Commissioner Hansen stated since it was approved so long ago is there any issues to be concerned with.

Mr. Ellerman stated all the current standards would have to be met.

Commissioner Coats asked if they are ready to build.

Brandon Wright stated they are doing curb and gutter.

Commissioner Coats motioned to recommended approval to City Council with the findings and conditions of staff.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

6. PRELIMINARY PLAT

- a. Public Hearing for consideration and recommendation to City Council for the Whitworth Estates Preliminary Plat located at approximately 240 West and north of Harvest Lane. Applicant is Matt Ferguson.

Background

Drew Ellerman reviewed report: The applicant is requesting approval of a Preliminary plat for the Whitworth Estates subdivision, located at approximately 240 East and north of Harvest Lane. The applicant is proposing 26 lots on an area of coverage of 10.307 acres. The zoning designation at this particular location is Single-Family Residential - 12,000 Sq. Ft. Min. (R-1-12). The surrounding zoning is RA-1/2 and R-1-15 to the north, RA-1/2 and PUD to the west, R-1-8 to the south, and Washington County zoning to the east.

This preliminary plat approval request is in follow up to the recently approved Annexation into the City along with assigned R-1-12 zoning of this parcel. 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 Whitworth Estates 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. A preliminary and final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.

3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:
 - A. A title report.
 - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
7. A final landscape plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
9. Driveway locations are to be approved by the Public Works Department.
10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
11. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.
12. The following items will be added to the plat before being heard and considered by the city council: 1) a vicinity map will be added to the plat; 2) a basis of bearing will also be added to the plat.

Commissioner Coats stated he doesn't feel this is a complete preliminary plat submittal. There isn't information for an appropriate preliminary plat and it needs a legal description. There appears to be a utility plan. He motioned to recommend this be tabled to February 20th. Commissioner Henrie seconded the motion. Motion passed unanimously.

Matt Ferguson stated he thought it was a complete submittal.

Commissioner Coats stated there needs to be a site plan and a legal description with the legal boundary and there aren't any section monuments.

Mr. Ellerman stated he feels the public hearing should be held and then we can go ahead and table it in two weeks then it could go to City Council the next week because there isn't a public hearing at City Council.

Commissioner Coats withdrew his motion to proceed with the public hearing.

Mr. Ellerman continued with his report.

Commissioner Papa opened the public hearing.

Rick Evertsen stated he lives at 152 W Harvest Lane. He stated he doesn't want to lose the view. He stated he is concerned with the completion of the walls that have not been completed. He stated he is also concerned with water usage with larger lots. He stated the rear setbacks are about 20 feet and he appreciates that the homes won't be closer to their home. He suggested that landscape should be desert to conserve water.

Bryan Adams asked about the waste water drainage.

Commissioner Coats stated there is a detention areas along 240 West and 20 East.

Mr. Adams stated the fields drain through a 30 inch pipe then goes to the tree area. He suggested there should be a drainage pipe.

Brandon Wright stated all subdivisions in the fields have to go to the Canal Company to address drainage. He stated it will be addressed before construction drawings are submitted.

Mr. Ellerman stated condition 1 addresses drainage.

Mr. Wright stated he will set up a meeting with Mr. Pope and Mr. Ferguson.

Mr. Adams asked when the construction drawings will take place.

Mr. Ellerman stated they after the preliminary plat they submit construction drawing for staff to review and approve prior to the final plat submittal.

Jed Johnston lives in the Farmland Estate. He asked about the size of the lots.

Mr. Ellerman stated they have to be a minimum of 12,000 sq ft lots.

Mr. Johnston stated the master plan states they can only go down one step.

Commissioner Coats stated the zoning was done through the annexation.

Mr. Johnston stated this doesn't meet the master plan.

Commissioner Coats stated the lots are closer to the step down than what is already there. He stated they could come back and ask for smaller lots but it doesn't appear to be a benefit to them.

Mr. Johnston stated the Canal Company isn't maintaining the canal,

James Millward stated he lives on lot 6 on Log Lane. He stated he has about 4 lots that back this project. He stated the drainage is his concern. He stated the lot size is okay and hopefully doesn't change. He asked about the wall.

Mr. Ellerman stated there isn't a requirement for walls unless it is a PUD or PCD. It is between property owners.

Commissioner Hansen stated the gentleman that spoke first asked about the requirement for the wall to be completed.

Mr. Ellerman stated the new PUDs require walls.

Commissioner Henrie motioned to close the public hearing.

Commissioner Coats seconded the motion.

Motion passed unanimously.

Mr. Ellerman stated there are a couple of choices first you can table it or you can move forward with conditions to add the items that are missing.

Commissioner Henrie stated the conditions can include the items missing.

Commissioner Hansen stated he is concerned with the walls not being completed.

Mr. Ellerman stated the walls usually get built but it is not a requirement on straight zoning.

Commissioner Hansen asked if the canal goes on the property line.

Mr. Ellerman stated more than likely and the canal will be piped.

Justin Whitworth stated he apologized for the missing items. He stated he has been in contact with the Canal Company and it will be piped. He stated they don't plan to make the lots smaller. He stated they haven't considered do walls.

Commissioner Papa asked if they are going to sell the lots.

Mr. Whitworth stated some they will do themselves but they plan to sell most of the lots.

Commissioner Coats motioned to table the item 6-A to February 20th so that plat can add a legal boundary description, monuments and the plat show utility tail water.

Mr. Ellerman stated the public can make comment on just the new items only.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

7. ZONE CHANGE

- a. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-19-03 to change from OS (Open Space) and R-1-6 (Single Family Residential minimum 6,000 sq ft lots) to PUD (Planned Unit Development) and AP (Administrative and Professional) located at approximately Washington Parkway and Main Street. Applicant is SITLA, School Trust Lands Administration.

Background

Drew Ellerman reviewed report: The applicant is requesting approval to change the zoning of approximately 47.02 acres, located at approximately the southeast corner of Main Street and Washington Parkway. The requested change is from the current zoning of Open Space (OS) & Single-Family Residential - 6,000 Sq. Ft. Min. (R-1-6), to a proposed Planned Unit Development - Residential (PUD-R) and Administrative / Professional (AP).

The PUD-R request is for the purpose of developing 28.41 acres into a multiple-family residential development at a future date. The applicant understands that postponing the design and specific use of this area requires them to bring back a specific plan for approval through the public hearing process. As part of this application, there are two areas within the 28.41 acre parcel, one portion (area 1) is 22.55 acres and the other portion (area 2) is 5.86 acres. The “area 2” portion is being given for a debris basin being utilized by Washington City for help with solutions to the flooding that has been occurring in the overall vicinity. This debris basin will play a major role in bringing a solution to the storm water problems that currently exist in this part of the City. With that said, the applicant and staff have agreed that due to this basin being given as a major part of storm water system, the densities afforded to the 5.86 acre area, will be transferred to the remaining “area 1” for incorporation into that 22.55 acre area. Giving this area, when presenting the specific site plan design, a density of 198-340 dwelling units within the 22.55 acre “area 1”. That equates to a density ratio of 9-15 dwelling unit per acre.

The A/P request is for the purpose of developing 8.61 acres into a future administrative / professional development at a later date.

Also, as part of this application, a 10.68 acre area is being designated to Open Space zoning as depicted in the attached exhibits, and should be made part of this application approval process.

The General Plan Land Use Designation for this location is Medium High Density Residential (MHD), which carries a 7 - 12 dwelling units per acre density ratio, Civic and Open Space (OS). The surrounding zoning to this parcel is R-1-6 to the east and south, OS to the north, and PCD (the Brio PCD) to the west.

Staff has reviewed the requested zone change and wishes recommend approval of the zone change request.

Recommendation

Staff recommends approval of Z-19-03, for the zone change request from Single-Family Residential - 6,000 Sq. Ft. Min. (R-1-6) and Open Space (OS), to the proposed Planned Unit Development - Residential (PUD-R) (28.41 acres), Administrative / Professional (AP) (8.61 acres), and a designated Open Space area of 10.68 acres, also approving a density ratio for the PUD-R portion of 9-15 d.u./ac to be used in the “Area 1” designated area, onto 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.

Conditions

1. The PUD-R area shall conform to the standards of the PUD Zone.

2. A traffic study shall be submitted for review and approval prior to submitting building permit applications.

3. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to site development. 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.

4. A Post Construction Maintenance Agreement needs to be recorded prior to any plat recordations.

5. A specific site plan along with all associated design criteria (as required in the PUD zoning regulations), will need to be brought before the City through the public hearing / approval process prior to any construction of the portion of the PUD-R designated parcel labeled as “Area 1” on the attached exhibit(s).

Commissioner Papa asked about the heading background 9 to 15 du per acre, is that why going to the higher density.

Mr. Ellerman stated yes the general plan already gave the density but this is a PUD so they can request less density but it has to be functionable.

Commissioner Henrie asked if the detention area is being given to the city.

Mr. Ellerman stated that is correct, that the city will build it and maintain it.

Commissioner Henrie stated this is a good deal. And the open space is a good buffer.

Commissioner Hansen asked if the detention will ever fill up.

Mr. Ellerman stated it will slow the drainage down and this will slow the flow to help with flooding that has happened.

Commissioner Henrie asked about the cemetery radius.

Mr. Ellerman stated it was once considered to be a cemetery but it doesn't look like it will happen.

Commissioner Papa opened the public hearing.

Reed Thurgood lives in the New Warm Springs. He stated he is concerned with the flooding and he would like to encourage the commissioners to look at cubic feet and he feels that the cemetery is needed. He stated to the east there is a multi family housing and west there is the high density. He stated he would like to see less density in this area. He stated there will be a law suit if there is continued flooding.

Commissioner Henrie motioned to close the public hearing.

Commissioner Hansen seconded the motion.

Motion passed unanimously.

Commissioner Papa stated he was involved with the flooding in the past. He stated the city tries to protect the citizens from such events.

Commissioner Henrie asked Brandon to address the detention area.

Brandon Wright stated they have done studies in the area and this debris and detention area has data. He stated they are also looking at other options in the area so they are continuing to work at this area.

Commissioner Hansen stated he would rather do something than do nothing. He feels this will help.

Commissioner Coats stated currently there is nothing.

Commissioner Hansen stated he likes the open space.

Commissioner Papa asked if there are developers showing interest in this area.

Aaron Langston stated they have had an overwhelming demand to develop this area. He stated as a State agency they have not opted to do anything right now. They will in the future do bids. He stated their plan is to help with the flooding issue to help Washington City but they aren't putting in the detention. He said they went to the city to let SITLA know what the city needs. The city did hire an engineer.

Commissioner Papa asked with the interest has this influenced the 6,000 sq foot design.

Commissioner Coats stated they are just going with what the density will allow.

Mr. Langston stated no. He stated they have a master plan and that is what they would like to follow.

Commissioner Hansen asked about the property to the north and would they get to see what is developed.

Mr. Langston answered yes. He stated the cemetery is in the AP zone and so they still talking to the city but there is intense interest in this area.

Commissioner Papa asked Mr. Ellerman if the city has put forth a plan for the detention area.

Mr. Ellerman stated he doesn't know. He stated he is glad the SITLA and city are working together.

Commissioner Coats stated there are meetings with the city.

Doug Ward stated there have been some plans to excavate before flood season but they need to look at budgeting so they can get some detention in place. He stated this is one of two areas.

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

Commissioner Hansen seconded the motion.

Commissioner Papa Aye.

Motion passed unanimously with a 3 vote. Commissioner Coats abstained from the vote.

Commissioner Henrie motioned to adjourn the Planning Commission Meeting.

Commissioner Coats seconded the motion.

Motion passed unanimously.

Meeting adjourned: 7:05 PM

Washington City

Signed by: _____

Rex Papa, Planning Commission Chairman

Attested to: _____

Kathy Spring, Zoning Technician