
Minutes
Electronic Regular Meeting
Washington City Council
May 27, 2020

Present: Mayor Kenneth Neilson, Council Members Daniel Cluff, Craig Coats, Kurt Ivie, Kress Staheli, Doug Ward, City Manager Roger Carter, IS Director Steve Whittiekiend, City Recorder Danice Bulloch, Deputy Recorder Tara Pentz, City Attorney Jeff Starkey, Leisure Services Director Barry Blake, Economic Development Director Matt Loo, Community Development Director Drew Ellerman, Public Works Director Mike Shaw, Police Chief Jason Williams, Fire Chief Matt Evans

Meeting commenced at 6:00 P.M.

Invocation: Council Member Ivie

Pledge of Allegiance: Council Member Coats

1. APPROVAL OF AGENDA

Council Member Cluff made a motion to approve the agenda. Council Member Coats seconded the motion; which passed unanimously.

2. ANNOUNCEMENTS

Council Member Ivie stated Washington City is going to be the honored city at this year's County Fair. Washington City will choose a Grand Marshall for the parade and County Fair, with Washington City hosting the parade. The fair is to be held the first week of August.

Council Member Cluff asked if we are in a stage where a parade can be held.

City Manager Roger Carter stated he would get information from the Governor's plan in order to make sure Washington City is not violating any directives due to the covid virus.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. CONSENT AGENDA

a. APPROVAL OF MINUTES: Consideration to approve the minutes from the City Council Meetings of 5/13/2020

b. FINAL PLAT

i. Consideration to approve the Final Plat for Magnolia Grove Estates, located approximately 2930 South 20 East. Applicant: Michael Bahr

The applicant is requesting approval of a final plat for the Magnolia Grove Estates subdivision, located at approximately 2930 South 20 East. This particular subdivision is proposing 5 lots on an area covering 7.27 acres. The specific location of this subdivision is zoned Residential / Agricultural - Half Acre Min. (RA-1/2). The Preliminary Plat was approved back on November 14, 2018

The Planning Commission unanimously recommended approval of the Final plat for the Magnolia Grove Estates 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 "HomeOwners Association", or "Property Owners" are used, they shall be changed to read as "Property Owners and/or HomeOwners Association".
5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

Council Member Staheli made a motion to approve the agenda with the stipulation the motion be clarified in Item 6a to articulate clearly what was said in the final motion. Council Member Coats seconded the motion; which passed with the following roll call vote:

<i>Council Member Cluff</i>	<i>Aye</i>
<i>Council Member Coats</i>	<i>Aye</i>
<i>Council Member Ivie</i>	<i>Aye</i>
<i>Council Member Staheli</i>	<i>Aye</i>

5. PLAT AMENDMENT

- a. Consideration to approve an Amendment to the New Warm Springs Phase 4 Amendment No 2, located at 845 N. Caddington Road lot 80. Applicant: Robert Brems**

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval of an Amended Final plat for the New Warm Springs, Phase 4, Amended No. 2 subdivision, located at approximately 845 North Caddington Road. The reason for this amendment request is to eliminate the "Detention Basin" area, and turn it into a viable/usable building lot within the subdivision. The newly formed building lot will be labeled Lot #80.

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

The Planning Commission unanimously recommended approval of the Amended Final Plat for the New Warm Springs, Phase 4, Amended No. 2 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 "HomeOwners Association", or "Property Owners", shall be changed to read as "Property Owners and/or HomeOwners Association".
5. That a post maintenance agreement be recorded prior to the recording of the final plat.

Council Member Coats asked if the developer participated in the regional detention basin, in order to gain this lot.

Public Works Director Mike Shaw explained the City did not ask for participation. The existing basin was so small it did not collect much water. The new design put in place works much better for the entire city, so no participation was asked for.

**Council Member Ward joined the meeting.*

Council Member Coats made a motion to approve an Amendment to the New Warm Springs Phase 4 Amendment No 2, located at 845 N. Caddington Road lot 80 with the findings and conditions of Staff and as recommended by the Planning Commission. Council Member Cluff seconded the motion; which passed with the following roll call vote:

<i>Council Member Cluff</i>	<i>Aye</i>
<i>Council Member Coats</i>	<i>Aye</i>
<i>Council Member Ivie</i>	<i>Aye</i>
<i>Council Member Staheli</i>	<i>Aye</i>
<i>Council Member Ward</i>	<i>Aye</i>

6. ORDINANCE

- a. Continuation of consideration to approve an Ordinance amending the General Plan G-20-03, requesting to change the Land Use Designation from Low Density (LD) and Open Space (OS) to Medium Density (MD) and Planned Unit Development - Residential (PUD-R). The property is located approximately 4300 South 700 East. Applicant: Bob Hermandson**

Community Development Director Drew Ellerman reviewed:

This item was tabled at the May 13, 2020 City Council meeting. Please note the new (updated) exhibits, the applicant adjusted the requested area(s) as requested by the city council during the previous meeting. They are now proposing a “Low Density” area (27.79 acres), a “Medium Density” area (37.23 acres), a PUD-R area (21.60 acres), and have added the Open Space of the hillside on the exhibit of 9.37 acres as reference.

The applicant is seeking to amend the General Plan Land Use Map in the area located at approximately 4300 South 700 East. The requested area covers approximately 95.99 acres. The current Land Use designations are Low Density Residential (LD) & Open Space (OS). The applicant is seeking approval to have the Land Use designations changed to Medium Density Residential (MD) & Planned Unit Development - Residential (PUD-R), for the possibility to develop the area into a future residential development.

The surrounding General Plan Land Use designations are (MD) & (MHD) to the north, (OS) & (VLD) to the east, (LD) to the west and south.

As stated above, the applicant is wishing to amend this 91 acre area, in hopes for future mixed residential development. The Medium Density Residential designation allows for the R-1-6 and R-1-8 zoning designations, and the PUD-R allows for planned unit developments in form of single family or multiple family developments.

Staff has reviewed the requested change and finds no problem with the proposed application. The new designations would be matching that which has recently been granted on the adjoining properties to the north.

The Planning Commission unanimously recommended approval for G-20-03, to amend the General Plan Land Use Map from the current Low Density Residential (LD) & Open Space (OS) designations, to the new proposed Low Density Residential (LD), Medium Density Residential

(MD) & Planned Unit Development - Residential (PUD-R) designations, as outlined above and shown on the exhibit attached hereto, onto the City Council.

Council Member Staheli noted the legend has not been updated to reflect the new boundary descriptions.

Community Development Director Ellerman stated he would assume the map is correct, and the legend was not updated.

Adam Allen stated the correct acreages are on the map, and the legend likely was overlooked. He can have it updated tomorrow.

Council Member Cluff stated in past developments he has seen where property lines travel into the open space, which makes a very strange boundary. Could a homeowner build a wall or structure in this area.

Mr. Allen explained no owner can build in a no-build zone.

Council Member Ivie stated he appreciates the developer making the changes as was requested by the Council. However, he is going to stick with his previous feeling. The area needs to remain low density.

Council Member Coats asked why the open space does not have a legal.

Community Development Director Ellerman explained the area was already designated open space in the General Plan, so we do not need one, but we can require the developer to include the open space legal on the map.

Council Member Coats made a motion to approve an Ordinance amending the General Plan G-20-03, requesting to change the Land Use Designation from Low Density (LD) and Open Space (OS) to Medium Density (MD) and Planned Unit Development - Residential (PUD-R) located at approximately 4300 South 700 East. With the additional conditions the legend be updated to reflect the following acreages: LD 27.79 acres, MD 37.23 acres, PUD-R 21.6 acres, and OS 9.37 acres, and with the additional condition to add the legal description for the open space to the plat. Council Member Cluff seconded the motion; which passed with the following roll call vote:

<i>Council Member Cluff</i>	<i>Aye</i>
<i>Council Member Coats</i>	<i>Aye</i>
<i>Council Member Ivie</i>	<i>Nay</i>
<i>Council Member Staheli</i>	<i>Nay</i>
<i>Council Member Ward</i>	<i>Aye</i>

7. AGREEMENTS

- a. Consideration to approve an Agreement between Washington County and the City of Washington Regarding the transfer of ownership of Real Property located in Washington, Utah. Public Works Director Mike Shaw**

Public Works Director Mike Shaw reviewed the agreement between Washington County and Washington City. The small radius for the right of way was left out of the legal description when the road was platted. This is a housekeeping issue from Washington County.

Council Member Coats made a motion to approve an Agreement between Washington County and the City of Washington Regarding the transfer of ownership of Real Property located in Washington, Utah. Council Member Cluff seconded the motion; which passed with the following roll call vote:

<i>Council Member Cluff</i>	<i>Aye</i>
<i>Council Member Coats</i>	<i>Aye</i>
<i>Council Member Ivie</i>	<i>Aye</i>
<i>Council Member Staheli</i>	<i>Aye</i>
<i>Council Member Ward</i>	<i>Aye</i>

8. REPORT OF OFFICERS FROM ASSIGNED COMMITTEE

Council Members reported on their assigned committees.

9. CITY MANAGER REPORT

City Manager Carter updated the Council on current Washington City Projects.

10. ADJOURNMENT

Council Member Cluff made a motion to adjourn the meeting. Council Member Coats seconded the motion; which passed unanimously.

Meeting adjourned at 6:57 P.M.

Passed and approved on the 10th day of June, 2020.

Attest by:



Danice B. Bulloch, MMC
City Recorder



Washington City


Daniel Cluff, Mayor Pro-tem