
Planning Commission Minutes
August 7, 2019

Present: Commissioner Papa, Commissioner Henrie, Commissioner Phetsomphou, Commissioner Coats, Commissioner Hansen, Drew Ellerman, Brandon Wright, Kathy Spring, Clark Kelsey, Lori Raines, Jim Raines, Tony Carter, Mike Harless, Tom Madden, Leslie Madden, Rodney Cruse, Rob Kendall, Kress Staheli.

Meeting called to order: 5:30 PM

Invocation: Commissioner Coats

Pledge of Allegiance: Commissioner Phetsomphou

1. APPROVAL OF AGENDA

- a. Approval of the agenda for August 7, 2019.

Commissioner Martinsen motioned to approve the agenda for August 7, 2019.

Commissioner Coats seconded the motion.

Motion passed unanimously.

2. APPROVAL OF MINUTES

- a. Approval of the minutes from July 17, 2019.

Commissioner Martinsen motioned to approve the minutes for July 17, 2019.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

Commissioner Phetsomphou disclosed that he lives near the are of item 6A.

4. FINAL PLAT

- a. Tabled from July 17, 2019: Consideration and recommendation to City Council for the Hawkeye Pointe Final Plat Subdivision located at approximately 3650 South 20 East. Applicant is Robert Kendall.

Background

Drew Ellerman reviewed report: This item was tabled at the July 17, 2019 planning commission meeting. The applicant was asked to do a few items to the plat including: having the specific lot sizes dimensioned correctly on the plat (minimum of “12,000 square feet”, not 11,990 and some change); have the geo-tech name included in the general note that is designated as such; and have both conditions #6 & #7 taken care of and showing on the plat as requested.

The applicant is requesting approval of a final plat for the Hawkeye Pointe subdivision, located at approximately 3650 South and 20 East. This particular subdivision is proposing 47 lots on an area covering 18.257 acres. The specific location of this subdivision is zoned Single-Family Residential - 12,000 Sq. Ft. Min. (R-1-12). The Preliminary Plat was approved back on February 28, 2018, and was granted a six month extension in February of 2019.

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 Hawkeye Pointe 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. Monuments need to be called out/added on Plat before recording with county recorder’s office.
7. Note #2 in the General Notes needs to be eliminated from plat, the city does not wish to have setbacks stated on the plat due to possible future changes that may occur.

Mr. Ellerman stated condition 6 and 7 and been addressed so they can be removed. Since this was tabled he left them on the report.

Commissioner Coats asked about the landscape and if it has to be installed before the CO is issued.

Mr. Ellerman stated he looks at the projects and can stop a CO when the landscape isn’t getting done. He stated he allows a few houses to be built before he gets to concerned about the landscaping.

Commissioner Coats asked about the block wall.

Mr. Ellerman stated there will be pre cast concrete stone that will be painted and then the landscape will come in along 3930 South, 3650 South and 20 East.

Commissioner Hansen asked about the 3830 street and if it is going to be blocked off.

Mr. Ellerman stated there will be an access to the property but it won’t go through.

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

Commissioner Henrie seconded the motion.

Motion passed unanimously.

5. PRELIMINARY PLAT

- a. Public Hearing for consideration and recommendation to City Council for The Views at Coral Canyon Preliminary Plat to change the design from previously approved design located at approximately Highland Parkway and Black Canyon Avenue. Applicant is Colewest Reed Scow.

Background

Drew Ellerman reviewed report: The applicant is requesting approval of a Preliminary plat for The Views at Coral Canyon, Phases 3 & 4 subdivisions, located at approximately Highland Parkway and Black Canyon Avenue. The applicant is proposing 53 lots on an area of coverage of 22.653 acres. Broken down by 26 lots in Phase 3 (11.671 acre) and 27 lots in Phase 4 (10.982 acres). The zoning designation at this particular location is Coral Canyon Planned Community Development (PCD). The surrounding zoning is PCD to the north, east, west, and south.

The proposed subdivision conforms to the approved PCD 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 Views at Coral Canyon, Phases 3 & 4 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 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.

Commissioner Coats asked if there is a trail system around the perimeter of Coral Canyon.

Reed Scow stated the trail goes around phase 1 and 2 and in the easement area.

Commissioner Coats stated it needs to be shown on the plat.

Mr. Ellerman stated before the trails were done by separate plats.

Commissioner Coats stated the trail needs to be shown so it is part of the boundary and the legal to be dedicated to the city.

Commissioner Papa opened the public hearing.

Tom Madden stated in phase 1 who has power of the HOA. He stated he is concerned about the fire and the weeds.

Commissioner Coats stated it is the Coral Canyon HOA. Reed Scow is the HOA representative for The Views at Coral Canyon.

Mr. Madden asked about additional parks.

Commissioner Coats stated Coral Canyon has a master plan for parks.

Mr. Ellerman stated there is a park in Highland Park.

Rodney Cruse wanted to express his concern about safety. He stated construction items should be maintained.

Mr. Madden stated there are large trucks going through the project.

Brandon Wright stated that the sewer is being raised and the trucks have to be loaded to a certain height so it doesn't cause dust problems and can only go 13 miles an hour. There is storm drain maintenance to keep the roads swept.

Reed Scow stated currently they are looking at the large trucks being done soon. He stated Gilbert is doing the watering and he will make sure the sweeping is done.

Commissioner Henrie motioned to close the public hearing.
Commissioner Martinsen seconded the motion.
Motion passed unanimously.

Commissioner Coats stated the easement needs to be upgraded with some landscaping.

Mr. Scow stated they are going to do it but the gas company needs to be on board and they want to keep it clean so they can sell lots.

Commissioner Coats stated Mr. Scow needs to work with Public Works.

Mr. Scow stated they will show it on the construction drawings.

Mr. Ellerman stated there should be an additional condition.

Commissioner Coats motioned to recommend approval to the City Council with the findings and conditions of staff with additional condition #12 that a beautification plan be added for the utility easement area and condition #13 that the perimeter trail be added to the plat.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

6. PLAT AMENDMENT

- a. Public Hearing for consideration and recommendation to City Council for Ladera at Sienna Hills Phase 1 Amended 2 Final Plat to add a limited common area behind lots 7 & 8 located at approximately Sandy Talus Drive and Ladera Drive. Applicant is Brennan Holdings No 100, LLC, Jim Raines.

Background

Drew Ellerman reviewed report: The applicant is requesting approval of an Amended Final plat for the Ladera at Sienna Hills, Phase 1, 2nd Amended subdivision, located at approximately Sandy Talus Drive and Ladera Drive. The reason for this amendment request, is to add “limited common area” behind lots #7 and #8. Currently the area behind these two lots is simply “common area”.

Staff has reviewed the proposed amended final plat and finds it conforms to the PCD 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 Final Plat for the Ladera at Sienna Hills, Phase 1, 2nd Amended subdivision to the City Council, based on the following original findings and subject to the following original conditions:

Findings

1. The amended final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the amended final plat conforms to the Washington City Zoning Ordinance and 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. Where applicable, in the General Notes where the terms “Home Owners Association”, or “Property Owners”, shall be changed to read as “Property Owners and/or Home Owners Association”.
5. That a post maintenance agreement be recorded prior to the recording of the final plat.

Commissioner Coats asked about lot 6.

Jair Almaraz with Ivory Homes stated the block wall along Sandy Taulis was close to lot 6 and it isn't their lot.

Commissioner Coats stated the monuments are not onsite because of the construction and they need to be. Condition 3 covers monuments but there are two missing control monuments on site.

Jim Raines stated he thought they were in the ground but will make sure they are and put on the plat.

Commissioner Coats stated the section monuments need to be put on the plat.

Mr. Ellerman stated condition #3 should cover it.

Commissioner Coats stated it still needs to be done.

Commissioner Papa opened the public hearing.

No response.

Commissioner Martinsen motioned to close the public hearing.

Commissioner Coats seconded the motion.

Motion passed unanimously.

Commissioner Coats motioned to recommend approval to the City Council with the findings and conditions of staff with additional condition #6 that a reference monument be recorded for the northwest corner section 18 and northeast corner section 13.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

- b. Public Hearing for consideration and recommendation to City Council for a Plat Amendment for Rusted Hills Phase 3,4, and 5 Preliminary Plat to add an additional lot into the subdivision boundary of Phase 4 under the bonus density overlay located at approximately Royal Drive and Galilee Way. Applicant is Doug Dennett.

Background

Drew Ellerman reviewed report: The applicant is requesting approval of an Amended Preliminary plat for the Rusted Hills subdivision, located at approximately Royal Drive and Galilee Way. The reason for this amendment request, is to add a lot in the Phase 4 area. Initially, a particular area that was going to be a topography problem turned out to be a usable area for a building lot. The applicant worked the availability of adding this lot into the Bonus Density formula and found adding into the number of lots would not affect the criteria of the credit(s) originally proposed for the overall development of the Rusted Hills subdivision (all phases included). The original preliminary plat was approved on February 13, 2013, and a subsequent amended preliminary plat was approved earlier this year in March.

Lot 84 of Phase 4 (at the northeast corner of Bronco Drive and Black Oak Drive) is the newly proposed lot for Rusted Hills Subdivision.

Staff has reviewed the proposed amended preliminary plat and finds it conforms to the RA-1 (with bonus density credits) 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 2nd Amended Preliminary Plat for the Rusted Hills subdivision to the City Council, based on the original findings and subject to the original conditions of the approved Rusted Hills Preliminary Plat of February 13, 2013.

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 Washington City Zoning Ordinance and Subdivision Ordinance as outlined.

Commissioner Coats stated he would rather see a lot than a weed patch.

Commissioner Hansen asked if there is an access on Bronco Drive.

Mr. Ellerman stated the roads are already in. They are going to get a little credit for having some open space and that is taken off. The driveway can be so far off the radius of the corner and a corner lot can have an option of which road they are going off of.

Commissioner Papa opened the public hearing.
No response.

Commissioner Martinsen motioned to close the public hearing.
Commissioner Henrie seconded the motion.
Motion passed unanimously.

Commissioner Coats asked if the streets are all tree lined and if that is part of the percent of credits.

Mr. Ellerman answered yes.

Commissioner Martinsen asked about the percentage of the detention area.

Mr. Ellerman answered yes and he will have it on the plat before City Council.

Commissioner Martinsen stated he would rather have the correct percentage on the plat to 17.5.

Mr. Ellerman stated he would have it put on the plat for City Council.

Commissioner Martinsen stated he would rather have the correct percentage shown on the plat. He stated he realizes that Drew has discretion but would rather have the percentages be correct.

Commissioner Coats stated he would rather it show under the regional detention.

Mr. Ellerman stated there are other subdivisions that will benefit from the detention area. He stated the subdivisions can divide the credit if they share the detention area.

Commissioner Henrie asked about the detention area is in questions.

Commissioner Martinsen answered that the plat shows 59.42 but Drew could adjust the detention credit.

Mr. Ellerman clarified that the Lots allowed reads 59.42 and the total proposed lots reads 60 so the credit percent needs to be adjusted to match total lots of 60 and the proposed lots needs to be 60.

Commissioner Henrie asked if the total credit is going to increase and the detention basin is increasing from 15% to 17.5 so the lot count matches.

Mr. Ellerman answered that is correct.

Commissioner Martinsen motioned to recommend approval to the City Council with the additional condition that the regional detention basin be adjusted so the lot count matches. Commission Coats seconded the motion. Motion passed unanimously.

7. CONDITIONAL USE PERMIT

- a. Public Hearing to consider approval of a Conditional Use Permit C-19-08 requesting a hotel in a C-2 Service Commercial Zone under a conditional use permit located at approximately exit 13 next to the Terrible Herbst. Applicant is Dean Terry.

Background

Drew Ellerman reviewed report: The applicant is requesting approval of a Conditional Use Permit to build a Hotel project located at approximately I-15 Exit 13 (directly west of the new Terrible Herbst convenience store). This applicant is proposing a 98 room, 4 story hotel, standing approximately 42 feet tall. There will also be an amenity area associated with the development comprising of a gated out-door Bocce Ball court and seating area.

The zoning regulations require Hotels, and any commercial developments exceeding 5,000 square feet in size to obtain an approved Conditional Use Permit. Also the maximum height for all buildings within the City, is 35 feet, with that being said, this applicant has already been approved by the City Council for a height waiver of approximately forty three feet (43').

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. The Hotel would be a great addition to the surrounding area and the community as a whole.

Recommendation

Staff recommends that the Planning Commission approve C-19-08, allowing for a Hotel development directly west of the new Terrible Herbst convenience store at the southwest corner of Commerce Way and Washington Parkway, 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 the 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.
5. The parking will be adhered to as presented in the exhibits of this application (111 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 Coats asked if the pad is platted.

Mr. Ellerman stated they are leasing it from Dean Terry.

Commissioner Hansen asked about the extra height.

Mr. Ellerman stated it has four stories.

Commissioner Hansen asked if City Council approved the height.

Mr. Ellerman answered it was approved. He stated he is working on the Commercial Ordinance to go to 42 feet.

Commissioner Henrie stated he thinks it will be 45 feet.

Mr. Ellerman stated Sienna Hills has 55 feet height in their agreement.

Commissioner Papa opened the public hearing.

Brandon Wright stated that on construction drawing the water meter is at the back and it needs to be on the front of the building.

Commissioner Coats asked about the road dedication.

Mr. Wright stated it will be moved to the island.

Dean Terry stated he has had the franchise for a couple of years and is anxious and excited to get the hotel built.

Steve Beesley stated the height is for 55 feet.

Commissioner Coats motioned to close the public hearing.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

Commissioner Coats asked about the RV parking and if there could be some added.

Mr. Terry stated they would like to cater to the people to the north and would accommodate the need. He stated they want to do it right.

Commissioner Coats asked if this is something that could be considered for the future and amend the ordinance to address RV parking.

Mr. Ellerman stated it is something to consider.

Commissioner Hansen asked where would they park.

Commissioner Coats stated they would probably park on the street.

Commissioner Hansen asked about the height of 55 feet.

Mr. Beesley stated the building is 53 feet.

Mr. Ellerman stated City Council approved the height for 55 feet. He stated his report for tonight had a typo.

Commissioner Henrie motioned to approve the conditional use permit for the hotel height to 55 feet with the findings and conditions of staff with additional condition that the water meter be set in front of the building Drive A island and that all utility easements be granted and recorded.

Commissioner Coats seconded the motion.

Motion passed unanimously.

8. CITY CODE AMENDMENT

- a. Public Hearing for consideration and recommendation to City Council a City Code Amendment amending Title 9 Chapter 10, Subdivision Regulations.
Applicant is Washington City, Drew Ellerman.

Mr. Ellerman requested that the item be tabled because there are some additional items that need to be added that came in at the last minute. He stated they could hold the public hearing but would like to table to allow to add some items.

Commissioner Papa opened the public hearing.

Mike Harless stated the block walls put back at 2 feet isn't adequate. He stated his wall is deteriorating.

Commissioner Coats stated there is compact geo grind and the dirt in between is up to the engineer to address the structure. The engineer and contractor need to be liable for the walls.

Mike Harless stated his wall is failing.

Mr. Ellerman stated the city has changed the retaining wall ordinance because of this area.

Mr. Harless asked if he tore the wall down would he need a permit.

Mr. Ellerman stated if it is a privacy wall and less than 6 feet no permits are required.

Commissioner Coats motioned to close the public hearing but would open it if it is needed at the tabled meeting.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

Commissioner Coats asked if the city surveyor can sign off on the plat. He stated the surveyor should be the one to sign the mylar. The mylar should read engineer/surveyor.

Commissioner Coats motioned to table 8A to September 4, 2019 and carry the public hearing.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

Commissioner Martinsen motioned to adjourn the Planning Commission Meeting.

Commissioner Coats seconded the motion.

Motion passed unanimously.

Meeting adjourned: 7:27 PM

Washington City

Signed By: Rex L. Papa

Rex Papa, Planning Commission Chairman

Attested to: Kathy Spring

Kathy Spring, Zoning Technician