
Planning Commission Minutes
August 21, 2019

Present: Commissioner Papa, Commissioner Martinsen, Commissioner Phetsomphou, Commissioner Coats, Commissioner Hansen, Attorney Jeff Starkey, Councilmember Ward, Councilmember Cluff, Drew Ellerman, Brandon Wright, Kathy Spring, Serfei Zelenskei, Jaimee Zelenskei, Katelynn Harris, Teresa Turner, Monty Hollie.

Meeting called to order: 5:30 PM

Invocation: Commissioner Hansen

Pledge of Allegiance: Commissioner Martinsen

Commissioner Papa expressed appreciation to Commissioner Martinsen for the 7 1/2 year of service as a Planning Commissioner.

1. APPROVAL OF AGENDA

- a. Approval of the agenda for August 21, 2019.

Commissioner Coats motioned to approve the agenda for August 21, 2019.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

2. APPROVAL OF MINUTES

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

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

Commissioner Coats seconded the motion.

Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

Commissioner Phetsomphou disclosed that he know people in the area for item 4B & 4C.

4. ZONE CHANGE

- a. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-19-09 to change from PUD Planned Unit Development to PUD-R Planned Unit Development Residential Multiple Family located at approximately 100 West 100 South. Applicant is Curtis Anderson.

Background

Drew Ellerman reviewed report: The applicant is requesting approval to change the zoning of approximately 0.29 acres, located at approximately 100 West 100 South. The requested change is from the current zoning of Planned Unit Development (PUD), to a proposed Planned Unit Development - Residential (PUD-R) Multiple Family Development.

The PUD-R request is for the purpose of developing the 0.29 acre into a multi-family residential project consisting of a twin home and a small single dwelling unit to make up the three (3) dwelling units as part of this proposed project. Each dwelling unit will have 3 bedrooms, 2 baths, and an oversized one car garage.

Staff has reviewed the requested zone change and finds it conforming to the general surroundings of the neighborhood with adjoining Millcreek Townhome development on the west boundary of this proposed project. Also, with the close proximity of commercial zoning to the north, this development fits well with the staggering of zoning types desired between commercial and single family zoning districts.

Recommendation

Staff recommends that the Planning Commission recommend approval of Z-19-09, for the zone change request from Planned Unit Development (PUD), to the proposed Planned Unit Development - Residential (PUD-R), with request for the Multi-Family Residential Development Standards 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 utilities that will be necessary for this type of development will be readily accessible to the site.

Conditions

1. The project shall conform to the standards of the PUD - Residential (Multiple Family Development) 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. The elevations of the buildings shall be as portrayed in this submittal.
5. Detailed landscape and irrigation plans shall be submitted for review and approval prior to building permit applications and shall conform to the approved zoning plan. The developer shall install the landscaping and irrigation infrastructure prior to the occupancy of any unit.
6. Block walls (six feet in height min./max.) will be required along the north and west boundary of the development. Details for the required perimeter block walls shall be submitted for review and approval with the site development plans.
7. All structure and site improvements shall meet the requirements of City-adopted building and fire codes.
8. A Post Construction Maintenance Agreement needs to be recorded prior to any plat recordation.
9. The driveways will be required to be a minimum of eighteen feet (18') wide to allow for garage access and an additional parking space as required for two spaces (one covered and one other parking stall).

Commissioner Coats asked if there is a concern to the property to the north.

Mr. Ellerman answered the original history was that this was zoned PUD years ago and this parcel never happened. On this parcel there was a proposal a couple of years ago but the council turned it down.

Commissioner Papa asked if it was the same owner as the one tonight.

Mr. Ellerman answered he doesn't think so.

Commissioner Coats stated his other concern is the back unit doesn't have private area and if there needs to be a separation wall.

Mr. Ellerman stated with townhome projects there isn't much private area. He stated there could be another area if they change the design of the floor plan.

Commissioner Hansen stated that was also his concern.

Commissioner Papa opened the public hearing.

Teresa Turner stated her concern is the size of the lot and the number of units. She stated the parking is an issue on the street especially when the Relief Society have an event. She asked if the approval of the zoning would they have notice if something is changed.

Commissioner Martinsen stated what is presented is what they have to build.

Ms. Turner stated the green space seems too small.

Katelynn Harris lives around the corner and stated her concern is the street parking with that many units. She asked if the units are rented or are they being sold. She stated the neighbors didn't get notice.

Commissioner Coats motioned to close the public hearing.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

Curtis Anderson stated the units will be rented with one owner. He stated the walls make the project closed off but doesn't object to the walls. He stated they would rather have an open look to it. He stated they are all over size one car garages. He stated there is a 20 foot setback and so there shouldn't be parking on the street. That is the difference between Millcreek project. He stated they tried to stay in the same look as the Millcreek project.

Commissioner Papa stated there is a concern with street parking.

Commissioner Coats asked what the zoning is to the southeast.

Mr. Ellerman answered it is R-1-6, the home is PUD and the rest is commercial.

Commissioner Coats stated it looks odd with the layout of three units. He asked if they could table to show a change to the back unit.

Mr. Ellerman stated they need to ask the applicant.

Mr. Curtis stated they don't want to change the design. He stated the square footage if the same as the existing units in Millcreek and provides for three parking spaces for each unit.

Commissioner Papa stated the Millcreek road is a private road. He stated it is difficult to get through the project.

Mr. Curtis stated that is why they put in extra area for parking. He stated that he doesn't think the units would be for a larger family.

Commissioner Martinsen stated he is also concerned with parking. He stated garages are usually used as storage and not parking so that is 2 stalls instead of three.

Commissioner Coats stated it doesn't fit the area to the north. He stated it doesn't meet the R-1-6 zone.

Commissioner Martinsen motioned to recommend denial to City Council based on the concern that it doesn't meet the neighborhood zone to the northeast.

Commissioner Coats seconded the motion.

Commissioner Hansen Aye

Commissioner Phetsomphou Nay

Commissioner Coats Aye

Commissioner Martinsen Aye

Commissioner Papa Aye

Motion passed 4 to 1 vote.

- b. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-19-10 to change from PUD Planned Unit Development to PUD Planned Unit Development located at approximately Bella Vista Drive and Bonnie Lane. Applicant is Stephen Howroft.

Background

Drew Ellerman reviewed report: The applicant is requesting approval to change the zoning of approximately 7.27 acres, located at approximately Bella Vista Drive and Bonnie Lane. The requested change is from the current zoning of Planned Unit Development - Residential (PUD-R), to a proposed Planned Unit Development - Residential (PUD-R) Multiple Family Development.

The PUD-R request is for the purpose of simply amending the 7.27 acres recently approved name and building designs of this development. The currently approved name is Lava Fields and the elevation style was a craftsman type appearance. The applicant is wishing to change the name to Desert Flower and proposed a modern type of building finish and appearance. This portion of the project (the units west of Bella Vista Drive), still propose 40 units and carry over the original conditions of the previous approval (Z-18-04) including the townhome portion of the development.

Staff has reviewed the requested zone change and finds the simple amendment (changes) will be appropriate with the area and the current approved Z-18-04 zone change of April 11, 2018. Again, the only changes associated with this amendment are the name change to Desert Flower and the elevation finishes of the units west of Bella Vista Drive as depicted in the exhibits attached to this report. All other designs and conditions as previously approved are still in place as it pertains to this development and associated amenities, and listed below in the conditions.

Recommendation

Staff recommends that the Planning Commission recommend approval of Z-19-10, for the zone change/amendment request from Planned Unit Development - Residential (PUD-R), to the proposed Planned Unit Development - Residential (PUD-R), with request for the Multi-Family Residential Development Standards 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 utilities that will be necessary for this type of development will be readily accessible to the site.
3. The only changes as it pertains to the previously approved Z-18-04 and this amendment, are one, the name change to Desert Flower; and two, the elevation finishes to the exterior of the single family detached units west of Bella Vista Drive

Conditions

1. The project 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. Note: all drainage will be directed to 100 East Street.
4. The elevations of the buildings shall be as portrayed in this submittal.
5. Details for dumpster screening methods shall be submitted for review and approval with the building permit applications (when designed to use such trash removal method).
6. Detailed landscape and irrigation plans shall be submitted for review and approval prior to building permit applications and shall conform to the approved conceptual plan. The developer shall install the landscaping and irrigation infrastructure prior to the occupancy of any unit.
7. Block walls (six feet in height min./max.) will be required along all boundaries of the development that border all other adjacent developments. Details for the required perimeter block walls shall be submitted for review and approval with the site development plans.
8. All structure and site improvements shall meet the requirements of City-adopted building and fire codes.

9. Public vs. private streets with associated cross sections, will need to be submitted to the public works department for review and approval.
10. 1100 East as shown will need to be constructed as part of this development.
11. A right turn lane will be required on Telegraph Street as part of the first phase of this development.
12. A Post Construction Maintenance Agreement needs to be recorded prior to any plat recordation.
13. No vinyl siding will be allowed throughout the project, if horizontal siding is used, it must be a "Hardie Siding" (or equivalent).
14. The units abutting the Horizons West development are only allowed to be single story units.
15. No overnight rental will be allowed anywhere within this development
16. All units must have a two-car garage with driveway width and depths allowing for two cars in the driveway area.
17. No more than 30 dwelling units will be allowed east of Bella Vista Drive, until all agreements are signed and approved for the extension of 1100 East to the south of Telegraph Street.

Drew Ellerman stated the only thing that is changing is the elevations and the name of this project from Lava Fields to Desert Flower.

Commissioner Papa asked about 9 through 16 and if they are going to be single story.

Mr. Ellerman stated all next to Horizon West have to be single story.

Commissioner Coats asked about the over nights isn't allowed.

Mr. Ellerman stated the City Council motioned that there isn't going to be over night rentals.

Commissioner Papa opened the public hearing.

Dennis Goyen stated he lives in Bella Vista and wants this to stay with the original plan with only one story homes.

Verlene Scott stated she wants only one story.

Commissioner Coats stated that one story was approved through City Council.

Ron Romney stated he wanted to know what the floor plan is. He stated this should match the surrounding area.

Linda Greenwood stated this isn't compatible to the surrounding area.

Commissioner Coats motioned to close the public hearing.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

Stephen Howcroft stated he feels the changes elevations do match the surrounding area. He stated he would be glad to show floor plans.

Commissioner Papa asked if the plans are a modern style.

Mr. Howcroft answered yes.

Commissioner Hansen asked if it is required to see the floor plans.

Mr. Ellerman stated it isn't a requirement for the PUD. He stated that people may want to customize the floor plan. They just want to see the appearance of the building.

Commissioner Papa asked about the hardy board.

Mr. Ellerman stated it is a type of finish that is durable.

Commissioner Martinsen stated it is sometimes used behind showers.

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

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

- c. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-19-11 to change from PUD Planned Unit Development to PUD-R Planned Unit Development Residential Multiple Family located at approximately 100 South Bella Vista Drive. Applicant is Stephen Howcroft.

Background

Drew Ellerman reviewed report: The applicant is requesting approval to change the zoning of approximately 13.77 acres, located at approximately 100 South Bella Vista Drive. The requested change is from the current zoning of Planned Unit Development (PUD), to a proposed Planned Unit Development - Residential (PUD-R) Multiple Family Development.

The PUD-R request is for the purpose of developing the 13.77 acres into a multi-family residential project with 164 apartment units and 27 townhome units. The apartment portion of the development will be made up of thirty six (36) One-bedroom units, one hundred and four (104) Two-bedroom units, and twenty four (24) Three-bedroom. The townhome portion will have nine (9) three-plexes. Each townhome dwelling unit will have 3 bedrooms, 2 baths, and Two direct parking spaces (of which one will be required to be a covered parking stall).

The surrounding zoning to this proposed development is Service Commercial (C-2) to the north and east, PUD-R to the west and south. The density of this proposed project is 13.87 per acre. The allowed density according to the General Plan Land Use Map is 7-12 units per acre (Medium High Density). The Planned Unit Development standards allow for an increase of units meeting the criteria as outlined in the ordinance. The developer is wishing to utilize the tree lined streets credit, increased recreational facility credit and the open space credit to account for the 1.87 dwelling unit per acre increase over the project area.

The required parking for project would be 292 stalls for the apartment units, the applicant is showing 312 stalls. The visitor parking needed would be 38 stalls required, so deducting the 292 stalls for the dwelling units, a remainder of 20 stalls is available for visitor parking. Staff will note that the project is showing and providing a RV storage area in the east portion of the development, this area needs to be utilized for the additional 18 visitor parking stalls required by the ordinance. The applicant is showing sufficient covered parking stalls for the apartment units, but an additional 27 covered parking stalls will need to be added, one at each townhome unit.

Staff has reviewed the requested zone change and finds it conforming to the PUD standards of the zoning regulations.

Recommendation

Staff recommends that the Planning Commission recommend approval of Z-19-11, for the zone change request from Planned Unit Development (PUD), to the proposed Planned Unit Development - Residential (PUD-R), with request for the Multi-Family Residential Development Standards 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 utilities that will be necessary for this type of development will be readily accessible to the site.

Conditions

1. The project shall conform to the standards of the PUD - Residential (Multiple Family Development) 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. The elevations of the buildings shall be as portrayed in this submittal.
5. Detailed landscape and irrigation plans shall be submitted for review and approval prior to building permit applications and shall conform to the approved zoning plan. The developer shall install the landscaping and irrigation infrastructure prior to the occupancy of any unit.
6. Block walls (six feet in height min./max.) will be required along the north and west boundary of the development. Details for the required perimeter block walls shall be submitted for review and approval with the site development plans.
7. All structure and site improvements shall meet the requirements of City-adopted building and fire codes.
8. A Post Construction Maintenance Agreement needs to be recorded prior to any plat recordation.
9. The proposed amenities will be completed before one-third ($\frac{1}{3}$) build out of the development is completed. Roughly, before the 38th unit is completed within the project.
10. If any of the proposed buildings are to be higher than thirty five feet in height, a height waiver must first be obtained from the City Council.
11. Details for dumpster screening methods shall be submitted for review and approval with the building permit applications.
12. The southern extension of 1100 East will need to be constructed, or already in place, as part of this development.

13. All outdoor lighting will be directed inward toward of this development.

Commissioner Phetsomphou suggest to change the Thornless Palo Verde be exchanged because it will freeze.

Commissioner Coats asked about the treeline credit.

Mr. Ellerman stated they have adequate credits for the trees.

Commissioner Papa asked about extending the buildings to the 4th floor.

Mr. Ellerman stated the original was for 207 units and he suggested the 191 unit count.

Commissioner Papa asked if there are any under grade.

Commissioner Phetsomphou asked if these are vacation rentals.

Mr. Ellerman stated they didn't ask for vacation rentals and would ask the applicant about the under grade.

Commissioner Hansen asked for clarification of the area.

Mr. Ellerman showed on the overhead the area. Next to the Bella Vista Storage business.

Commissioner Hansen asked about the road that goes up the hill.

Mr. Ellerman answered it is part of the project and is the second access to Bella Vista.

Commissioner Martinsen asked about the location of the blue clay.

Mr. Ellerman stated the majority of the problem is to the south east but there is clay in the area.

Commissioner Hansen asked if there was a discussion to the south of this project.

Mr. Ellerman answered that he didn't know if that happened.

Commissioner Papa opened the public hearing.

Charles Pakchhoian stated that over a year ago the project to the west was 40 units and now this is 191 and that increases the traffic on Bella Vista Drive. He stated the three story should not be allowed. He stated the elevations aren't as big an issue. He stated it comes down to the number of units.

Commissioner Martinsen stated 1100 East is to be finished before this is to start.

Art Reed lives in Bella Vista and the apartments were rejected and this should be too. He stated Washington Parkway has apartments and overnight rentals and the assisted living and the hell hole apartments and with this one just increases the traffic. The State states the traffic is 2.1 per household. All of the traffic goes onto Telegraph. There are surrounding projects that are retirement projects that go onto Telegraph. He stated that Commissioner Papa has stated that this area is ugly but so is accidents.

Ellen Dore lives in Bella Vista and the trend of stack and pack housing.

Commissioner Papa stated the developer has the right to develop as long as it fits the criteria. He stated they don't just say yes to everything. He stated the City Council is the decision maker and there are two present tonight. He stated that there are fewer and fewer young people that don't want yards because they don't have time and the responsibility.

Linda Greenwood stated she doesn't like the appearance and elevations. She stated she is concerned with traffic and parking on the street.

Megan Mace stated she is concerned with the traffic going onto Telegraph. She stated with increase of kids and where they go to school and how they get there.

Commissioner Coats stated they are probably going to be bused.

Ron Romney stated two times the same developer has come with apartments and both times it was been turned down. The City Council has said that apartments aren't applicable for this area. Secondly a single family residents should have a driveway for two car garage. He stated there shouldn't be carports. He stated PUD should be amenity area has to meet the criteria and has shown that it does. He stated with 191 units and 100 units on the other phase on Bonnie Lane. He stated that City Council previously turned down the PUD for 285 because the density was too high. He stated 1100 East needs to be done prior to this being approved.

Commissioner Coats stated 1100 East has to be done prior to this being built. The conditions stated that.

Mr. Romney stated they are asking for a waiver to increase the density. He stated that isn't in compliance. He stated the regulation is 50% must be in landscape and in open space so it doesn't meet the criteria of a PUD.

Sherrie Olsen stated she agrees with everyone but what about the visitor and the parking. She is concerned with street parking. She stated the density is about money because the developer doesn't live here.

Dennis Goyen stated he is opposed because there are too many units and parking is a problem.

Russ Vernon stated he is concerned with the traffic. He stated there was a requirement for a traffic study before building. He stated the property to the south hasn't come in and he is concerned with more density. He stated this doesn't fit with the retirement community.

Commissioner Hansen asked if a traffic study was done.

Mr. Ellerman stated there are 3 traffic types and if it isn't sufficient that public works requires. He stated if it is approved they have to get the type of study for the project.

Commissioner Martinsen motioned to close the public hearing.

Commissioner Coats seconded the motion.

Motion passed unanimously.

David Harris stated that he is a landscape architect for this project.. He stated there are 4 parking spaces for each 24 townhome units. The plan was to cover and over plan for parking. He stated that indented parking along the road with trees allows for the concern of parking on the streets. The townhomes are rear loaded with driveways in the back and porch in the front. He stated the parking count is for the inter project not the Bella Vista. He stated the blue clay has been mitigated with the clustering. He stated they have addressed the open space.

Commissioner Papa stated that with building 2 and 3 he is concerned with 4 stories. He asked if any of the buildings would be under grade.

Mr. Harris stated they are asking for 4 story but may not build it as 4 story.

Commissioner Phetsomphou asked about the turf because of the blue clay.

Mr. Harris stated they want nice grass with the population but use the turf in recreation area.

Commissioner Hansen asked if they are going to do the solar as the exhibits show.

Mr. Harris stated they are considering the solar option.

Commissioner Coats stated his concern is that there isn't more grassy area for the amount of units and where are the trails.

Mr. Harris stated there are sidewalks. He stated there is a plan for trails to the west to connect to the city trails. He stated there is a drainage easement along 300 East and they want to use some type of connection with the trails. He stated the developer does live in Washington City for 9 years. The townhomes are facing Bella Vista not the apartments.

Commissioner Papa stated he would suggest that the traffic be directed to the east and not on Telegraph.

Commissioner Martinsen asked about the density 12 but they are asking for 13.87.

Mr. Ellerman answered that they are getting credits for the treeline streets and amenity area.

Commissioner Martinsen asked about the multi family R and the commissioner can approve a higher density.

Mr. Ellerman stated the newer PUD explains the credits. He reviewed the PUD on the overhead that explained the credits 9-8F-7 C.

Commissioner Papa stated his concern is that the amount of people the amenity area is slim.

Commissioner Coats stated with 3 bedrooms it could be families with children and there isn't enough play area. He stated with the 4 stories what are the elevations of the apartments. He stated he isn't clear on what they are asking for.

Mr. Harris stated they showed the character of the elevations. He stated they don't want to build all the apartment the same that is why there are different elevation. He stated there could be more amenities.

Commissioner Coats asked about the blue clay.

Mr. Harris answered that foundation and drainage is what they will look at with the GEO study recommendation.

Commissioner Coats asked about a block wall around the whole project Is the north and east have a block wall?

Mr. Harris answered yes there is a 6 foot block wall.

Brandee Walker stated condition 6 states west not east.

Mr. Ellerman stated that is a typo.

Commissioner Hansen stated that if they approve the height waiver with this approval and then they have to come back to request it.

Mr. Ellerman stated the new height would be 43 feet.

Commissioner Hansen stated that this is a good location for 4 story against a hill.

Mr. Ellerman clarified that it is next to the storage units.

Commissioner Hasnen stated it isn't in residential.

Commissioner Papa allows comment from a citizen.

Charles Pakchoian stated the ordinance stated that with 7-12 density the city could add a minimum of one per density.

Commissioner Coats motioned to table item 4C to September 4 and to extend the public hearing to address new exhibits to include more amenities and justification for the credit elevations for the 4 story and clarification of which and where the elevation are going within the project.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

Commissioner Martinsen expressed his appreciation to Stephen Howcroft for coming with a better project.

Commissioner Phetsomphou stated that the project is close to what they would consider approval for.

Commissioner Martinsen motioned to adjourn the Planning Commission Meeting.

Commissioner Coats seconded the motion.

Motion passed unanimously.

Meeting adjourned: 8:02 PM

Washington City

Signed By: Rex L. Papa

Rex Papa, Planning Commission Chairman

Attested to: Kathy Spring

Kathy Spring, Zoning Technician