

WASHINGTON CITY
CITY COUNCIL MEETING
STAFF REVIEW

HEARING DATE: October 14, 2020

ACTION REQUESTED: G-20-06, A request to amend the General Plan Land Use Map in the area located at approximately the southwest corner of Washington Fields Road and 2000 South, from the current Low Density Residential (LD) designation to a new proposed Neighborhood Commercial (NCOM) General Plan Land Use designation.

APPLICANT: Gregg McArthur / Patel Investments

OWNER: Patel Investments LLC

ENGINEER: Rob Reid

REVIEWED BY: Drew Ellerman, Community Development Director

RECOMMENDATION: Staff's recommendation is Neutral on this agenda item

Background

The applicant is seeking to amend the General Plan Land Use Map in the area located at approximately the southwest corner of Washington Fields Road and 2000 South. The requested area covers approximately 3.07 acres. The current Land Use designation is Low Density Residential (LD). The applicant is seeking approval to have the Land Use designation changed to Neighborhood Commercial (NCOM), for the possibility to rezone the parcel into a commercial designation.

The surrounding General Plan Land Use designations are (LD) to the north, east, south and west. The Neighborhood Commercial designation allows for the Administrative Professional (AP) and Community Commercial (C-1) zoning designations.

Staff has reviewed the requested change and finds that due to the specific location of the request (presently two busy streets on the north and east boundary) that the proposal to move it to Neighborhood Commercial should be considered. However, staff would also like to point out that this particular location has been through several proposed commercial changes with no success. It is for that reason that staff does not have a recommendation on this application.

The Planning Commission reviewed this request at their September 16, 2020 meeting.

Recommendation

The Planning Commission, by a vote of 3-2, recommended denial of G-20-06, to amend the General Plan Land Use Map from the current Low Density Residential (LD) designation, to the proposed Neighborhood Commercial (NCOM) designation, as outlined above and shown on the exhibit attached hereto, onto the City Council. The reason for the denial motion and vote was based on "dangerous traffic concerns" at the intersection of Washington Fields Road and 2000 South (Sandia).

Commissioner Hollie asked if the speed limit would be 25 mph.

Brandon Wright stated that the private road cross section doesn't meet the public road criteria.

Commissioner Hollie motioned to recommend approval to City Council with the findings and conditions of staff striking the first note on the exhibit: Density may be moved from one land use to another land use as long as the overall density does not exceed 855 units. And to strike the language Vertical and horizontal and hobby caves from the notes.

Commissioner Smith stated that he would rather the street remain private.

Mr. Howell stated they didn't ask for the road to be private. They just wanted to change the land use and the request for the road wasn't part of the request. He stated that the Rialto Parkway to the north left corner on the plat be private.

Mr. Ellerman stated this is a discussion to have at the preliminary plat stage.

Commissioner Hansen seconded the motion.
Motion passed unanimously.

9. GENERAL PLAN AMENDMENT

- a. Public Hearing for consideration and recommendation to City Council a General Plan Amendment G-20-06 to change from LD (Low Density) to NCOMM (Neighborhood Commercial) located at approximately 2000 South Washington Fields Road. Applicant is Gregg McArthur.

Public comment for this item will be accepted at: washingtoncity.org/meetings, until the close of the public hearing by the commission.

Background

Drew Ellerman reviewed the report: The applicant is seeking to amend the General Plan Land Use Map in the area located at approximately the southwest corner of Washington Fields Road and 2000 South. The requested area covers approximately 3.07 acres. The current Land Use designation is Low Density Residential (LD). The applicant is seeking approval to have the Land Use designation changed to Neighborhood Commercial (NCOM), for the possibility to rezone the parcel into a commercial designation.

The surrounding General Plan Land Use designations are (LD) to the north, east, south and west. The Neighborhood Commercial designation allows for the Administrative Professional (AP) and Community Commercial (C-1) zoning designations.

Staff has reviewed the requested change and finds that due to the specific location of the request

(presently two busy streets on the north and east boundary) that the proposal to move it to Neighborhood Commercial should be considered. However, staff would also like to point out that this particular location has been through several proposed commercial changes with no success. It is for that reason that staff does not have a recommendation on this application.

Recommendation

Staff wishes to stay neutral on this proposal and leaves the recommendation with the Planning Commission to either recommend approval or denial for G-20-06, to amend the General Plan Land Use Map from the current Low Density Residential (LD) designation, to the proposed Neighborhood Commercial (NCOM) designation, as outlined above and shown on the exhibit attached hereto, onto the City Council.

Commissioner Hollie asked what uses could be put there.

Mr. Ellerman answered that there are numerous uses with AP and C-1 and yes there could be a gas station.

Commissioner Phetsomphou asked about the project across the street.

Mr. Ellerman answered it is still being considered.

Commissioner Scheel asked where the access could go.

Mr. Ellerman answered it could be the south part of the parcel off Washington Field Road.

Commissioner Hansen stated he doesn't have a problem with commercial use.

Brandon Wright stated that the right in 330 feet away from the light and 660 feet full movement.

Commissioner Smith opened the public hearing.

Tara Pentz read public comments.

Commissioner Musso stated he has concerns with a traffic speed of 45 mph. He stated that the access at the 660 feet on a blind corner and so people will go through the Nichols Peak subdivision. He stated that this isn't suitable for residential so what do you do with it? He stated that people are concerned with a gas station. He stated that there could be professional buildings but they don't know what will come in.

Commissioner Hollie stated he agrees with Commissioner Musso and will probably vote no. This is a dangerous corner.

Commissioner Hansen stated his concern is with both accesses and housing isn't the answer either. He asked why they changed the intersection to be a through street when it used to be right only.

Mr. Wright states he doesn't recall why.

Commissioner Hollie stated the only thing that was proposed that didn't get objected to was the mortuary.

Commissioner Musso stated the problem is not commercial but okaying the general plan doesn't let them see what is coming in.

Commissioner Hansen asked if there could be a medium.

Commissioner Scheel stated he has looked at this property and thought it would be a good vacation rental property. He stated he is confused why the residents would rather see the equipment that is always there. He stated that apartments generate more traffic.

Commissioner Hollie stated he would be okay if it was right in and right out.

Commissioner Scheel stated that a gas station wouldn't go on this parcel but could across the street.

Gregg McArthur stated that he and Greg Whitehead are partners. Greg Whitehead stated that the master plan when they bought it was commercial. He explained that when they did this before a traffic study showed that the access to the south was okay. He stated that they have had interest such as a day care but couldn't get the zoning. Low housing density does not work. He stated that when they looked at a gas station it was a convenient size not a Maverik because it wouldn't support a large gas station. The current zoning doesn't work.

Commissioner Hansen asked the applicant what he thinks of the public comments.

Mr. Whitehead stated he has listened to the citizens. He explained that at one time he went to the citizens door to door and listened to them. He stated that he doesn't feel they would put something that would be detrimental to the neighborhood. He stated that they have had offers for daycare, dance studio and karate business. There is a need but they need the zoning.

Commissioner Musso asked if assisted living and a daycare is permissible.

Mr. Ellerman stated that a daycare can be run out of their homes but a new building would have to be commercial.

Commissioner Hollie motioned to close the public hearing.

Commissioner Hansen seconded the motion.

Motion passed unanimously.

Commissioner Musso asked when the traffic study was done.

Commissioner Phetsomphou asked Commissioner Scheel what he would suggest that goes in there.

Commissioner Scheel stated that it would be the right tenant to go there. An empty office building doesn't do any good.

Commissioner Musso stated that there needs to be highest and best use.

Mr. Whitehead stated that the traffic study was done 3 to 4 years ago. He stated they could do another traffic study but the curve hasn't changed.

Commissioner Hansen asked Commissioner Musso if the traffic study concluded it was okay how he would feel.

Commissioner Musso stated that it is still a problem because of the speeding.

Commissioner Smith stated that this is a general plan amendment.

Commissioner Hollie motioned to recommend denial to City Council based on the traffic is dangerous on Washington Field Road.

Commissioner Musso seconded the motion.

Mr. Whitehead stated he would like for them to make it a right in and right out.

Commissioner Hollie Aye

Commissioner Musso Aye

Commissioner Hansen Nay

Commissioner Phetsomphou Aye

Commissioner Smith Nay

Motion passed with a 3-2 vote.

Commissioner Hansen motioned to adjourn the Planning Commission Meeting.

Commissioner Phetsomphou seconded the motion.

Motion passed unanimously.

Meeting adjourned: 9:25 PM

Washington City

Signed By: _____
Jason Smith, Chairperson

Attested to: _____

Kathy Spring, Zoning Technician