

WASHINGTON CITY
CITY COUNCIL MEETING
STAFF REVIEW

HEARING DATE: October 28, 2020

ACTION REQUESTED: Preliminary plat approval for the Red Vista FHA Condos subdivision, located at the northeast corner of 1100 East and Telegraph.

APPLICANT: Red Vista Development of Orem, LLC

OWNER: Same

ENGINEER: Horrocks Engineers

REVIEWED BY: Drew Ellerman, Community Development Director

RECOMMENDATION: Recommend approval with conditions

Background

The applicant is requesting approval of a Preliminary plat for the Red Vista FHA Condos subdivision, located at the northeast of 1100 East and Telegraph. The applicant is proposing 72 condo units on an area of coverage of 3.68 acres. The zoning designation at this particular location is Planned Unit Development (Red Vista - PUD). The surrounding zoning is R-3 to the north, C-2 to the east and south, and RA-2 to the west.

The proposed subdivision conforms to the approved 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.

The Planning Commission reviewed this request at their October 7, 2020 meeting.

Recommendation

The Planning Commission unanimously recommended approval of the Preliminary plat for the Red Vistas FHA Condos 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 the 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. The development shall conform to the State of Utah LID requirements.
13. The development will conform to the approved Planned Unit Development zoning at this particular location.
14. The traffic study will need to reflect the improvements necessary on 1100 East Street for future improvements.
15. There shall be included on the plat, the county reference monuments associated with the stated Basis of Bearing Line, this needs to be added to the plat before moving onto the city council's agenda.

Ms. Ayers answered yes.

Commissioner Phetsomphou asked if they will remode and spruce up the area.

Ms. Ayers stated that there isn't a lot to remodel.

Commissioner Hollie asked if the only business will be the lash business.

Ms. Ayers answered that it is the only business.

Mr. Ellerman stated there are no public comments for this item.

Commissioner Hollie motioned to approve the conditional use permit.

Commissioner Hansen seconded the motion

Commissioner Hansen asked if something goes wrong can there be something done.

Commissioner Smith stated that if they violate the conditions and there is a problem the city can revoke the CUP and business license.

Mr. Ellerman stated that the commissioner's can add additional conditions.

Commissioner Hansen stated he is more concerned with another business coming in without approval.

Commissioner Musso stated he would like to make sure they don't change the use into something else such as a massage parlor.

Commissioner Hollie stated he would like for them to provide proof of business license to make sure they are doing the lash studio and spa.

Mr. Ellerman stated that there is a letter dated September 9, 2020 to Kathy Spring and the letter can be proof of what she intends to do and only what the letter states.

Commissioner Hollie motioned to approve the conditional use permit with the additional condition #7 that proof of licenses be shown and condition #8 that the letter sent to Kathy Spring be enforced with the uses listed in the letter.

Commissioner Phetsomphou seconded the motion.

Motion passed unanimously.

6. PRELIMINARY PLAT

- a. Public Hearing for consideration and recommendation to City Council for the Red Vista Preliminary Plat located at approximately 1100 East Telegraph Street. Applicant is Red Vista Development of Orem, LLC.

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 requesting approval of a Preliminary plat for the Red Vista FHA Condos subdivision, located at the northeast of 1100 East and Telegraph. The applicant is proposing 72 condo units on an area of coverage of 3.68 acres. The zoning

designation at this particular location is Planned Unit Development (Red Vista - PUD). The surrounding zoning is R-3 to the north, C-2 to the east and south, and RA-2 to the west.

The proposed subdivision conforms to the approved 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 Red Vistas FHA Condos 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 the 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. The development shall conform to the State of Utah LID requirements.
13. The development will conform to the approved Planned Unit Development zoning at this particular location.
14. The traffic study will need to reflect the improvements necessary on 1100 East Street for future improvements.
15. There shall be included on the plat, the county reference monuments associated with the stated Basis of Bearing Line, this needs to be added to the plat before moving onto the city council's agenda.

Commissioner Phetsomphou asked if they are still three stories.

Mr. Ellerman answered that they took the fourth story off,

Commissioner Phetsomphou asked about the entrance into Bristol Park.

Mr. Ellerman answered that they will build up to the entrance.

Commissioner Hansen asked if they are going to have it gated.

Mr. Ellerman stated he doesn't want it gated.

Commissioner Phetsomphou explained that the gate was when the request was for the hotel. He asked about the basketball court and if it is going to be fenced so the ball doesn't go onto Telegraph.

Mr. Ellerman explained that there will be a fence, wrought iron fencing.

Commissioner Smith asked about the access off Telegraph.

Mr. Ellerman answered if it was already there.

Ben Willitis stated that 1100 East is already there but they will do right in and they have to move the access.

Commissioner Hollie asked if the access off of Telegraph is right-in only.

Mr. Willitis stated that there is going to be a signal light going in

Brandon Wright explained that the traffic study will dictate what the access will require.

Commissioner Hansen asked about the basketball court. He asked if the city is liable if the ball goes onto Telegraph and causes an accident.

Mr. Willits answered that they could put up a net. He stated that the fence is 6 feet tall.

Mr. Ellerman answered that the city isn't liable.

Commissioner Hollie stated he would like to see netting to prevent the ball from going onto Telegraph. He asked if it is a percentage of affordable.

Mr. Willits answered that $\frac{2}{3}$ have to be owner occupied.

Mr. Ellerman stated they have to qualify for FHA housing.

Mr. Willits explained that the deed restriction $\frac{1}{3}$ can be rented in the future and $\frac{2}{3}$ have to be owner occupied.

Commissioner Hansen asked if the market allows them to sell for more than what they paid.

Mr. Willits answered yes. He stated that the market will drive what the worth will be.

Commissioner Musso asked if the top floor will be less affordable.

Mr. Willits answered that the top floor is the most desirable.

Commissioner Musso asked if the lumber price has an effect on them.

Mr. Willits stated it does have an effect but hasn't hurt them as much because they buy in bulk.

Commissioner Musso asked the time frame to build. He would like to see this project get built.

Mr. Willits answered as soon as possible. They have their marketing set up already.

Commissioner Scheel asked if the parking is adequate.

Mr. Ellerman answered that the parking was addressed in the zoning process.

Mr. Ellerman stated there wasn't any public comment.

Commissioner Hansen motioned to close the public hearing.

Commissioner Hollie seconded the motion.

Motion passed unanimously.

Commissioner Hansen stated he is abstaining from voting because he put his name on one of the units.

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

Commissioner Phetsomphou seconded the motion.

Motion passed unanimously.

7. ZONE CHANGE

- a. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-20-17 to change from PUD Planned Unit Development to PCD Planned Community Development located at approximately East of Southern Parkway and South of Long Valley Road (3000 East 1600 South). Applicant is Brennan Family Holding, LLC, Jim Raines.

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

Background

Drew Ellerman reviewed the report: The applicant is requesting approval to change the zoning of approximately 605.61 acres, located at approximately east of the Southern Parkway and south of Long Valley Road (3000 East 1600 South). The requested change is from the current Planned Unit Development (PUD) zoning designation to a proposed Planned Community Development (PCD) zoning designation.