
Minutes
Planning Commission Regular Meeting
January 16, 2019

Present: Commission Chair Pro-Tem Ben Martinsen, Commissioners Rick Henrie, Van Phetsomphou, Craig Coats, Jason Hansen, City Attorney Jeff Starkey, Community Development Director Drew Ellerman, Council Member Doug Ward, Deputy Recorder Tara Pentz, Public Works Project Manager Brandon Wright, Fire Chief Matt Evans, Audience: Adam Allen, Austin Chappell, Reed Scow, Marvin Stewart, Susan Stewart, Steve Martin, Drake Howell, Loretta Jensen

Excused: Commissioner Papa

Meeting commenced at 5:30 P.M. by Pro Tem Commissioner Ben Martinsen.

Invocation: Commissioner Henrie

Pledge of Allegiance: Commissioner Coats

1. APPROVAL OF AGENDA

Commissioner Coats made a motion to approve the agenda. Commissioner Henrie seconded the motion; which passed unanimously.

2. APPROVAL OF MINUTES

a. Consideration to approve the minutes from January 2, 2019.

Commissioner Henrie made a motion to approve the minutes for January 2, 2019. Commissioner Coats seconded the motion; which passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

Chair Pro-Tem Martinsen noted Item 5A is close to his home, however he is not declaring a conflict.

4. FINAL PLAT

**a. Consideration and recommendation to City Council for Majestic Hills Phase 2 Final Plat located at approximately Noble Drive and 3650 South.
Applicant Jason Christensen, Majestic Hills Development**

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval of a final plat for the Majestic Hills, Phase 2 subdivision, located at approximately Noble Drive and 3650 South. This particular phase of the subdivision is proposing 4 lots on an area covering 3.16 acres. The specific location of this subdivision is zoned Single-Family Residential - 15,000 Sq. Ft. Min (R-1-15). The Preliminary Plat was approved back on September 27, 2017.

Staff recommends that the Planning Commission recommend approval of the Final plat for the Majestic Hills, 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 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 General Note calling out setbacks (note #5) shall be removed from the final plat.

Commissioner Henrie asked if there are any issues across the street.

Public Works Project Manager Brandon Wright noted they do not have any issues.

Commissioner Coats made a motion to recommend approval to the City Council of Majestic Hills Phase 2 Final Plat located at approximately Noble Drive and 3650 South with the findings and conditions of Staff. Commissioner Henrie seconded the motion; which passed unanimously.

5. CONDITIONAL USE PERMIT

- a. Public Hearing to consider approval of a Conditional Use Permit C-19-03 for a Senior Living project located at approximately Buena Vista Blvd and Main Street. Applicant: Triago.**

Community Development Director Drew Ellerman reviewed report:

The applicant is requesting approval of a Conditional Use Permit to build a multi-family apartment project (named the Sky at Brio) located at the northwest corner of Buena Vista Blvd. and Main Street. The project is found within the Brio Planned Community Development (PCD). The project's area of coverage is 7.47 acres. The site is proposing 204 dwelling units (in the form of 116 one-bedroom units, and 88 two-bedroom units), staggered throughout the development within a 6 main buildings. There is also provided recreational facilities found in the courtyard areas of the development which proposes a pool along with several other outdoor amenities. There will also be indoor recreational amenities in the way of a gym, game room and a banquet area.

The land use, and density are as they were approved as part of the Brio Planned Community Development (PCD). This particular area was set aside for assisted living or senior apartments (multiple-family) development and the set density for this area was 210 dwelling units, the applicant is proposing 204 units.

The development is required to provide two parking stalls for the two (2) bedroom units, and one, point one (1.1) parking stalls for the one (1) bedroom units. The applicant is proposing 344 total parking stalls, of which 40 are visitor parking stalls (128 for the one-bedroom, 176 for the two-bedroom, and 40 for the visitor requirement). Staff feels that it would be wise to insert more stalls for peak parking times throughout the year. This could be accomplished in the area on the east side of building #6 (shifting it to the west and adding 10 plus stalls), or, looking at the area on the east entrance off of Main Street (north side of entrance), adding a possible 8-10 stalls. Parking is always a worry for multi-family developments.

The applicant has assured staff that the height of the buildings will be within the thirty five foot (35') maximum as per city code. This is only mentioned due to the previous submitted CUP which sought for height restriction relief above forty feet.

Staff recommends that the Planning Commission approve C-19-03, allowing for a multi-family apartment project to be built and located at approximately the northwest corner of Buena Vista Blvd. and Main Street (within the Brio PCD).

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. The development of the site shall comply with the development standards of the PCD 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.
5. Dumpster screening, and retaining walls throughout the property shall blend in with the residential buildings. Details for these items shall be submitted for review and approval prior to the issuance of associated/required permits.
6. Any roof mounted equipment will be required to 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. The height of the buildings will be in accordance to the City standard of thirty five feet or less.

Commissioner Coats asked where the height is measured.

Community Development Director Ellerman stated they measure from finish grade.

Commissioner Coats explained building 4 has a significant grade change on the east side, which may make it difficult to meet the height requirement.

Community Development Director Ellerman stated this may be an issue, which needs to be addressed. The measurement is taken from street side, and this would be facing Main Street. We can address this area with the developer.

Commissioner Henrie asked how many extra additional parking stalls would be suggested by Staff.

Community Development Director Ellerman explained he would like the developer to add as many as possible.

Commissioner Hansen asked where overflow parking would go if all stalls were filled.

Community Development Director Ellerman stated they would most likely end up parking on either Main Street or Brio Parkway.

Commission discussed potential areas for additional parking stalls.

Chair Pro-Tem Martinsen noted the trash receptacles are quite a distance from some of the units. He would like to see additional areas for trash to be located.

Community Development Director Ellerman explained with the parking situation, it would be difficult for a truck to get in to any additional areas to be able to pick up trash, without losing more parking.

Public hearing

No response.

Commissioner Henrie motioned to close the public hearing.

Commissioner Coats seconded the motion.

Motion passed unanimously.

Austin Chappell with Horrocks Engineering. There is a significant elevation change on building 4. Since the original drawing, they have lowered the finished floor in order to adjust for some of the grade change. They are also considering moving the entrance to the back side of the building and having a retaining wall, which would lower the building even more.

Commissioner Coats explained with the building as shown on the map, the Commission does not have authority to approve a height waiver. If the applicant would like to move forward as it is drawn, he would recommend going to Council to ask for the height relief.

Commissioner Phetsomphou asked if the entrance will meet ADA requirements.

Mr. Chappell stated it will meet those requirements.

Commissioner Coats asked if they have the necessary permits for the water.

Public Works Project Manager Wright stated this project has been reviewed.

Commissioner Henrie asked how the applicant can address the request for additional parking.

Mr. Chappell stated the area adjacent to building 4 would not be ideal for additional parking due to the topography. They could possibly add parking in a couple of other areas.

Reed Scow stated this project was modeled after a senior living complex in northern Utah. They anticipate most of the units to only have a single car.

Commissioner Coats asked what the applicant would like to do with the height.

Mr. Scow stated they will have to move on to Council, as the grade is a significant issue. He would like to ask the Commission to move forward to Council.

Commission discussed the height waiver process.

Mr. Scow commented in speaking with the engineer, they would only need to move the retaining walls from the front of the building to the back, and they should be able to meet the height requirement. They will need to take the project back to the owner to make sure they are okay with that change.

Commissioner Coats asked if there is to be any screening between the project and Main Street and Buena Vista.

Mr. Chappell stated they plan to place a block wall on Buena Vista, but they plan to leave Main Street and Brio Parkway without a wall so they can have the views.

Commissioner Coats commented it would be strange to have a block wall on only one side.

Mr. Scow stated that is how it is currently designed.

Commission discussed where additional parking could be located.

Commissioner Martinsen stated there is a wall called out from Buena Vista and it curves around and goes up Brio Parkway. This is called out as a Development Wall. He would like to know what this means.

Mr. Scow stated this was a PCD amendment allowing the development to determine with the elevation if they are putting in a solid 6 foot wall or a 3 foot wall with 3 feet of wrought iron. Generally if there is any type of view, they choose to do the 3 x 3.

Commissioner Coats asked if there is any walls on the back side of the project.

Mr. Scow explained they are using some small retaining walls, by they are still exploring some different options, and are at the mercy of the geo-tech to determine what is going to work best.

Commissioner Coats made a motion to approve a Conditional Use Permit C-19-03 for a Senior Living project located at approximately Buena Vista Blvd and Main Street with the findings and conditions of Staff with condition 11 - building 4 needs to be approved through City Council for height and condition 12 the block fence along Buena Vista will be a block wall with a wrought iron fence. Commissioner Henrie seconded the motion; which passed unanimously.

6. ZONE CHANGE

- a. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-19-01 to change from R-1-12 (Single Family Residential minimum 12,000 sq ft lots) to R-2 (One and Two Family Residential) located at approximately Washington Fields Road across from Washington Dam Road. Applicant: Matt Green, Jeremy Green and Kyle Eardley.**

Community Development Director Drew Ellerman reviewed report:

The applicant is requesting approval to change the zoning of approximately 0.89 acres, located at approximately the west side of the Washington Fields Road and Washington Dam Road intersection. The requested change is from the current zoning of Single-Family Residential - 12,000 Sq. Ft. Min. (R-1-12) to the proposed One and Two-Family Residential (R-2) zoning designation. The (R-2) request is for the purpose of developing the three parcels into a future twin-home development.

The General Plan Land Use Designations for this location is the Medium Density (MD) Residential. The Medium Density Residential carries a 4.5-6 dwelling unit per acre density ratio and allows for zoning districts of R-2, R-1-6 and R-1-8. The surrounding zoning to this parcel is PUD to the west and south, R-1-10 to the north, and PUD and RA-½ to the east.

Staff recommends that the Planning Commission recommend approval of Z-19-01, for the zone change request from Single-Family Residential - 12,000 Sq. Ft. Min. (R-1-12) to the proposed One and Two-Family Residential (R-2) 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 Henrie asked if there are concerns with access.

Community Development Director Ellerman explained there is now going to be a through access, as the developer has made a access into Heritage Fields.

Commissioner Hansen asked when they plan to put this access in. He has driven past the project several times, and they have not even started the grading.

Community Development Director Ellerman stated he would have to ask the developer on the timeline.

Commissioner Hansen asked if this will be wide enough for two vehicles to pass.

Community Development Director Ellerman stated it is 20 feet wide, and will allow for two cars to pass.

No public comments were made.

Commissioner Henrie made a motion to close the public hearing. Commissioner Phetsomphou seconded the motion; which passed unanimously.

Matt Green stated he has not yet been able to meet with Sullivan Homes on the access. However, they plan to meet with them as soon as possible.

Commissioner Hansen asked if the road will be in place prior to construction.

Community Development Director Ellerman stated he would make sure the access is in place prior to a certificate of occupancy being issued.

Mr. Green stated there is a guy wire right on the corner of the access easement, and they have been working with Dixie Power to get this moved.

Commissioner Henrie made a motion to recommend approval to the City Council of Zone Change request Z-19-01 to change from R-1-12 (Single Family Residential minimum 12,000 sq ft lots) to R-2 (One and Two Family Residential) located at approximately Washington Fields Road across from Washington Dam Road with the findings of Staff and with the condition a portion of the wall be removed upon construction of the 20 foot access easement.. Commissioner Phetsomphou seconded the motion; which passed unanimously.

b. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-19-02 request to change from OS (Open Space) to I-2 (Heavy Industrial) located on the Landfill Road. Applicant: Plumb Holdings SG LLC.

Community Development Director Drew Ellerman reviewed report:

The applicant is requesting approval to change the zoning of approximately 89.80 acres, located at approximately 3700 East and Landfill Road. The requested change is from the current zoning of Open Space (OS) to the proposed Heavy Industrial (I-2) zoning designation. The (I-2) request is for the purpose of developing the parcel into a future industrial development.

The General Plan Land Use Designations for this location is the Industrial (I). The Industrial designation allows for zoning districts of I-1 and I-2 (light and heavy industrial respectively). The surrounding zoning to this parcel is Open Space to the south and east, I-2 to the west and County zoning to the north.

Staff recommends that the Planning Commission recommend approval of Z-19-02, for the zone change request from Open Space (OS) to the proposed Heavy Industrial (I-2) zoning designation (as shown in the attached exhibit), 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 Coats noted he would like bearing calls on the project to know where the hillside areas are.

No public comments were made.

Commissioner Coats made a motion to close the public hearing. Commissioner Henrie seconded the motion; which passed unanimously.

Commissioner Phetsomphou made a motion to recommend approval to the City Council of Zone Change request Z-19-02 to change from OS (Open Space) to I-2 (Heavy Industrial) located on the Landfill Road with the findings of Staff. Commissioner Henrie seconded the motion; which passed unanimously.

7. GENERAL PLAN AMENDMENT

- a. Public Hearing for consideration and recommendation to City Council a General Plan Amendment G-19-01 request to change the current lines and areas of OS, MD and MHD (Open Space, Medium Density and Medium High Density) to the revised lines of OS, MD and MHD (Open Space, Medium Density and Medium High Density), with a feathering affect moving from the river to the industrial area and landfill, located along Country Way.**

Applicant: Plumb Holdings SG LLC.

Community Development Director Drew Ellerman reviewed report:

The applicant is seeking to amend the General Plan Land Use Map in the area located at approximately along Country Way from the Virgin River bridge to Landfill Road. The requested area covers 202.88 acres. The current Land Use designations are Open Space (OS), Medium High Density Residential (MHD) and Medium Density Residential (MD). The applicant is seeking approval to have the Land Use designation boundaries changed as it relates to each designation of OS, MHD and MD as shown in the attached exhibits. The requested change will be for the possibility to develop the area into future development projects.

The surrounding General Plan Land Use designations are Medium Density Residential and Open Space to the north, Open Space, Industrial and Medium High Density Residential to the east, Estate Residential to the south, and finally Open Space and Estate Residential to the west. The surrounding zoning is Open Space to the north and west, Open Space to the south, and R-1-8 and Washington County zoning to the east.

The applicant is wishing to amend this parcel, in hopes for future residential development in this particular area. The Medium High Residential (MHD) designation allows for the R-3 zoning district and the Medium Density Residential (MD) designation allows for the R-2, R-1-6 and R-1-8 zoning districts.

Staff recommends that the Planning Commission recommend approval, for the proposed G-19-01 application, to amend the General Plan Land Use Map as outlined above and shown on the exhibit attached hereto, to the City Council.

Chair Pro-Tem Martinsen asked for a location of this project on the map.

Community Development Director Ellerman reviewed the location on the aerial map.

Steven Martin stated he disagrees with the proposed zoning from medium to high density housing. This does not currently conform to the Washington City General Plan, which he read to the Commission. He believes this is an isolated project, and does not conform. Washington Dam Road is currently being used as a haul road for garbage trucks and big trucks, and it is in disrepair. He feels traffic plans, infrastructure, roads and parks need to be in place for this area prior to any request being approved. In addition, the bridge is failing, and he would like to know if the State has done any inspections to see the damage from the flooding. He would like to see larger lots typical to those across the river with similar home sizes.

Chair Pro-Tem Martinsen clarified this is a general plan amendment request. The applicant is requesting to change the boundaries slightly for what is currently in the General Plan. However, this land is currently zoned PCD, which could be built if a new land owner wanted to build it as it was approved 13 years ago.

Kathleen Blake stated she owns agricultural property in this area. She is concerned with high density going in this area. It has been her experience individuals are generally not sensitive to agricultural and animals, which area already currently here. She also is concerned about the road, as it is not wide enough to carry the traffic, and it is bad shape and needs to be redone.

There is also a concern about the crime rate going up with the amount of development being requested.

Fred Salisbury stated he owns several lots in what is called the illegal subdivision, and Western Rock had gravel rights and they came in and took out gravel for quite some time. He would like to know if they still are able to come in to get more right.

Community Development Director Ellerman explained they would need to come in and apply for additional extraction permits. If they did have a permit, he would assume it has expired at this point.

Adam Allen stated he spoke with Walt Plumb today, and Western Rock has signed over all of their extraction rights to his property.

Commissioner Coats made a motion to close the public hearing. Commissioner Henrie seconded the motion; which passed unanimously.

Commissioner Coats asked about the trail easement along this property. He would like to make a condition the easement be deeded over in order to use the grant money to get it completed.

Mr. Allen stated he will absolutely move forward with this tomorrow, and the easement will go all the way to the County property. In addition, they are asking to amend the general plan because the PCD does not really come in line with what they are desiring to build. This particular PUD request is going to be significantly lower density than the original PCD request.

Chair Pro-Tem Martinsen explained the PUD zoning process.

Commissioner Coats asked why the applicant is requesting a general plan amendment, rather than requesting the PUD zoning.

Mr. Allen explained they were requesting a general plan amendment in order to have an underlying density, which would be comparable to the PUD they hope to request.

Commission discussed the differences of PUD and PCD.

Community Development Director Ellerman noted in the feathering process, it is better to have a townhome next to industrial. It would be difficult to ask someone to build on a large light right next to an industrial zone.

Commissioner Coats reviewed the potential density and if this change were to be approved, which would allow for over 1000 units.

Mr. Allen stated they have been looking at some different layouts on this project, and they plan to do garden homes. However, as they move closer to the industrial area, they are more than likely going to move toward townhomes. This is a different scenario, but he does not believe there will be any way to max out the density on this project.

Commissioner Hansen asked if we are concerned about the bridge.

Public Works Project Manager Brandon Wright stated he has heard of any issues with the bridge, but he will definitely follow up.

Commissioner Hansen clarified if a development were to come back, it will address any road issues.

Community Development Director Ellerman explained Washington Dam road is master planned as a 5 lane road, and it will be built to this not too far in the future. With regard to the development, all projects are required to submit a traffic study and abide by those recommendation.

Commissioner Henrie made a motion to recommend approval to City Council General Plan Amendment G-19-01 request to change the current lines and areas of OS, MD and MHD (Open Space, Medium Density and Medium High Density) to the revised lines of OS, MD and MHD (Open Space, Medium Density and Medium High Density), with a feathering affect moving from the river to the industrial area and landfill, located along Country Way encouraging the applicant to work with the City Staff on the trail easement. Commissioner Phetsomphou seconded the motion; which passed unanimously.

8. ADJOURNMENT

Commissioner Coats made a motion to adjourn the meeting. Commissioner Henrie seconded the motion; which passed unanimously.

Meeting adjourned at 7:35 P.M.

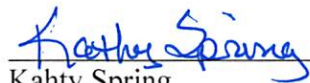
Passed and approved on this 6th day of February, 2019.

Washington City



Ben Martinsen, Pro Tem

Attest by:



Kahty Spring
Zoning Technician