
Minutes
Washington City Council
Electronic Regular Meeting
October 28, 2020

Present: Mayor Kenneth Neilson, Council Members Roger Bundy, Craig Coats, Kurt Ivie, Kress Staheli, Doug Ward, IS Director Steve Whittekiend, City Recorder Danice Bulloch, Deputy Recorder Tara Pentz, City Attorney Jeff Starkey, Community Development Director Drew Ellerman, Public Works Director Mike Shaw, Police Chief Jason Williams, Leisure Services Director Barry Blake

Meeting commenced at 6:00 P.M.

Invocation: Council Member Doug Ward

Pledge of Allegiance: Scout Troop 435

1. APPROVAL OF AGENDA

Council Member Coats made a motion to approve the agenda with the amendment 8A being heard following Item 3. Council Member Bundy seconded the motion; which passed unanimously.

2. ANNOUNCEMENTS

- a. Presentation of International Institute Municipal Clerks to Deputy Recorder Tara Pentz for achieving her Master Municipal Clerk certification.
Presented by the Utah Municipal Clerks Association**

LeAnn Womack presented Tara Pentz with the Utah Municipal Clerks Association designation of Master Municipal Clerk.

3. PROCLAMATION

- a. Reading of the Proclamation for Domestic Violence Awareness Month.
Mayor Kenneth Neilson**

Mayor Kenneth Neilson read the Proclamation for Domestic Violence Awareness Month.

4. DECLARATION OF ABSTENTIONS & CONFLICTS

Council Member Roger Bundy declared a conflict with Items 6A, 6B and 7A.

5. CONSENT AGENDA

a. APPROVAL OF MINUTES: Consideration to approve the minutes from the City Council Meetings of and 10/08/2020 and 10/14/2020.

b. FINAL PLAT:

**i. Consideration to approve the Final Plat for Shooting Star Phase 2, located approximately Rio Virgin Drive and Centaurus Way.
Applicant: Western States Venture SG, LLC**

The applicant is requesting approval of a final plat for the Shooting Star, Phase 2 subdivision, located at approximately Rio Virgin Drive and Centaurus Way. This particular subdivision is proposing 32 lots on an area covering 10.37 acres. The specific location of this subdivision is zoned Single-Family Residential - 10,000 Sq. Ft. Min. (R-1-10). The Preliminary Plat was approved back on July 17, 2017

The Planning Commission unanimously recommended approval of the Final plat for the Shooting Star, Phase 2 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 amended 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.

Council Member Bundy made a motion to approve the consent agenda with the removal of the minutes for 10/14/2020. Council Member Staheli seconded the motion; which passed with the following roll call vote:

Council Member Bundy Aye
Council Member Coats Aye
Council Member Ivie Aye
Council Member Staheli Aye
Council Member Ward Aye

6. PRELIMINARY PLAT

a. Consideration to approve the Preliminary Plat for Red Vista, located approximately 1100 E. Telegraph Street. Applicant: Red Vista Development of Orem, LLC

Community Development Director Drew Ellerman 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 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.

Council Member Staheli asked if there were any changes since the original PUD approval.

Community Development Director Ellerman confirmed it is same plan as was previously

approved.

Council Member Staheli made a motion to approve the Preliminary Plat for Red Vista, located approximately 1100 E. Telegraph Street with the findings and conditions of Staff and as recommended by the Planning Commission. Council Member Coats seconded the motion; which passed with the following roll call vote:

<i>Council Member Bundy</i>	<i>Abstained</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>

**b. Continuation of a consideration to approve the Preliminary Plat for The Boulders at Coral Canyon, located approximately 3950 E. Telegraph Street.
Applicant: Cole West**

Community Development Director Drew Ellerman reviewed:

This item was tabled at the October 14th, 2020 City Council meeting. The council wanted more time to digest information as it relates to curb/gutters, sidewalks, and/or the proposed trail and possible connections to Telegraph at each end of the proposed preliminary plat.

The applicant is requesting approval of a Preliminary plat for The Boulders at Coral Canyon subdivision, located at approximately 3950 East Telegraph. The applicant is proposing 93 lots on an area of coverage of 19.851 acres. The zoning designation at this particular location is Planned Community Development (Coral Canyon - PCD). The surrounding zoning is PCD to the north, east, west, and south.

The Planning Commission unanimously recommended approval of the Preliminary plat for The Boulders at Coral Canyon 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 developer shall install curb, gutter, sidewalk and asphalt improvements on Telegraph Road, as per page 6, section (i) of the development agreement for Coral Canyon. The city has met their obligations and responsibilities as it relates to the development agreement for this roadway. The preliminary plat does not match the development agreement for Telegraph Road.
14. A traffic study will be needed to determine impacts and if deceleration lanes, acceleration lanes, center turn lanes, and additional asphalt width on the north side of Telegraph Road are needed. Refer to the Washington City Transportation Master Plan page 40 , section 5.5 Traffic Impact Study 5.5.1
15. There is a missing Basis of Bearing Line, this needs to be added to the plat before moving onto the city council's agenda.

Public Works Director Mike Shaw explained the Development Agreement and PCD Plan does need to be amended. However, this development would not need to be held up until those changes are made. If there is to be no curb and gutter in this development, drainage would need to be addressed.

Council member Coats asked if there was any discussion about the trail.

Public Works Director Shaw stated the trail would travel on the south side all the way from Landfill Road and tie in to Waterfront Way. The developer will need to come up with a phasing plan for the trail.

Council Member Ivie clarified we do require curb and gutter.

Public Works Director Shaw explained curb and gutter is required. However, the developer can come up with a plan for an alternative to curb and gutter, which will address the drainage.

Council Member Staheli stated he would agree there are amendments, which need to be made to the PCD and Development. He would recommend the approval of the Final Plat be conditioned on those amendments, along with the trail, and road diagrams. This would allow the developer to move forward, and allow Staff and Council to put in triggers of items, which need to be completed.

Council Member Ward asked when the developer would be expected to put these items in place.

Public Works Director Shaw stated he is comfortable moving forward. The development agreement and PCD Master Plan will be key in making certain these items are completed.

Council Member Coats stated we are giving vested rights with this request, and the agreement is not in place.

Public Works Director Shaw stated they do have vested rights, but they do still need to meet all of Public Works requirements.

Council Member Coats stated we do not have a commitment they are building the trail or the road out front, and he wants it in place before moving forward.

Public Works Director Shaw explained Drake Howell has met with both himself, and the Leisure Services Department. They are both comfortable with these requests, and complete the development agreement and PCD, which will come before Council.

Council Member Coats stated he would prefer to table this item until the changes have been made.

Council Member Ivie stated he is comfortable with Staff recommendation and approving with the stipulations as stated by Public Works Director Shaw and Community Development Director Ellerman.

Drake Howell stated he appreciates the time spent with Staff over the past two weeks. They are in favor of setting trigger points, where they do not get final plat approval until the revisions to the PCD and development agreement are made, which is the recommendation of Staff.

Council Member Staheli made a motion to approve the Preliminary Plat for The Boulders at Coral Canyon, located approximately 3950 E. Telegraph Street with the findings and conditions of Staff and as recommended by the Planning Commission with the additional conditions the final plat approval be contingent upon an amended and updated PCD and development agreement, which will be approved by the Council; the updates include improvements along Telegraph from Water Street to Landfill Road including roadwith and additional curb gutter and sidewalk on the northwest side and a 26ft landscape strip and 10 foot trail and landscape on the south east side. Council Member Ivie seconded the motion; which passed with the following roll call vote:

<i>Council Member Bundy</i>	<i>Abstained</i>
<i>Council Member Coats</i>	<i>Nay</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>

7. **ORDINANCE**

- a. Consideration to approve an Ordinance adopting Zone Change request Z-20-14, a request to change the Brio PCD, by changing the Conceptual Site Plan Map, the Circulation Plan Map, and verbiage in Section 3.1A Commercial Land Use summary of the Design Guidelines and Standards, located the northwest corner of Buena Vista Boulevard and Main Street. Applicant: Reed Scow / Cole West**

Community Development Director Drew Ellerman reviewed:

The two week holdover is now completed, this item is ready for City Council action.

The applicant is requesting approval to Amend portions of the Brio PCD project, as found in the Conceptual Site Plan Map (with associated densities table), Circulation Plan, and Land Use Summary (Commercial parcels).

More specifically:

Changes in Section 2, the conceptual site plan map (exhibit 2.1), circulation plan map (exhibit 2.3):

The amendment is to update the Brio PCD Conceptual Site Plan Map (2.1), Circulation Plan Map (2.3). Certain areas have been revised as follows:

- The proposal is requesting to amend the Circulation Plan Map (2.3) by removing the most northern portion of Rialto Parkway where it is proposed to tie into Washington Parkway. Due to the size and traffic volume that will eventually be placed on Washington Parkway, the Brio developer (and city staff) have decided that this particular intersection should be eliminated.
- The proposal is also requesting to re-assign the SFA (single family attached) Townhomes area currently shown in the northeastern portion of the project (southwest corner of Washington Parkway and Main Street), changing it to a SFD (single family detached - Patio Home (3)) designation.
- The proposal request also seeks to reduce the number of SFD (single family detached) units from the current 315 dwelling units to a proposed 289 dwelling units. This will be done by re-assigning the area at the northern end of Rialto Parkway (west side of the street) from the current SFD (single family detached) designation to a SFD (single family detached - patio home) designation.
- The proposal is also requesting to re-assign the SFA (single family attached) Townhomes area currently shown directly east of the Community Center, changing its designation to the SFD (single family detached - patio home).

With the proposed changes as stated above, the acreage and density changes are as follows:

Single Family Detached - Residential current acreage is 91.3, and density is 315 units. Proposed changes would have acreage at 84, and density at 289 units.

Single Family Detached - Patio Home current acreage is 33.5, and density is 203

units. Proposed changes would have acreage at 41.7, and density at 227 units. Single Family Detached - Patio Home (3) currently does not exist. Proposed addition of this product type would have 9.5 acres with 69 dwelling units. ** just to note, the current stated residential (all types, excluding the apartment complex in the southeast portion) dwelling count is 856 units. With the proposed new changes, the dwelling count is projected at 805.

Change in Section 3.1(A) of the Design Guidelines and Standards section the PCD project plan, is proposing to change the language of the "Land Use Summary - Commercial. The current language states:

The commercial designated parcels at Brio categories: 1) Clinic or other similar use; 2) Assisted living and/or senior apartments or similar use. The city ordinance in effect at the time the individual parcel development plan is approved will apply and set parking standards for the Brio Project.

The new proposed language states:

The commercial designated parcel at Brio will include such uses as retail sales (in conjunction with the city's C-2 zoning district), administrative / professional, mixed uses (horizontal or vertical, along with hobby caves may be appropriate).

Staff has reviewed the proposed changes and amendment, staff supports most of the proposal. The two items of concern is the new language in the commercial summary proposal as it relates to mixed uses (horizontal or vertical, along with hobby caves may be appropriate). Staff feels that due to the location of this only commercial designated area that certain mixed uses and especially the hobby caves might not be harmonious with the surrounding area(s). Also, the language added to the Conceptual Site Plan directly under the Land Use table which states:

Note: Density may be moved from one land use to another land use as long as the overall density does not exceed 856 units.

Staff is not comfortable with this statement. Staff however, is more willing to accept the other added statement on the same map in the same area that states:

Dwelling land use acreages are approximate and may change depending on market conditions as long as the overall density does not exceed 856 total units.

The Planning Commission unanimously recommended approval of Z-20-14, for the zone change request, Amending portions of the Brio PCD project plan, to the City Council, with staff's considerations, based on the following findings and subject to the conditions below:

Findings

1. That the requested zoning amendment conforms to the intent of the land use designation of the General Plan.
2. That the requested zoning amendment will be compatible with surrounding developments.
3. That no other changes (only those as outlined above) are implied to the remaining Brio PCD project plan.

Conditions

Only the amendments as outlined above (with associated exhibits/ maps), are made part of this amendment to the Brio PCD project plan.

Council Member Ward asked for clarification on the changes, as he was not at the previous meeting.

Community Development Director Ellerman reviewed the request with Council.

City Attorney Jeff Starkey suggested giving the Council the very large PCD Plan. This is a document that is reviewed in depth by the Community Development Director whenever there is a modification. The Council may then understand what is being done by Staff, and the review that has taken place.

Council Member Ivie noted it is fairly common for PCD's to be modified over time. However, he would like clarification of why this application is being made.

Community Development Director Ellerman explained the development found the two story townhomes were not in demand as much as they had hoped. Therefore, they are going to remove the townhome project, and adding a new type of patio home, which they hope will be more marketable.

Council discussed the application submitted process, as well as the approval process of a PCD.

Council Member Ivie made a motion to approve an Ordinance adopting Zone Change request Z-20-14, a request to change the Brio PCD, by changing the Conceptual Site Plan Map, the Circulation Plan Map, and verbiage in Section 3.1A Commercial Land Use summary of the Design Guidelines and Standards, Replace the planned Single Family Attached (SFA) Townhomes with a 40' wide lot Single Family Attached, Replace a portion of the planned Single Family Detached (SFD) Residential with Single Family Detached (SFD) Patio Residential in Phase 6 of Brio. Amend the PCD language to allow for more flexibility within the Commercial (Clinic) parcel located along the southern portion of Brio Parkway with the additional conditions as follows: The commercial designated parcel at Brio will include such uses as retail sales (in conjunction with the city's C-2 zoning district), administrative / professional and Dwelling land use acreages are approximate and may change depending on conditions as long as the overall density does not exceed 856 total units located on the northwest corner of Buena Vista Boulevard and Main Street. Council Member Coats seconded the motion; which passed with the following roll call vote:

<i>Council Member Bundy</i>	<i>Abstained</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>Nay</i>

- b. Consideration to approve an Ordinance adopting Zone Change request Z-20-15, a request from Open Space (OS) to Residential Single Family 10,000 sq ft min (R-1-10), located at approximately 600 West and 2300 North. Applicant: First Nation Investment LLC**

Community Development Director Drew Ellerman reviewed:
The two week holdover is now completed, this item is ready for City Council action.

The applicant is requesting approval to change the zoning of approximately 1.26 acres, located at approximately 600 West and 2300 North. The requested change is from the current zoning of Open Space (OS), to a proposed Single-Family Residential - 10,000 Sq. Ft. Min.

(R-1-10) zoning designation

The R-1-10 request is for the purpose of adding the 1.26 acres into an already existing development called Washington Vista.

This particular location has a recently approved General Plan Land Use designation of Low Density Residential (LD). The surrounding zoning to this parcel is R-1-10 to the west, OS to the north, east and south.

The Planning Commission unanimously recommended approval of Z-20-15, for the zone change request from Open Space (OS), to the proposed Single-Family Residential - 10,000 Sq. Ft. Min. (R-1-10), onto the City Council, based on the following findings and subject to the conditions below.

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.

Council Member Coats asked about maintenance in the wash.

Community Development Director Ellerman stated it would be noted either in the Preliminary or Final Plat.

Council Member Bundy made a motion to approve an Ordinance adopting Zone Change request Z-20-15, a request from Open Space (OS) to Residential Single Family 10,000 sq ft min (R-1-10), located at approximately 600 West and 2300 North. Council Member Coats seconded the motion; which passed with the following roll call vote:

*Council Member Bundy
Council Member Coats
Council Member Ivie
Council Member Staheli
Council Member Ward*

- c. Consideration to approve an Ordinance adopting Zone Change request Z-20-16, a request from Residential Agricultural 1-acre lots (RA-1) to Residential Single Family 10,000 sq ft min (R-1-10), located at approximately 400 West and Merrill Road. Applicant: Dave Nasal**

Community Development Director Drew Ellerman reviewed:
The two week holdover is now completed, this item is ready for City Council action.

The applicant is requesting approval to change the zoning of approximately 14.06 acres, located at approximately 400 West Merrill Road (south side of roadway). The requested change is from the current zoning of Residential / Agricultural - One Ac. Min. (RA-1) zoning, to a proposed Single-Family Residential - 10,000 Sq. Ft. Min. (R-1-10) zoning designation

The R-1-10 request is for the purpose of developing the 14.06 acres into a future residential development.

This particular location has a General Plan Land Use designation of Low Density Residential (LD). The surrounding zoning to this parcel is R-1-10 and R-1-15 to the south, PUD to the north, St. George City zoning to the west, and Washington County zoning to east.

The Planning Commission unanimously recommended approval of Z-20-16, for the zone change request from Residential / Agricultural - One Ac. Min. (RA-1), to the proposed Single-Family Residential - 10,000 Sq. Ft. Min. (R-1-10) onto the City Council, based on the following findings and subject to the conditions below.

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.

Council Member Coats made a motion to approve an Ordinance adopting Zone Change request Z-20-16, a request from Residential Agricultural 1-acre lots (RA-1) to Residential Single Family 10,000 sq ft min (R-1-10), located at approximately 400 West and Merrill Road. Council Member Bundy seconded the motion; which passed with the following roll call vote:

*Council Member Bundy
Council Member Coats
Council Member Ivie
Council Member Staheli
Council Member Ward*

8. RAP TAX

- a. **Consideration to approve a request for RAP Tax funding for PickleBall Courts located at the Washington City Community Center. Assistant Leisure Services Director Ben Rae**

Assistant Leisure Services Director Ben Rae reviewed their RAP Tax request.

Council discussed the location and cost of the project, and if they felt the area was appropriate for PickleBall Courts.

Council Member Ward made a motion to table a request for RAP Tax funding for PickleBall Courts located at the Washington City Community Center until such time bids are ready to be reviewed. Council Member Staheli seconded the motion; which passed with the following roll call vote:

<i>Council Member Bundy</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>

9. AGREEMENT

a. Consideration to approve the Washington City Historical Society Lease Agreement. Assistant Leisure Services Director Ben Rae

Council Member Ivie made a motion to approve the Washington City Historical Society Lease Agreement. Council Member Coats seconded the motion; which passed with the following roll call vote:

<i>Council Member Bundy</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>

10. RESOLUTION

a. Consideration to approve a Resolution appointing a representative from Washington City to the Southwest Mosquito Abatement and Control District. Mayor Kenneth Neilson

Council Member Bundy made a motion to approve a Resolution appointing representative, Council Member Roger Bundy to the Southwest Mosquito Abatement and Control District. Council Member Ivie seconded the motion; which passed with the following roll call vote:

<i>Council Member Bundy</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>

11. APPEAL DESIGN STANDARDS

a. Consideration to approve a request to Appeal the Access Management Plan standards, for drive approaches on Chaparral Ridge Lot 63, located on Desperado Drive and Wildhorse Drive. Applicant: Garret Bangerter

Wayne and Nancy Bjorgensen reviewed their request for an appeal to the access management plan. He stated there are several driveway exceptions within 3 blocks of their home.

Public Works Director Mike Shaw explained the standard is 32 feet maximum for a single family residence. The three of the four properties being shown were prior to our access management plan. The final curb cut was done illegally. The driveway they are asking for on the south side is supposed to have a minimum of 50 feet within the radius. This is why the denial was given in this location.

Council Member Bundy asked if Public Works reviews site plans of homes.

Public Works Director Shaw stated the building department does the review. This must have been missed.

Council Member Coats stated this was placed on the site plan, and was approved, which is a concern to him.

Public Works Director Shaw stated the problem is not the dual driveway, but being within the 50 foot radius. This is being addressed in our current review of the access management plan.

Council Member Ivie asked what would be the negative effect of granting this request.

Public Works Director Shaw stated there is a conflict for backing out and visibility. His recommendation is to follow our access management plan. The driveway is approximately 38 feet from the PC.

Council Member Bundy stated he does want to point out there is a safety issue.

City Attorney Jeff Starkey explained the law is clear, the City is not responsible for anything, which is missed in a review. It seems unfair, unfortunately, we cannot change our specs for one person.

Mr. Bjorgensen stated the driveway is already poured, but the access and sidewalk is not. They built this home in good faith, and it is a long way to the stop sign.

Council Member Coats made a motion to waive enforcement of the non-conforming driveway drive approach on Chaparral Ridge Lot 63, located on Wildhorse Drive with a maximum entrance of 18 feet in width. Council Member Ward seconded the motion; which passed with the following roll call vote:

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

12. PURCHASE OF PROPERTY

- a. Consideration to approve the purchase of property for a Right of Way realignment, located on the west portion of 3650 South, to tie into 1450 South, St. George. Public Works Department**

Council Member Ivie made a motion to approve the purchase of property for a Right of Way realignment, located on the west portion of 3650 South, to tie into 1450 South, St. George. Council Member Coats seconded the motion; which passed with the following roll call vote:

<i>Council Member Bundy</i>	<i>Nay</i>
<i>Council Member Coats</i>	<i>Aye</i>
<i>Council Member Ivie</i>	<i>Aye</i>

Council Member Staheli Nay
Council Member Ward Aye

13. REPORT OF OFFICERS FROM ASSIGNED COMMITTEE

Council Members reported on their assigned committees.

14. ADJOURNMENT

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

Meeting adjourned at 8:09 P.M.

Passed and approved on the 12th day of November, 2020.

Attest by:

Danice B. Bulloch

Danice B. Bulloch, MMC
City Recorder



Washington City

Kenneth F. Neilson
Kenneth F. Neilson, Mayor

