
Planning Commission Minutes
May 15, 2019

Present: Commissioner Papa, Commission Henrie, Commission Martinsen, Commissioner Phetsomphou, Commissioner Coats, Commissioner Hansen, Councilmember Ward, Attorney Jeff Starkey, Drew Ellerman, Brandon Wright, Kathy Spring, Brandee Walker, Mike Staheli, Mary Esther Putnam.

Meeting called to order: 5:30 PM

Invocation: Commissioner: Commissioner Henrie

Pledge of Allegiance: Commissioner: Commissioner Coats

1. APPROVAL OF AGENDA

- a. Approval of the agenda for May 15, 2019.

Commissioner Coats motioned to approve the agenda for May 15, 2019 with moving item 5A to the beginning of the agenda due to the request to be tabled to June 5, 2019. Commissioner Henrie seconded the motion.
Motion passed unanimously.

2. APPROVAL OF MINUTES

- a. Approval of the minutes from April 3, 2019.

Commissioner Coats motioned to approve the minutes from April 3, 2019. Commissioner Martinsen abstained due to he was not present. Commissioner Henrie seconded the motion.
Motion passed unanimously.

- b. Approval of the minutes from the April 17, 2019.

Commissioner Martinsen motioned to approve the minutes from the April 27, 2019. Commissioner Coats seconded the motion.
Motion passed unanimously.

- c. Approval of the minutes from the May 1, 2019.

Commissioner Coats motioned to approve the minutes from the May 1, 2019. Commissioner Martinsen seconded the motion.
Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None.

5. ZONE CHANGE

- a. Tabled from May 1, 2019: Public Hearing for consideration and recommendation to City Council a Zone Change Z-19-06 from PCD Planned Community Development to PUD Planned Unit Development located at approximately east and west of the Country Way, known as the Sunrise Valley Development. Applicant is Walter Plumb.

Background

Drew Ellerman stated the applicant is requesting approval to change the zoning of approximately 202.85 acres, located approximately at 2800 East Country Way. The requested change is from the current zoning of Planned Community Development (PCD), to a proposed Planned Unit Development - Residential (PUD-R).

Staff and the applicant are still trying to get all required items ready a full presentation to the planning commission. We are still lacking the required elevations of the units being proposed to be built within the planned unit development. The applicants architect is still needing two more weeks to have the elevations completed.

We ask that this item be tabled for two more weeks, and be rescheduled for June 5th, 2019 meeting.

Recommendation

Staff recommends that this item be tabled until the May 15, 2019 meeting of the Planning Commission to allow for time to complete the missing information for the PUD zone change.

Commissioner Coats motioned to table item 5A to June 5, 2019 with the noticing to be sent out with the new date.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

4. PLAT AMENDMENT

- a. Public Hearing for consideration and recommendation to City Council for the Ammerswil Estates Preliminary Plat Amendment to add 14 lots located at approximately 500 West 3090 South. Applicant is Mike Staheli.

Background

Drew Ellerman reviewed report: The applicant is requesting approval of an Amended Preliminary plat for the Ammerswil Estates subdivision, located at approximately 500 West 3090 South. The reason for this amendment request, is to add 14 lots to originally approved preliminary plat. The original preliminary plat was approved on July 11, 2018.

Staff has reviewed the proposed amended preliminary plat and finds it conforms to the zoning of this development. The subdivision also remains in compliance to the Subdivision Ordinance of the City.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Amended Preliminary Plat for the Ammerswil Estates subdivisions to the City Council, based on the original findings and subject to the original conditions of the approved Preliminary Plat of July 11, 2018:

Findings

1. The amended preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the amended preliminary plat conforms to the Zoning and 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. Before the thirty-second (32nd) lot of this subdivision is recorded, an agreement will need to be provided with the adjoining property owner to the north or east, and a sufficient roadway provided and approved by the public works department. This is to meet the requirement of a secondary access for this development. An alternative to this condition would include the building of a roadway to the west which lies in the St. George city limits.
13. Due to the lack of minimum street width being presented on the preliminary plat, any proposed final plats will require that the minimum width of a half road be provided with sufficient easement (or dedication) acknowledgement as part of the final plat application.
14. Due at final plat application, sufficient easements for utilities being serviced from Merrill Road.

Commissioner Coats asked about lots 58 and 59 and if they face the road inside the subdivision.

Mr. Ellerman answered the houses will face the road inside the subdivision.

Commissioner Papa asked about the north line, if that is the St George boundary.

Mr. Ellerman answered yes. He explained that Harvest Lane will continue through into the St George Parcel so it will line up. Condition #12 is what this is referencing.

Commissioner Coats stated the checklist needs to address the drainage.

Brandee Walker stated they are working with PRI, St George and the Canal Company. She stated it is a trail water ditch that would be abandoned. She explained that the subdivision is higher and the water will drain to the north. It will show on the construction drawings.

Commissioner Coats stated the drainage doesn't show how it will drain on the east.

Ms. Walker stated they aren't sure where the outlet will be.

Commissioner Coats stated the plat needs to show when conveying water from the subdivision it shows where it is going. He stated the utilities need to be clarified on the plat. He stated the plat needs to show the curb and gutter.

Ms. Walker stated the school has curb and gutter is now.

Commissioner Papa asked why the amendment from the other plans.

Ms. Walker stated they needed to add the 9 lots so they can get started while they wait for a few items to get taken care of.

Commissioner Coats asked if there is an HOA to take care of the landscaping.

Ms. Walker stated it will be taken care of with an HOA to maintain the island and landscaping. She stated this is similar to Brookhaven. She stated she will add it to the plat.

Commissioner Hansen asked if the approval is for all the lots or just the 9 additional lots.

Mr. Ellerman answered approval is for all the lots

Commissioner Papa opened the public hearing.

No response.

Commissioner Henrie motioned to close the public hearing.

Commissioner Coats seconded the motion.

Motion passed unanimously.

Commissioner Henrie asked about the island.

Mike Staheli stated they don't know for sure. They just wanted to have something so people wouldn't use the road to go through.

Jeff Starkey asked about the access and if it meets the access management plan.

Brandon Wright stated it is a little shy but they are okay with it.

Commissioner Coats motioned to recommend approval to the City Council with the findings and conditions of staff with additional condition 15 that all items on the checklist specifically the drainage and utilities be placed on the plat.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

5. DISCUSSION ITEMS

- a. Discussion on revision to the subdivision ordinance.

See attached.

Mr. Ellerman stated the subdivision ordinance needed to be undated. There is a new preliminary and final checklist to help the developer show what is needed on the plat. He stated that chapter 2 was changed to eliminate the building official from so much involvement. Chapter 3 has the biggest change so it would meet the process we do currently.

Commissioner Coats stated the engineer needs to be clarified. It should be city engineer or designated engineer.

Mr. Ellerman stated Rosenberg does all the reviews for the city.

Commissioner Coats stated it should be surveyor signing off on the mylar.

Mr. Ellerman stated it use to be that the State required the engineer sign off on it. He stated he is going to check into that. He explained that the Minor subdivision hasn't changed to much just some clarification.

Jeff Starkey stated there are going to be some changes to the lot line adjustments and minor subdivision through the legislation.

Mr. Ellerman stated it is probably to keep neighbors from just recording something without the city to make sure the zoning is correct. That would create an illegal subdivision. The State doesn't realize the problems that it causes because it changes the lot size.

Jeff Starkey stated it is best to keep land use to local land use bases. The people closest to the issue should be making the decisions.

Mr. Ellerman stated he likes the way the city approves the final plat with City Council approving the final plat as a consent agenda item. He stated some cities don't bring them to City Council.

Commissioner Coats stated the bonding should be staff. He stated it should be done with Public Works.

Jeff Starkey stated it should be approved by city staff (Public Works). This is how it has been done for years.

Mr. Ellerman stated he will take that out.

Brandon stated the escrow is 110%. He stated very seldom do they do the 110%.

Commissioner Coats stated he doesn't like the 3' height retaining wall requirement. He stated it should be a case by case basis.

Mr. Ellerman stated it was put in to eliminate an issue for the property owner. It was so the developer had to put it in. But sometimes the developer puts it onto the property owner.

Commissioner Hansen asked about a 10 year drainage plan, why not 20 years.

Commissioner Coats stated it is to show a 10 year, 100 year and 500 year which is a half chance it would happen every year.

Commissioner Hansen asked why on the previous project they didn't show the drainage plan.

Commissioner Coats stated Brandon told them to put it on and they didn't. He stated that from now on they should deny the project because it isn't on it.

Mr. Ellerman stated some times that is why they come back with an amendment.

Commissioner Coats stated that is why Brandon did the checklist for preliminary and final plats. He stated the project should be tabled.

Commissioner Hansen stated he agrees that it should be tabled if the checklist isn't complete.

Mr. Ellerman stated that the construction drawing process is where all the problems are resolved or they can't move forward with a final plat.

Commissioner Henrie motioned to adjourn the Planning Commission Meeting.

Commissioner Phetsomphou seconded the motion.

Motion passed unanimously.

Meeting adjourned: 7:29 PM

Washington City

Signed by: Rex L. Papa

Rex Papa, Planning Commission Chairman

Attested to: Kathy Spring

Kathy Spring, Zoning Technician