
Public Notice of Electronic Meeting
Washington City Planning Commission Regular Meeting
October 21, 2020 Minutes

Present: Commissioner Smith, Commissioner Hansen, Commissioner Hollie, Commissioner Musso, Commissioner Scheel, Drew Ellerman, Brandon Wright, Matt Evans, Kathy Spring, Danice Bulloch, Attorney Jeff Starkey, Bob Hermandson, Stephen Howcroft, James Jessop, Austin Chappell, Jim Raines, Matt Relci.

The meeting will be broadcast via Youtube Live linked online at
<https://washingtoncity.org/meetings>

Meeting called to order: 5:30 PM
Invocation: Commissioner Musso
Pledge of Allegiance: Commissioner Hollie

1. APPROVAL OF AGENDA

- a. Approval of the agenda for October 21, 2020.
Commissioner Hollie motioned to approve the agenda for October 21, 2020.
Commissioner Musso seconded the motion.
Motion passed unanimously.

2. APPROVAL OF MINUTES

- a. Approval of the minutes from October 7, 2020.
Commissioner Hollie motioned to approve the minutes from October 7, 2020.
Commissioner Hansen seconded the motion.
Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

- Commissioner Hansen disclosed that he lives near item 6A and 6B but will vote.

4. FINAL PLAT

- a. Consideration and recommendation to City Council for the Shooting Star Phase 2 Final Plat located at approximately Rio Virgin Drive and Centaurus Way.
Applicant is Western States Ventures SG, LLC.

Background

Drew Ellerman reviewed the report: 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 April 22, 2020

Staff has reviewed the requested proposal, and the proposed final plat, conforms to the approved amended preliminary plat.

Recommendation

Staff recommends that the Planning Commission recommend 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.

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

Commissioner Hollie seconded the motion.

Motion passed unanimously.

5. PRELIMINARY PLAT

- a. Public Hearing for consideration and recommendation to City Council for the Desert Ridge Phase 1 Preliminary Plat located at approximately Bonnie Lane and Bella Vista Drive. Applicant is Stephen Howcroft.

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 Desert Ridge, Phase 1 subdivision, located at approximately Bonnie Lane and Bella Vista Drive. The applicant is proposing 34 lots on an area of coverage of 10.195 acres. The zoning designation at this particular location is Planned Unit Development - Residential (PUD-R). The surrounding zoning is PUD to the north, east, west, and south.

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 Desert Ridge, Phase 1 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 will shift all pads a minimum of ten feet (10') to the west to allow for setbacks to be met on the Bella Vista Drive streetside.
14. An updated traffic study will be required when construction drawings are reviewed.

Commissioner Scheel asked for clarification of the location of Bonnie Lane.

Mr. Ellerman explained that Bonnie Lane is a dirt road and will become a developed road.

Commissioner Hansen asked about Florence Road.

Mr. Ellerman answered that it is a road off Bella Vista. It is in bad condition and isn't used much.

Commissioner Smith explained that Florence Road is an emergency road in case the main entrance is blocked for some reason.

Commissioner Hansen asked if the Bella Vista Subdivision has to improve the road.

Mr. Ellerman answered yes when the last phase comes in.

Commissioner Musso asked if these are townhomes.

Mr. Ellerman answered yes.

Commissioner Scheel asked if there is going to be another access to the east.

Mr. Ellerman answered yes. When they reach 32 lots they will have to build the second access Bonnie Lane to 1100 East. He explained that the developer knows he will have to develop the road. He explained that Florence is phase 5 of Bella Vista.

Commissioner Musso asked what happens when they exceed the 32 lots on another area of the development.

Mr. Ellerman stated it doesn't matter where the 32 lots are located, a second access is required.

Commissioner Smith opened the public hearing.
Danice Bulloch read public comments. (See attached)

Austin Chappell from Horrock stated he can't comment about the statement just read because he wasn't involved with that phase.

Commissioner Smith asked Austin if he is okay with the conditions.

Mr. Chappell answered yes.

Commissioner Hansen motioned to close the public hearing.
Commissioner Hollie seconded the motion.
Motion passed unanimously.

Commissioner Smith encouraged Public Works to look at the concerns.

Commissioner Scheel asked about the property for sale.

Mr. Ellerman answered it isn't this project.

Commissioner Hansen asked if the developer is in violation of the statement made.

Commissioner Smith answered that he doubts that there is a retaining wall that is 12 feet.

James Jessop stated that the wall was permitted and engineered. He stated they did take off two layers of the wall to help the concern that the neighbors had.

Commissioner Hansen stated he sees the side of the city and the citizens. He asked Mr. Jessop if he is okay with the conditions.

Mr. Jessop answered yes.

Commissioner Hollie asked about condition #14 regarding the traffic study.

Brandon Wright stated that Mr. Hails would have the traffic study soon.

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

Commissioner Scheel seconded the motion.

Motion passed unanimously.

- b. Public Hearing for consideration and recommendation to City Council for the Desert Flower Phase 2A Preliminary Plat located at approximately Bonnie Lane and Bella Vista Drive. Applicant is Stephen Howcroft.

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 Desert Flower, Phase 2A subdivision, located at approximately Bonnie Lane and Bella Vista Drive. The applicant is proposing 8 lots on an area of coverage of 5.109 acres. The zoning designation at this particular location is Planned Unit Development - Residential (PUD-R). The surrounding zoning is PUD-R to the north, east, west, and south.

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 Desert Flower, Phase 2A 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 will shift all pads a minimum of ten feet (10') to the west to allow for setbacks to be met on the Buena Vista Drive streetside.
14. All garages to each home will be setback a minimum of twenty feet (20') from any street boundary.
15. An updated traffic study will be required when construction drawings are reviewed.

Commissioner Hollie asked if these are townhomes.

Mr. Ellerman answered they are detached homes.

Commissioner Musso asked about the turn around.

Mr. Ellerman answered that it is required for fire trucks.

Matt Evans, Fire Chief, stated that on 150 feet dead end they have to put in a hammerhead. He stated he feels this meets the requirement.

Commissioner Musso asked if it is a dead end street.

Mr. Ellerman answered yes.

Commissioner Scheel asked about the block wall along the power line.

Austin Chappell answered with a two-tier wall that backs the power easement.

Commissioner Hansen asked about the south side.

Mr. Chappell answered that there will be a 4-foot retaining wall

Commissioner Scheel asked who is maintaining the power easement.

Mr. Jessop answered that it will be a landscape slope and the HOA will maintain it.

Commissioner Hansen asked about visitor parking.

Mr. Jessop stated there are two-car garages so there are driveways for two cars.

Commissioner Hansen asked if there are too many cars per residence can they park on Bella Vista.

Mr. Ellerman answered they could.

Commissioner Musso asked if they have to be 20 feet off of Bella Vista.

Mr. Ellerman answered yes.

Commissioner Hollie asked if Bonnie Lane will go to 300 East.

Mr. Ellerman stated no there might be a trail but the terrain is very difficult.

Matt Evans asked about the size of the road.

Mr. Ellerman stated that there needs to be signage that says no parking on the south side because it is a 35 foot road.

Commissioner Smith opened the public hearing.

Danice Bulloch stated there are two comments, one is the same as item 5A. (See attached)

Commissioner Hollie stated it would appear to look like a big mess.

Commissioner Musso stated that it is advertised that most of the homes are reserved and being built.

Commissioner Musso motioned to close the public hearing.

Commissioner Hollie seconded the motion.

Motion passed unanimously.

Commissioner Hansen asked the developer about the status of the development.

Steve Howcroft stated when it was recorded two months ago all 40 lots were sold and they are proceeding as fast as they can. They opened the model two months ago. As for the retaining wall they resolved the problem of the water going under the wall and then did a block wall for

their project. He stated he tried to build the wall for both the people in the project and the neighboring subdivision.

Commissioner Hansen thanked Mr. Howcroft for the clarification.

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

Commissioner Musso seconded the motion.

Motion passed unanimously.

6. ZONE CHANGE

- a. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-20-18 to consider approval of the design and use for an approved PUD Planned Unit Development located at approximately 1320 East 3650 South. Applicant is Doug Dennett.

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 the design for his currently PUD-C zoned property which is approximately 3.48 acres in size. The property is located at approximately 1320 East 3650 South. The property earlier this year was granted the PUD-C zoning, but the design was denied at that time. The applicant is returning with this proposal.

The PUD-C requires an approved site design before the property can be used as a commercial use. The previously denied proposed site plan and use was declined by the city council asking the applicant to wait and see what the new fields design guidelines would produce (those design guidelines at that time were just getting started in the information gathering stage).

Unfortunately, Covid19 has taken its toll on this development process. Due to the lack of opportunity to hold public meetings/open houses for gathering information and data. The consultants have also been delayed in their employee availability on the project. The applicant feels he should not be delayed due to these (out of his control) circumstances, thus the applicant has resubmitted this request.

The surrounding zoning to this parcel is Open Space to the east, south and west, and R-1-12 to the north.

The project design is in compliance with the Planned Unit Development - Commercial standards as outlined in the Zoning Regulations.

Recommendation

Staff recommends that the Planning Commission recommend approval of Z-20-18, for the zone change request from Open Space (OS), to the proposed Planned Unit Development - Commercial (PUD-C), 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 - Commercial Zone.
2. A traffic study shall be submitted to the public works department for review and approval, prior to submitting construction drawings.
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, east, west and south boundaries of the development. Details for the required perimeter block walls shall as submitted in the attached exhibits.
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 recordations.

9. All lighting will be directed inward into the sight.

10. All signage will be in accordance with the city's sign ordinance.

11. Two parking stalls will be necessary (striped) and located at the office area of the development.

12. Any garbage dumpsters will be screened from view in relation to the public street.

Commissioner Hollie asked if they were single stories.

Mr. Ellerman answered yes.

Bob Hermansen stated they are masonry with metal roofing.

Brandon Wright stated he has two conditions #13 that the LID requirements be met, condition #14 Flood Control Authority will need to approve this project before construction drawings can be submitted and approved with appropriate elevation

Commissioner Musso asked what the difference is from the original approval.

Mr. Ellerman stated that the City Council wanted to see an updated landscape plan and design.

Commissioner Musso asked if this is approved what does Mr. Dennett have to do to improve the road. Just in front of his project?

Mr. Ellerman stated he would have to do improvements for his project

Brandon Wright stated that Majestic Hills Phase 3 and 4 will bring in the road.

Commissioner Musso asked about Noble Drive.

Mr. Wright stated they are talking about it now. They can come down 3650 South.

Bob stated 3650 South will be paved in about 60 days.

Brandon Wright stated that Doug Dennet will do his portion. He stated that it would be about 4 months before they can start to build.

Commissioner Smith stated they could add an additional condition if it is a concern.

Commissioner Smith opened the public hearing.

Danice Bulloch stated there are no public comments.

Commissioner Hollie motioned to close the public hearing.

Commissioner Scheel seconded the motion.

Motion passed unanimously.

Commissioner Hansen stated that City Council denied this so if this takes care of the things that City Council wanted with the design standard.

Commissioner Smith stated that the City's design standards didn't get done so he feels they should hold up the developer.

Commissioner Hansen said he agrees with Commissioner Smith but feels that City Council will reject this again.

Commissioner Smith stated that would be wrong. The applicant has submitted an application and the commission shouldn't reject this because the city didn't get the design standards done. He stated he has to look at what is required now if it meets that zoning standards. This should be moved forward.

Commissioner Hansen stated he is going to vote in favor; he just feels that the City Council rejected it and nothing changed that the City Council was going to do with the design standards.

Commissioner Hollie stated he agrees.

Commissioner Scheel stated timing appears to be better because 3650 South will be built so that is a plus.

Commissioner Hollie stated he likes the project.

Commissioner Hansen motioned to recommend approval to the City Council with the recommendation and findings of staff. With additional condition #13 that the LID requirements be met, condition #14 Flood Control Authority will need to approve this project before construction drawings can be submitted and approved with appropriate elevation and condition #15 that 3650 South extension be built out.

Commissioner Hollie seconded the motion.

Motion passed unanimously.

- b. Public Hearing for consideration and recommendation to the City Council a Zone Change request Z-19-07 PUD Planned Unit Development Amendment to Change Design Elevations located at approximately 600 East and Treasure Valley Road. Applicant Development Solutions.

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 to change the building elevations of an approved PUD-R zoning development. The project is located at approximately 600 East and Treasure Valley Road. The original approval was back on August 14, 2019. The builder who is picking up the project is requesting the new look elevation change.

The following portion of this report is a copy from the approved zoning from August 2019:

The PUD-R request is for the purpose of developing the 13.57 acres into a multi-family residential project consisting of 2-plex, 3-plex and 4-plex townhomes with a total unit count of 111 dwelling units. Each dwelling unit will have 3 bedrooms, 2 ½ baths, and a 2 car garage.

This particular location just went through a General Plan Amendment approval process, the proposed 13.57 acres was given the Medium High Density designation. This General Plan designation carries a 7 - 12 dwelling units per acre density ratio. This proposed project will have an 8.2 dwelling unit per acre ratio. The surrounding zoning to this parcel is R-3 and C-1 to the north, R-1-8 to the west, and A-20 to the south and the east.

Staff has reviewed the requested zone change and wishes to point out the item of concern as it relates to this proposed project/zone change:

Congestion of traffic onto Treasure Valley Road, 4200 South Street and 20 East Street. Without a roadway punching through to Washington Fields Road to the east, and with the additional residences that have recently been approved, along with the existing Middle School open and running and the new High School set to open this coming school year (August of 2019), this particular area has a big circulation problem.

There needs to be solutions to push traffic away from the two schools, not run the traffic through their main entrances. Staff has already somewhat secured the access through the property zoned C-1 to the northeast of this proposed project. We are just lacking a 100 to 200 foot (approximately) pathway between this project and the C-1 zone parcel, to make it over to Washington Fields Road.

Recommendation

Staff recommends that the Planning Commission recommended approval of the amended building elevation change of Z-19-07, with all the other items from the original approved Planned Unit Development - Residential (PUD-R), Multi-Family Residential Development Standards onto to the City Council, based on the following original findings and conditions:

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 west boundary and the north boundary (along Treasure Valley Road) 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 recordations.
9. The proposed amenities will be completed before one-third ($\frac{1}{3}$) build out of the development is completed. Roughly, before the 38th townhome is completed within the project.

Commissioner Musso asked about the road.

Mr. Ellerman stated it will go from 4200 South to Washington Dam Road.

Commissioner Hansen asked why the elevation changed.

Mr. Ellerman answered that the developer sold the project and they wanted this design.

Commissioner Hansen asked if the build out are the same.

Mr. Ellerman answered that yes there are build out on the color change showing on the exhibit.

Commissioner Smith asked about the total acreage.

Mr. Ellerman answered there were 13.5 acres and the unit count is the same. The only change is the elevations.

Commissioner Smith opened the public comment.

Danice Bulloch stated there are no public comments.

Commissioner Hollie motioned to close the public hearing.

Commissioner Schell seconded the motion

Motion passed unanimously.

Commissioner Smith stated he hopes that the pinkish color is a concern but it could be the print.

Commissioner Musso stated that along 300 West Washington Fields Road are townhomes. He would like to see something like patio homes. He feels there are a lot of them in this area.

Mr. Ellerman stated that zoning along major roads has commercial or multi family.

Commissioner Musso stated it appeared congested.

Commissioner Scheel stated that the rooftops bring in the commercial.

Commissioner Hollie asked if 4200 South will get done with this development.

Mr. Ellerman stated that with this project and the city it will get done.

Commissioner Hollie motioned to recommend to the City Council for the change in elevation with the findings and conditions of staff.

Commissioner Hansen seconded the motion.

Motion passed unanimously.

- c. Tabled from October 7, 2020: 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.

Background

Drew Ellerman reviewed the report: This item was tabled at the October 7th Planning Commission meeting. The commissioners felt they needed more time and updated exhibits to make a fair recommendation on the proposed application for a PCD.

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.

The General Plan Land Use Designation for this location is Low Density Residential (LD). The surrounding General Plan Land Use Designations are Open Space (OS) and Low Density Residential (LD) to the north, Open Space (OS) to the west, Neighborhood Commercial (NCOM) and Open Space (OS) to the east, and Open Space (OS) to the south.

The surrounding zoning designations are Open Space (OS) and PUD to the north, PUD to the west, and Washington County zoning to the east and south.

The PCD project name being proposed is Long Valley Trails. The project is being proposed as a community that will consist of single family residential homes (large and medium lots), patio homes, townhomes, and condominiums. Also being proposed is an area set aside with an overlay of vacation rental units (utilizing medium homes lots, patio home lots, townhomes and condos). There are several amenity locations scattered throughout the project and a park/open space area running through the middle of the development.

As noted above, the project will have several types of residential units. The single family home sites will be broken into two (2) different types, one called out as Large Lots (63 units), another as Medium Lots (539 units) and lastly Patio Home Lots (277 units). Townhomes will be located on a number of Pods (6 pods) and have a total unit count of 891. Lastly, the Condominium units will be found on two different Pods and have a total unit count of 254. Also as stated above, an area is being asked to have an overlay of vacation rental over Pods 15-19 and would consist of 439 units ranging from medium lots homes through the condo type of unit(s).

With this PCD, Washington Dam Road will be improved and widened from roughly 1900 East out to the Southern Parkway (State Highway 7) Several acres within this proposed area will be left in a native state for open space amenities and trail systems.

Staff has reviewed the requested zone change and finds it to conform to the General Plan, the Zoning Ordinance and surrounding proposed development.

Recommendation

Staff recommends that the Planning Commission possibly approve Z-20-17, for the zone change request from Planned Unit Development (PUD) to the proposed Planned Community Development (PCD), for further review of the proposed project.

Commissioner Hollie thanked Marc Raines for getting the summary to the commissioner.

Mr. Raines stated there were other changes and updates. He reviewed the exhibits. He stated they will build products to buy.

Matt Relci from D.R. Horton stated they are excited to come to Washington City and explained that there is a need for affordable housing.

Mr. Raines stated that D.R. Horton is a large well known developer/ builder.

Commissioner Smith asked about the language of changes.

Mr. Raines stated that would be up to the Community Developer Director.

Commissioner Musso asked about area 14 and 15 if they are condos or apartments.

Mr. Relci answered that they are condos but reserve the right to do apartments. It would depend on the market and demand.

Mr. Raines stated they want to have different options.

Commissioner Musso asked about area 19 and 9.

Mr. Raines stated that area 19 is townhomes. They will build what sells. He stated the trend and market is townhomes.

Commissioner Musso asked what the price point will be.

Matt Relci answered that the market will start at 250,000 for townhomes to the single family in the 300,000 price range.

Mr. Raines stated that the hillside isn't usable. There are big boulders so they used the area for trails. He stated they are looking at the safety of the area so that the houses aren't going to be affected.

Commissioner Hansen asked about fencing next to the BLM.

Commissioner Hansen asked if the fire department will serve this area.

Fire Chief Matt Evans answered station 62 on Washington Dam Road.

Commissioner Hansen asked if there are plans for another fire station.

Fire Chief Matt Evans stated that fire stations are within 5 miles and they are within that. He stated that they always look at the need for another fire station.

Mr. Raines stated he has liked and appreciated working with Washington City.

Commissioner Scheel asked if there is an HOA.

Mr. Raines answered there will be a Master HOA and then each development will have their own HOA the same as Coral Canyon and Sienna Hills.

Commissioner Scheel asked if there will be CC&R restrictions for parking, especially trailers.

Mr. Raines answered yes.

Commissioner Scheel stated he likes the project.

Commissioner Musso asked about pod 11 and the price range.

Mr. Relci answered that they are targeted for the workforce in the mid 200,000 price range. He stated there will be financing and incentives.

Commissioner Hansen asked Madison if there are other projects in Utah with this type of affordable housing.

Madison answered no.

Commissioner Musso stated he would like to see this be affordable and still marketable.

Mr. Raines stated that DL Horton is the largest in the nation and they have ways to get buildings done and maximize the quality of the homes.

Commissioner Musso asked if this got approved when they would start to build.

Mr. Raines stated that off site improvements will start with Washington Dam Road. Then they will submit preliminary plats. He stated they will start Southern Parkway going south. They want some of all the different home styles.

Commissioner Smith asked about the development agreement.

Mr. Raines stated they are ready.

Mr. Ellerman stated he isn't too concerned and they would let them do the project until the development agreement is approved and recorded.

Jeff Starkey stated that with bigger projects the engineering is the biggest thing.

Mr. Raines stated that the development agreement is tied to the project book.

Commissioner Smith stated he wants to make sure the development agreement is in the process and is close to being ready to record.

Commissioner Smith opened the public hearing.

Danice Bulloch stated there are no public comments.

Commissioner Hansen motioned to recommend approval to the City Council with the recommendation of staff.

Commissioner Scheel seconded the motion

Motion passed unanimously.

Commissioner Musso stated he is concerned with density in southern Utah.

Commissioner Hollie stated he agrees.

Commissioner Scheel stated he has dealt with D. R. Horton and they will build a good product then they will sell more of what sells.

Commissioner Musso motioned to adjourn the Planning Commission Meeting.

Commissioner Hollie seconded the motion.

Motion passed unanimously.

Meeting adjourned: 7:55 PM

Washington City

Signed By: _____

Jason Hansen, Planning Commission Pro Tem

Attested to: _____

Kathy Spring, Zoning Technician

Timestamp	This Comment is in Regard to:	Full Name:	Neighborhood	Comment
10/18/2020 23:09:19	5b. Public Hearing: Preliminary Plat: Desert Flower Phase 2A, Bonnie Ln and Bella Vista Dr. Applicant: Stephen Howcroft	William Montoro	Downtown	I oppose any further projects by this particular developer. The current development (Desert Flower- Phase 1) appears to be a hodgepodge of random home styles and designs. They do not fit in at all with the surrounding communities such as Ridge Pointe, Bella Vista and Horizons West. The pause button needs to be hit on this developer until the current project is completely built out. The developer has a knack for not completing projects. Desert Flower was started one year ago. As of now, there is not one home that has closed and occupied in this subdivision. One small step at a time is the prudent manner for Washington City to deal with this particular developer. Let Desert Flower, Phase 1 get fully built out and completely occupied. Then decide if this developer has earned the right to move on to Phase 1a or Phase 2. Now is not the time to approve anything. Let this developer finish something for once. Do not give him blanket approval to blaze ahead with grandiose plans for future projects. Phase 1 of Desert Flower placed an extreme undue burden on the citizens of Ridge Pointe, Bella Vista, Horizons West and Cherokee Springs. We put up with over six months of noise, dirt, tremendous amounts of dust, flooding, etc. Let the developer completely finish the Phase one homes before giving the go ahead for him to move on to other pie in the sky ideas. Looking at the big picture; this entire project was ill conceived. Washington City needs more medical facilities, more commercial and retail opportunities to serve the existing residents. This is just another cookie cutter housing development. Washington City is turning into a bedroom community for St. George...Future residents will eat, play, shop, work and spend money in St. George and then return to Washington City to sleep. 504 E Telegraph St. Washington, UT October 19, 2020 The people living in Horizons West specifically units #42, #43, #44, #45, #46, #47, #48, & #49 that back Steven Howcroft's development Desert Flower are very upset and concerned about the lack of compliance to existing laws by his company regarding the retaining walls built between our properties. Utah Code 4-26-5 is regarding Utah Boundry Fence Statues. These codes are to be upheld by the planning and zoning departments of ALL Utah communities. "THE EXISTING SURFACE OF THE GROUND SHALL NOT BE CHANGED BY GRADING ACTIVITIES WHEN ERECTING BOUNDRY FENCES," according to Sterling Codifiers, Inc. and should be built 1' - 2' inside property lines. This code was blatantly ignored. Mr. Howcroft's employees filled in the ground to the top of Horizons West existing 25 year old block wall and then built another block retaining wall directly behind our existing one. From our side of the wall, it is 12 foot high. We now get to see sunrise around 10:00 am. "A STACKED RETAINING WALL SHOULD ONLY BE 4 FEET." according to Radon Seal Plus. A structural engineer is needed for anything higher because lack of footings may affect strength. A retaining wall must hold back tons of dirt and when wet must hold back wet dirt. They did put in footings which are not covered on our side of their wall and are ugly! Some rebar is also showing. IF THEY ARE LOCATED BELOW THE SOIL LINE, water enters the soil and penetrates the block pores, finally settling on the interior of the block wall. Water wears down the structure of the cinder block causing it to flake off and crumble if the block has not been properly cured. WATER CAN INFILTRATE THE INTERIOR OF THE BLOCK! Our gray cinder block wall was built 25 years ago and already has many cracks in it so no one can be sure of its stability. Code Publishing Co. 10-18-3 G. "RETAINING WALLS OVER 8 FEET SHALL BE STEPPED TO FORM BENCHES WHICH SHALL BE A MAXIMUM DISTANCE 1/2 THE HEIGHT OF THE RETAINING WALL AND SHALL BE LANDSCAPED." Concrete blocks are porous and will absorb large amounts of water. From the Horizons West side of the wall, the two walls measure more than 12 feet. His wall was actually planned to be 8 feet tall and Howcroft's wall builders didn't have the special permit to carry that out and had to remove blocks from portions of the wall they had already constructed. During previous meetings before his Desert Flower development was approved, Mr. Howcroft promised to not erect a building higher than one story. With the pitch of the roof, the first house he built on Desert Sage Lane is 1 1/2 stories high and with the ground raised 5 extra feet, it is as high as any two story building. He is not a man of his word! His blatant behavior shows that he only cares about what makes him money, not necessarily for someone else's good. In addition, because we live in an earthquake faultline area, if an earthquake were to happen, there would be concrete blocks, land and possibly houses sliding into the Horizons West properties from above because they are too close. With all the recent seismic activity in Utah, this is a terrifying thought! Everyone, who has seen pictures of this wall, says it is ugly and a disgusting situation. Out of state folks can't believe this got past the planning and zoning committee that should be looking out for everyone's rights and best interests. Those of us living in Horizons West feel this has very negatively affected our property value! Before approval for any more Howcroft developments take place in our neighborhood, our situation needs to be rectified so we feel safe and compensated for our loss in property value. Stephen Howcroft is not above the law. This shouldn't be about one person making huge profits at anyone else's expense. 504 E Telegraph St. Washington, UT October 19, 2020 The people living in Horizons West specifically units #42, #43, #44, #45, #46, #47, #48, & #49 that back Steven Howcroft's development Desert Flower are very upset and concerned about the lack of compliance to existing laws by his company regarding the retaining walls built between our properties. Utah Code 4-26-5 is regarding Utah Boundry Fence Statues. These codes are to be upheld by the planning and zoning departments of ALL Utah communities. "THE EXISTING SURFACE OF THE GROUND SHALL NOT BE CHANGED BY GRADING ACTIVITIES WHEN ERECTING BOUNDRY FENCES," according to Sterling Codifiers, Inc. and should be built 1' - 2' inside property lines. This code was blatantly ignored. 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10/19/2020 14:03:45	5a. Public Hearing: Preliminary Plat: Desert Ridge Phase 1, Bonnie Ln and Bella Vista Dr. Applicant: Stephen Howcroft	Eloise Hanby	Downtown	504 E Telegraph St. Washington, UT October 19, 2020 The people living in Horizons West specifically units #42, #43, #44, #45, #46, #47, #48, & #49 that back Steven Howcroft's development Desert Flower are very upset and concerned about the lack of compliance to existing laws by his company regarding the retaining walls built between our properties. Utah Code 4-26-5 is regarding Utah Boundry Fence Statues. These codes are to be upheld by the planning and zoning departments of ALL Utah communities. "THE EXISTING SURFACE OF THE GROUND SHALL NOT BE CHANGED BY GRADING ACTIVITIES WHEN ERECTING BOUNDRY FENCES," according to Sterling Codifiers, Inc. and should be built 1' - 2' inside property lines. This code was blatantly ignored. Mr. Howcroft's employees filled in the ground to the top of Horizons West existing 25 year old block wall and then built another block retaining wall directly behind our existing one. From our side of the wall, it is 12 foot high. We now get to see sunrise around 10:00 am. "A STACKED RETAINING WALL SHOULD ONLY BE 4 FEET." according to Radon Seal Plus. A structural engineer is needed for anything higher because lack of footings may affect strength. A retaining wall must hold back tons of dirt and when wet must hold back wet dirt. They did put in footings which are not covered on our side of their wall and are ugly! Some rebar is also showing. IF THEY ARE LOCATED BELOW THE SOIL LINE, water enters the soil and penetrates the block pores, finally settling on the interior of the block wall. Water wears down the structure of the cinder block causing it to flake off and crumble if the block has not been properly cured. WATER CAN INFILTRATE THE INTERIOR OF THE BLOCK! Our gray cinder block wall was built 25 years ago and already has many cracks in it so no one can be sure of its stability. Code Publishing Co. 10-18-3 G. "RETAINING WALLS OVER 8 FEET SHALL BE STEPPED TO FORM BENCHES WHICH SHALL BE A MAXIMUM DISTANCE 1/2 THE HEIGHT OF THE RETAINING WALL AND SHALL BE LANDSCAPED." Concrete blocks are porous and will absorb large amounts of water. From the Horizons West side of the wall, the two walls measure more than 12 feet. His wall was actually planned to be 8 feet tall and Howcroft's wall builders didn't have the special permit to carry that

