
Public Notice of Electronic Meeting
Washington City Planning Commission Regular Meeting
January 6, 2021 Minutes

Present: Commissioner Hansen, Commissioner Phetsomphou, Commissioner Musso, Commissioner Scheel, City Manager Jeremy Redd, Drew Ellerman, Brandon Wright, Kathy Spring, Drake Howell, Adam Allen, Mark Fonger, Jeremy Black, Bill Cox, Dave Weller, Kimball Gardner.

The meeting was broadcast via YouTube Live linked online at
<https://washingtoncity.org/meetings>

Meeting called to order: 5:30 PM
Invocation: Commissioner Phetsomphou
Pledge of Allegiance: Commissioner Musso
Commissioner Hansen excused Commissioner Smith.

1. APPROVAL OF AGENDA

a. Approval of the agenda for January 6, 2021.
Commissioner Musso motioned to approve the agenda for January 6, 2021.
Commissioner Phetsomphou seconded the motion.
Motion passed unanimously.

2. APPROVAL OF MINUTES

a. Approval of the minutes from December 2, 2020.
Commissioner Phetsomphou motioned to approve the minutes from December 2, 2020.
Commissioner Scheel seconded the motion.
Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

Commissioner Musso and Commissioner Phetsomphou disclosed that they live near item 9A.

4. FINAL PLAT

- a. Consideration and recommendation to City Council for the Brio Phase 2C Final Plat located at approximately Via Del Sol and Camino OSO. Applicant is Cole West Home.

Background

Drew Ellerman reviewed the report: The applicant is requesting approval of a final plat for the Brio, Phase 2C subdivision, located at approximately Via Del Sol and Camino Oso. This particular subdivision is proposing 24 lots on an area covering 6.318 acres. The specific location of this subdivision is zoned Brio Planned Community Development (PCD). The Preliminary Plat was approved back on August 23, 2017.

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 Brio, Phase 2C 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 Scheel asked if there are any changes from 2017.

Mr. Ellerman replied no.

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

Commissioner Musso seconded the motion

Motion passed unanimously.

- b. Consideration and recommendation to City Council for the Riverbend at Sunrise Valley Phase 1 located at approximately 500 South Country Way. Applicant is Middon LLC.

Background

Drew Ellerman reviewed the report: The applicant is requesting approval of a final plat for the Riverbend at Sunrise Valley, Phase 1 subdivision, located at approximately 500 South Country Way. This particular subdivision is proposing 30 lots on an area covering 9.79 acres. The specific location of this subdivision is zoned Brio Planned Unit Development (PUD-R). The Preliminary Plat was approved back on August 26, 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 Riverbend at Sunrise Valley, Phase 1 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 asked for clarification regarding the comments from the Country Way subdivision.

Mr. Ellerman answered that there are two stop signs to help control traffic speeding.

Commissioner Musso asked if there were speed bumps.

Mr. Ellerman explained there was some talk about raised intersections.

Commissioner Phetsomphou motioned to recommend approval to the City Council with the findings and condition of staff.

Commissioner Musso seconded the motion.

Motion passed unanimously.

- c. Consideration and recommendation to City Council for the Washington Vista Phase 3A located at approximately Washington Parkway and Fairway Drive. Applicant is First Nation Investment LLC, Matt Lowe.

Background

Drew Ellerman reviewed the report: The applicant is requesting approval of a final plat for the Washington Vista, Phase 3A subdivision, located at approximately Washington Parkway and Fairway Drive. This particular subdivision is proposing 31 lots on an area covering 12.109 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 November 13, 2019.

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 Washington Vista, Phase 3A 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 Scheel asked if there were any changes from 2017.

Mr. Ellerman explained that if there were they would have had to amend the preliminary plat.

Commissioner Hansen asked about the surrounding land.

Mr. Ellerman explained that the SITLA and BLM owns most of the land.

Commissioner Hansen asked if they would likely sell the property.

Mr. Ellerman said they wouldn't be able to come into the Reserve and there is a large portion that is coming in as a large development.

Commissioner Musso explained that SITLA sells land to support building schools. They are the State Land Trust.

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

Commissioner Phetsomphou seconded the motion.

Motion passed unanimously.

5. MINOR SUBDIVISION

- a. Consideration to approve a conceptual plan for the Black Patch Minor Subdivision located at 253 North 200 West. Applicant is Jeremy Black.

Background

Drew Ellerman reviewed the report: The applicant is requesting approval for the conceptual Black Patch Minor Subdivision plan, located at approximately 250 South 200 West.. The applicant is wishing to split the present 0.58 acre parcel into two lots. Parcel (1) of the subdivision will be 7,644 sq. ft. (0.175 ac.), Parcel (2) of the subdivision will be 17,819 sq. ft. (0.405 ac.). Both proposed lots meet the minimum 6,000 Sq. Ft. required for the zoning at this location.

The proposed minor subdivision is currently zoned Single-Family Residential - 6,000 sq. ft. min. (R-1-6), with the surrounding zoning of R-1-6 to the north, east, south and west,

Staff has reviewed the requested proposal, and the proposed conceptual black Patch Minor Subdivision plan, conforms to the standards as set forth in the Zoning Regulations and Subdivision Ordinance of the city.

Recommendation

Staff recommends that the Planning Commission approve the conceptual design of the Black Patch Minor Subdivision, based on the following findings and subject to the following conditions:

Findings

1. The minor subdivision conforms to the land use designation as outlined in the General Plan.

2. That the minor subdivision conforms to the Washington City Subdivision Ordinance as outlined.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. That a post maintenance agreement be recorded prior to the recording of the final plat.

Commissioner Scheel asked if access to the flag lot is shared.

Mr. Ellerman answered yes.

Commissioner Musso asked if this is the same as a two lot split.

Mr. Ellerman answered yes.

Commissioner Musso asked if there is curb, gutter and sidewalk.

Jeremy Black said there isn't a sidewalk. He said he plans to build the sidewalk at the building permit stage.

Commissioner Hansen asked if there is a concern of a new home in an old subdivision.

Mr. Ellerman said there isn't a concern. It is encouraged to do flag lots in the old town part.

Commissioner Hansen asked about fencing.

Mr. Black answered that there will be fencing. He has talked to the north resident and he didn't know what he wanted to do. He said he lives in the rear house and will build in the front to live in and will sell the rear house.

Commissioner Musso motioned to approve the conceptual design with the findings and conditions of staff.

Commissioner Hansen asked if the motion to be corrected to plan instead of design.

Commissioner Musso motioned to approve the conceptual plan with the findings and conditions of staff.

**Commissioner Phetsomphou seconded the motion.
Motion passed unanimously.**

6. ROAD DEDICATION

- a. Consideration and recommendation to City Council for the 4200 South Medallion Drive Road dedication. Applicant is Washington City.

Background

Brandon Wright reviewed the report: The applicant is requesting approval of the road dedication plat for a portion of 4200 South.

The Public Works Department has reviewed the plat and approved the design.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Road Dedication plat for a portion of 4200 South to the City Council.

Brandon Wright explained that a portion of the road was dedicated so this is to complete the road.

Commissioner Musso asked when 4200 South will be complete.

Mr. Wright explained that they are currently doing bids. The city worked with the Hoopes to obtain the property needed but he thinks it will be 8 months to a year to get the road done.

Commissioner Hansen asked why this is being done tonight.

Mr. Wright answered it is because there is a chunk that needs to be dedicated because on the plat it showed it as a common area.

Commissioner Schell asked if this is just for the small portion that the city needs to do.

Mr. Wright answered that it is already paved; this is just to make it legal.

Commissioner Hansen asked about the sidewalk.

Mr. Wright answered it is a 50 foot canal easement.

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

Commissioner Musso seconded the motion.

Motion passed unanimously.

- b. Consideration and recommendation to the City Council for the Wildhorse ridge Road Dedication. Applicant is Kent Rasmussen

Background

Brandon Wright reviewed the report: The applicant is requesting approval of the road dedication plat for a portion of Wildhorse Drive at approximately 1137 East Wildhorse Drive.

The Public Works Department has reviewed the plat and approved the design.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Road Dedication plat for a portion of Wildhorse Drive to the City Council.

Commissioner Musso stated he recalls that they just did a subdivision approval.

Mr. Wright said Chaparral Ridge was approved then Kent Rasmussen received approval for his lot and this road extends to his lot.

Commissioner Hansen asked about the drainage issue.

Mr. Wright explained that he met with the homeowner on lot 15 and the drainage now goes to the street.

Commissioner Hansen asked if there is potential for future development.

Mr. Wright said that it might be too high. They would have to do a water model.

Mr. Ellerman explained that to the south would be the only potential to develop a couple of lots.

Mr. Wright said they created a berm so if there is flooding it holds water.

Commissioner Musso commented that he appreciates that Mr. Wright went to talk to the property owner on lot 15.

Commissioner Scheel stated they are parking vehicles on the property.

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

Commissioner Phetsomphou seconded the motion.

Motion passed unanimously.

7. PRELIMINARY PLAT

- a. Public Hearing for consideration and recommendation to City Council for the Brio Phase 4E Preliminary Plat located at approximately Main Street and Camino OSO. Applicant is Cole West Home.

Background

Drew Ellerman reviewed the report: The applicant is requesting approval of a Preliminary plat for the Brio 4E subdivision, located at approximately Main Street and Camino Oso. The applicant is proposing 33 lots on an area of coverage of 7.06 acres. The zoning designation at this particular location is Brio Planned Community Development (PCD). The surrounding zoning is PUD-R to the east, Brio PCD to the north, 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 Brio 4E 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. An LID Stormwater Quality Report needs to be submitted for review and approval to the Public Works Department before any final plat application can be submitted.

Commissioner Hansen opened the public hearing.

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

City Manager Jeremy Redd stated there are no public comments on this item.

Commissioner Phetsomphou motioned to close the public hearing.

Commissioner Scheel seconded the motion.

Motion passed unanimously.

Commissioner Musso asked about lot 543. Is there enough space for a home?

Drake Howell answered yes there is room enough.

Commissioner Hansen asked if there is a different visual from the street for lots 543 and 542.

Mr. Howell answered they will look similar.

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

Commissioner Phetsomphou seconded the motion.

Motion passed unanimously.

- b.* Public Hearing for consideration and recommendation to City Council for the Washington Vista Phase 3C Preliminary Plat located at approximately Washington Parkway and Scenario Street. Applicant is First Nation Investment LLC. Matt Lowe.

Background

Drew Ellerman reviewed the report: The applicant is requesting approval of a Preliminary plat for the Washington Vista, Phase 3C subdivision, located at approximately Washington Parkway and Fairway Drive. The applicant is proposing 8 lots on an area of coverage of 3.749 acres. The zoning designation at this particular location is Single-Family Residential - 10,000 Sq. Ft. Min.(R-1-10). The surrounding zoning is Open Space to the north and east, and R-1-10 to 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 Washington Vista, Phase 3C 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. The preliminary plat conforms to the Zoning and the Subdivision Ordinance 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. An LID Stormwater Quality Report needs to be submitted for review and approval to the Public Works Department before any final plat application can be submitted.

13. The "Detention Area" needs to be added on the inside of the subdivision boundary area, this needs to be corrected before moving onto the city council agenda.

14. If retaining walls are to be utilized within the subdivision, they need to be added to the preliminary plat before moving onto the city council agenda.

Mark Fonger stated they have already addressed the retaining wall issue and they don't intend to have retaining walls.

Commissioner Scheel asked if that is okay with staff.

Mr. Wright said he is okay with removing conditions 13 and 14.

Commissioner Musso asked about the extension of Stony Ledge Circle.

Mr. Fonger said it is more of a driveway.

Commissioner Hansen asked about lot 31 and how they will handle the slope.

Mr. Fonger answered it will have rock on the slope.

Commissioner Hansen asked if it is mostly flat.

Mr. Fonger explained that lots 41 and 42 don't have a lot of grade difference.

Commissioner Hansen opened the public comment.

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

City Manager Jeremy Redd stated he will not allow derogatory comments. He stated there are public comments and read the comments.

Mr. Fonger stated that he can't comment on the type of homes that will be built as to being single story or two story.

Mr. Ellerman explained that it is R-1-10 zoning so they can build two story homes with 35 feet in height.

Commissioner Scheel motioned to close the public hearing.
Commissioner Musso seconded the motion.
Motion passed unanimously.

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

Commissioner Phetsomphou seconded the motion.

Motion passed unanimously.

ZONE CHANGE

- c. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-21-01 to change from (A-20) Agricultural 20 acre minimum to (R-1-15) Single Family Residential minimum 15,000 sq ft lots located at approximately 300 East Sky View Drive. Applicant is Bill Cox.

Background

Drew Ellerman reviewed the report: The applicant is requesting approval to change the zoning of approximately 1.78 acres, located at approximately 300 East and Sky View Drive. The requested change is from the current zoning of Agricultural - 20 Ac. Min. (A-20) zoning, to a proposed Single-Family Residential - 15,000 Sq. Ft. Min. (R-1-15) zoning designation

The R-1-15 request is for the purpose of developing the 1.78 acres into a future residential development.

This particular location has a General Plan Land Use designation of Very Low Density Residential (VLD). The surrounding zoning to this parcel is R-1-15 to the south, RA-½ and A-20 to the west, and A-20 to the north and east.

Staff has no concerns with the proposed zone change as outlined. But we wish to point out that the state's new LID drainage standards will be adhered to as the parcel moves through the development stages.

Recommendation

Staff recommends that the Planning Commission recommend approval of Z-21-01, for the zone change request from Agricultural - 20 Ac. Min. (A-20), to the proposed Single-Family Residential - 15,000 Sq. Ft. Min. (R-1-15) onto the City Council, based on the following findings 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.

Commissioner Musso asked if St George Academy was just selling off this portion.

Mr. Ellerman answered that is correct.

Commissioner Hansen opened the public hearing.

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

City Manager Jeremy Redd stated there is one comment.

Commissioner Phetsomphou motioned to close the public hearing.

Commissioner Scheel seconded the motion

Motion passed unanimously.

Commissioner Hansen stated he is concerned and would rather have this parcel remain with the school. If the school closes down it is uncertain what would come in.

Commissioner Phetsomphou asked if the school is still open.

Commissioner Musso commented that the school has had financial difficulties. He asked what would be the alternative use for the school.

Commissioner Phetsomphou stated that at one time a church operated on Sunday in the building.

Commissioner Scheel commented that it would be a good buffer to put in home but the concern is legitimate. They do have to put in a 6 foot fence.

Commissioner Hansen stated that the concern still leaves him uneasy.

Commissioner Scheel stated that he agrees with the public comment and they do drainage irrigation.

Mr. Wright explained that there is tail water with a 12 inch pipe on Sky View Drive. He stated that all the concerns expressed can be handled.

Commissioner Scheel asked if the applicant had bought the property. He asked if the church was going in.

Mr. Ellerman answered that he hasn't seen a plan for the church.

Bill Cox stated he has the property under contract. He explained that the block wall on the north will be constructed before building on the lot. He said there are homes that back schools all over the St George area. He explained that across the street there would be homes that face this subdivision.

Commissioner Scheel asked what the capacity of the school was.

Mr. Cox answered he didn't know. He stated the school is a chapter school and decided not to do sports.

Commissioner Hansen stated he thinks this request isn't conducive to the homes backing the school.

Commissioner Musso asked how deep the lots are.

Mr. Cox answered about 130 feet deep.

Mr. Gardner stated they are 135 to 150 feet deep.

Commissioner Musso stated his concern is the school remaining open.

Commissioner Scheel said he understands why they would sell the property because they have to maintain it.

Commissioner Phetsomphou stated even if they expand there appears to still be room.

Commissioner Scheel motioned to recommend approval to the City Council with the findings and recommendations of staff.

Commissioner Phetsomphou seconded the motion.

Commissioner Musso Aye.

Commissioner Hansen Nay.

Motion passed 3-1

- d. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-21-02 for the PUD Planned Unit Development Use and Site Plan approval for the Red Trails at Sunrise Valley Subdivision located at approximately 400 South Country Way. Applicant is Middon LLC.

Background

Drew Ellerman reviewed the report: The applicant is requesting approval of the design/use for their currently PUD-R zoned property which is approximately 27.69 acres in size. The property is located at approximately 400 South Country Way. The property was granted the PUD-R zoning at an earlier date, with the applicant knowing they would have to come back to the city for the specific design and use approval. The applicant is now wishing to have this proposal reviewed.

The PUD-R requires an approved site design before the property can be used as a residential development. This application is proposing 219 detached two-story units (this would have a 7.9 dwelling unit per acre ratio). The surrounding zoning to this project is PUD-R to the north and west, R-1-8 to the south, and Washington County zoning to the east (which is currently a sand and gravel operation).

Staff has a few concerns with the proposed design of the project. Though we understand the applicant is trying to keep costs down to make the homes more affordable by placing them closer together, we feel they are maybe too close to each other (mostly due to the fact they are all two-story in height). Also, there is no proposed outdoor amenity(s) anywhere within the subdivision itself. The overall development has a city park being built within the master planned area (but it is still under construction being done in phases). This individual portion of the entire project is lacking any kind of amenity, and this should be addressed by the applicant. Staff would like to see these two items discussed and addressed.

Recommendation

Staff recommends that the Planning Commission could possibly recommend approval of Z-21-02, for the specific site design/use to the already zoned Planned Unit Development - Residential (PUD-R) (if some adjustments are made), onto 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 - Residential 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. All structure and site improvements shall meet the requirements of City-adopted building and fire codes.
7. A Post Construction Maintenance Agreement must be recorded prior to any plat recordings.
8. All driveways to each individual unit will be a minimum of twenty feet (20') wide.
9. There must be a minimum of a fifteen foot landscape strip along the area bordering Country Way as part of this specific development.
10. Any unresolved flood plain or erosion hazard zone areas must be taken care before any final plats can be applied for to the city.

Commissioner Musso asked when it was originally proposed he thought townhomes would be lower density?

Mr. Ellerman answered it probably is a lower density.

Commissioner Musso stated that this type of building sells quickly.

Commissioner Hansen opened the public hearing.

City Manager Jeremy Redd stated there is one public comment.

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

Commissioner Musso motioned to close the public hearing.

Commissioner Scheel seconded the motion.

Motion passed unanimously.

Adam Allen stated that the original intent was for townhomes but the market has changed so the developer for this project wanted to do single family. As far as the amenities are concerned they felt that one large park would be better than 3 to 4 little parks. He stated that there is an open space with a trail.

Commissioner Musso asked if they were going to be fenced in the back.

Mr. Allen answered they will be fenced in the back. He explained that Ence Homes will be building the homes.

Commissioner Musso said the footprint will be tiny. He asked if with the exhibit do they have to do the landscape plan presented tonight.

Mr. Ellerman answered yes. Landscape plans alter a little as development happens. He commented that it is difficult to get around the bushes with the buildings being too close with two stories 7 feet apart.

Mr. Allen stated that there is a code that would allow for 5 feet. He explained that they want to stay away from townhomes.

Mr. Ellerman stated he would be okay with twin homes.

Mr. Allen asked Mr. Ellerman about the 15-foot landscape strip on Country Way.

Mr. Ellerman stated there isn't anything showing on the plan. He would stay with the 15-foot landscape strip.

Mr. Allen stated there is a grade difference.

Mr. Ellerman explained that the Rio Virgin Subdivision is an illegal subdivision that didn't get approval from the city. There would have to be a lot of improvements with an R-1-8 zoning with septic tanks.

Commissioner Hansen asked if the only trail connect is by lot 19.

Mr. Ellerman answered yes.

Commissioner Hansen commented on the subdivision by the airport, they don't like it because the homes are too close together but if there is an area to put that type of subdivision this would be the area.

Mr. Allen said that they designed this subdivision with accesses to the Rio Virgin Subdivision. He stated that Mr. Plumb may develop it at a later date. He stated that this is for affordable smaller homes.

Commissioner Hansen said that staff has a concern about the lack of amenities.

Commissioner Scheel asked what would happen with more space between the homes.

Mr. Ellerman stated they will lose a few lots.

Commissioner Phetsomphou stated he would rather see a cluster of single family homes.

Mr. Allen said the homes will be the same pitch. As far as the amenity is concerned he feels that it was always discussed with the one large park and if they have to do more amenities they will probably go back to townhomes.

Mr. Ellerman stated that he has always discussed small areas and there is an open space.

Commissioner Hansen asked if the trail goes to the Red Trails.

Mr. Ellerman answered that the master trial will follow the river.

Commissioner Hansen said he would rather have a trail from the Red Trail get to the trail along the river.

Mr. Allen explained that they can't because they don't own the property.

Commissioner Hansen asked if north of Country Way can there be future development.

Mr. Ellerman answered that at the end it is industrial.

Commissioner Scheel said that he feels there is some tension between the parties with a threat of doing townhomes.

Mr. Allen said he apologizes for anything he said.

Commissioner Phetsomphou said he likes that they are addressing affordable housing and feels that they could make some changes.

Commissioner Scheels said this is a good place for this. He felt that Drew brought up some good points.

Commissioner Hansen asked for clarification of the density versus townhomes.

Mr. Ellerman stated the density isn't bad with 7.9 dwellings per acre the high is 13 to 16 dwellings per acre.

Commissioner Hansen said he isn't concerned with the density. It is the look and clustered homes.

Commissioner Scheel stated he likes the single story.

Commissioner Musso motioned to recommend approval to the City Council with the findings and recommendations of staff.

Commissioner Scheel seconded the motion.

Commissioner Phetsomphou Aye.

Commissioner Hansen Nay.

Motion passed 3 to 1 vote.

Recess for 10 minutes - 8:00 PM

Convened 8:10 PM

- e. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-21-04 for the PUD Planned Unit Development Use and Site Plan approval located at Main Street and Washington Parkway. Applicant is Wes Davis

Background

Drew Ellerman reviewed report: The applicant is requesting approval of the design/use for this currently PUD-R zoned property which is approximately 22.55 acres in size. The property is located at approximately the southeast corner of Washington Parkway and Main Street. The property earlier this year was granted the PUD-R zoning, with the property owner knowing they would have to come before the city with a site proposal of design and use for review and possible approval. The applicant has returned with this proposal.

The PUD-R requires an approved site design before the property can be used as a residential development. The surrounding zoning to this parcel is Open Space to the north, Brio PCD to the west, AP and R-1-6 to the east and south. The General Plan Land Use designation is Medium High Density Residential (MHD), which carries a 7-12 dwelling unit per acre ratio. This development is proposing a 7.14 d.u./ac. ratio, well within the general plan allowance.

The project design is in compliance with the Planned Unit Development - Residential standards as outlined in the Zoning Regulations, utilizing the Multiple Family Development Standards portion of the PUD-R zone. The applicant is proposing 161 townhome units. Each dwelling will be a 3 bedroom, 2.5 bath, 2 car garage townhome with each unit having a double car driveway. Amenities are in the form of a playground area, sports court, and a trail system with exercise stations scattered throughout the looped trail. The project is proposing several landscaped open corridors throughout the development as well.

Recommendation

Staff recommends that the Planning Commission recommend approval of Z-21-04, for the zone change request from Open Space (OS), to the proposed Planned Unit Development - Commercial (PUD-C), onto 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.

Commissioner Scheel asked if the roads are owned by the development.

Mr. Ellerman answered yes.

Commissioner Scheel asked if there is going to be parking on the street.

Mr. Ellerman answered no.

Commissioner Scheel asked if the common area will be maintained by the HOA.

Commissioner Musso stated there aren't adequate amenities.

Commissioner Hansen stated he agrees and would like for them to put in a pool.

Commissioner Phetsomphou asked if the park is in a wash.

Mr. Ellerman stated there is a large drainage area. A lot of flooding on Main Street will go to this detention area instead of flooding along Main Street. There is a vault line and that is why the open space.

Commissioner Musso said he would like to see something other than sage brush. The area is fine but there is too much sage brush.

Commissioner Phetsomphou stated he would like to see some pavement.

Dave Weller stated he doesn't want to put a pool in because of the vault line. He said they are trying to find a balance between affordable and what they can do.

Commissioner Phetsomphou stated he likes the natural but would like to see an updated paved trail.

Commissioner Scheel asked how wide the trail is.

Dave Weller answered 10-feet.

Commissioner Phetsomphou suggested that they could do some landscaping .

Mr. Weller answered that they don't want much grass area. They would rather not have to use much water.

Commissioner Hansen opened the public hearing.

Public comment for this item will be accepted at: [washingtoncity.org/meetings](http://www.washingtoncity.org/meetings) until the close of the public hearing by the commission.

Commissioner Scheel motioned to close the public hearing.

Commissioner Phetsomphou seconded the motion.

Motion passed unanimously.

Commissioner Phetsomphou suggested that there are some trees and landscaping.

Commissioner Scheel said he agrees and it would cool the area down a bit.

Mr. Weller stated he likes the suggestion.

Commissioner Musso asked if there could be an additional condition instead of tabling it.

Mr. Ellerman said that the applicant needs to be okay with the condition.

Mr. Weller stated he is okay with the suggestions.

Commissioner Hansen stated there needs to be more parking.

Mr. Ellerman suggested that the parking be added to the end of the cul de sac.

Commissioner Scheel asked about garbage pick up.

Mr. Weller said that they will have a garbage can pick up.

Commissioner Scheel motioned to recommend approval to the City Council with the findings and conditions with an additional with the upgraded amenities as was drawn in the meeting.

Commissioner Phetsomphou seconded the motion.

Commissioner Scheel Aye

Commissioner Phetsomphou Aye.

Commissioner Musso Aye

Commissioner Hansen Aye.

Motion passed unanimously.

- d. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-21-05 to amend the Coral Canyon (PCD) Planned Community Development. The purpose is to amend the 5 foot setback requirement in area 5 & 8. The Trail System. Nightly rental zoning in area 7 and 9. Telegraph Improvements. Applicant is Cole West Home.

Background

The applicant is requesting approval to Amend portions of the Coral Canyon PCD project, as found in the Conceptual Site Plan Map (with associated densities table), Circulation Plan, add more vacation rental land use areas, and amend setbacks for certain areas within the PCD.

DUE TO RECENT INPUT AND FEEDBACK, THE APPLICANT IS WISHING TO TABLE THIS ITEM UNTIL THE JANUARY 20, 2021 MEETING. THIS WILL ALLOW THE APPLICANT TO ADJUST THEIR PROPOSAL IN TRYING TO MEET THE REQUEST AS A RESULT OF THE INPUT AND FEEDBACK THEY HAVE RECEIVED.

Staff's recommendation is to table this item until the January 20, 2021 meeting as asked for by the applicant.

Mr. Ellerman explained that due to noticing we had to leave it on the agenda. They are having an HOA meeting tomorrow night with the citizens in Coral Canyon.

Commissioner Hansen asked if the comments will move to the next meeting.

Mr. Ellerman answered yes as well as new comments.

Commissioner Scheel motioned to table this item to January 20, 2021.

Commissioner Phetsomphou seconded the motion.

Motion passed unanimously.

8. GENERAL PLAN AMENDMENT

- a. Public Hearing for consideration and recommendation to City council a General Plan Amendment G-21-01 to change from LD Low Density to NCOMM Neighborhood Commercial. Applicant is Kimball Gardner.

Background

Drew Ellerman reviewed the report: The applicant is seeking to amend the General Plan Land Use Map in the area located at approximately the southeast corner of Washington Fields Road and Washington Dam Road. The requested area covers approximately 3.76 acres. The current Land Use designation is Low Density Residential (LD). The applicant is seeking approval to have the Land Use designation changed to Neighborhood Commercial (NCOMM) for the possibility to develop the area into a future commercial project.

The surrounding General Plan Land Use designations are Very Low Density Residential (VLD) to the north, Low Density Residential (LD) to the east and south, and Medium Density Residential to the west.

As stated above, the applicant is wishing to amend this parcel, in hopes of selling the current family residential homestead to offer a more suited future commercial development on this very busy intersection within the city. The Neighborhood Commercial designation allows for the Administrative / Professional zoning district, as well as the Community Commercial (C-1) zoning district.

Staff has reviewed the requested change and finds no major problem with the request from Low Density Residential to the Neighborhood Commercial designation based on the simple fact the intersection that this property sets on is bordered by two of the busiest streets in Washington City. The best use for this property is some kind of commercial use. Residential use(s) at this location are not sound nor safe.

Recommendation

Staff recommends that the Planning Commission recommend approval for G-21-01 application, to amend the General Plan Land Use Map from the current Low Density Residential (LD) to the proposed Neighborhood Commercial (NCOMM) designation, as outlined above and shown on the exhibit attached hereto, onto the City Council.

Mr. Ellerman explained that earlier in 2020 this came to the Planning Commission but withdrew before it was to go to City Council.

Commissioner Scheel asked how deep the property is.

Mr. Ellerman stated he didn't know for sure. He stated he thinks there is a block wall along the back of the homes.

Commissioner Musso asked if 8 foot walls are allowed.

Mr. Ellerman answered no but there are some that can come in for a CUP.

Commissioner Musso asked if the people in Meadow Lane could request a higher wall.

Mr. Ellerman answered it could be a possibility. Any commercial has to have a wall but this wall already exists.

Commissioner Hansen said he would rather have the wall be the same height.

Commissioner Scheel asked if this commercial would allow office warehouses.

Mr. Ellerman stated that C-2 is the only one that has outdoor storage.

Brandon Wright stated there was the caller about an 8 foot wall along Washington Field Road. They would have an issue with the sight distance along Washington Fields Road.

Commissioner Hanen asked why the applicant has to start over with this request.

Mr. Ellerman answered that the applicant withdrew his request. He stated that on some occasions there have been requests to hold the application but the applicant requested the request to be withdrawn.

Commissioner Hansen opened the public hearing. He explained that the commissioners have received the comments prior to the meeting and all comments that came in after the other comments will be read tonight.

City Manager Jeremy Redd stated there are comments.

Public comment for this item will be accepted at: [washingtoncity.org/meetings](https://www.washingtoncity.org/meetings) until the close of the public hearing by the commission.

Commissioner Scheel motioned to close the public hearing.
Commissioner Phetsomphou seconded the motion.
Motion passed unanimously.

Commissioner Hansen said when he first saw this he was opposed to it. He said he doesn't know anyone in Meadow View or the applicant. He stated that the comments that the commissioner gets paid off is offensive. The comments he makes are his own. He asked if there is a height limit on buildings in commercial.

Mr. Ellerman answered that the commercial is 42 feet to the highest point.

Commissioner Scheel said the commercial would have 10-foot ceilings.

Commissioner Hansen said privacy is a big thing. He asked about the comment that the road needs to be fixed.

Mr. Ellerman said that he thinks that there may be talks about a turn lane but doesn't know about taking Kimball's property. That would have to be concerned when something comes in for development. He explained that Washington Fields and Washington Dam are stated to be 88 foot roads. The city already owns the expansion of Washington Dam Road.

Commissioner Hansen asked if they would tear the home down.

Mr. Ellerman stated that it depends on who buys what and what they want to do. Sometimes people remodel homes for businesses.

Kimball Gardner said he received a map that shows a road that comes close to his home and backing out of his property is unsafe. He has been here for 25 year and now there is a subdivision on both sides. He never opposed the subdivisions. He has had people approach him one being Monty Hollie to use the property but it didn't have the proper zoning.

Commissioner Musso said it is dangerous to back out of his driveway. The noise is bad and empathizes with the citizens. The practical standpoint is that residential does not work here especially townhomes. He feels that low impact commercials do work. Mr. Gardner has the right to sell it.

Commissioner Scheel said that backing out of his property doesn't work and won't work for residential. He said that he doesn't know what low impact commercial would go there. Retail isn't going to be low impact. He said he loves the Gardner's house and yard and how clean he keeps it.

Commissioner Hansen asked if Washington Dam Road will happen anyway.

Mr. Ellerman answered that the city does go after property when needed. The developer would have to do the improvements. He explained that a letter didn't come from the planning department.

Commissioner Musso explained that the city would have to do eminent domain to take property.

Commissioner Hansen asked what zone would be under the Neighborhood Commercial.

Mr. Ellerman explained that the only option under Neighborhood Commercial zoning is AP or C-1.

Commissioner Phetsomphou said that he doesn't think there is a need for commercial on that property.

Commissioner Scheel said that as Washington Dam Road grows this could have potential need for commercial development.

Commissioner Hansen said he understands Gardner's desire to rezone. He has a legal right to sell.

Mr Gardner said he appreciates the comments.

Commissioner Scheel said that commercial won't take away the unsafe access but putting in a turn lane will certainly help.

Commissioner Phetsomphou said that Mr. Gardner has the right to sell and he doesn't want to get in the way of property rights.

Commissioner Scheel motioned to recommend approval to City Council with the findings and recommendations of staff.

Commissioner Phetsomphou seconded the motion.

Commissioner Scheel Aye.

Commissioner Phetsomphou Aye

Commissioner Musso Aye

Commissioner Hansen Aye

Motion passed unanimously.

Commissioner Musso motioned to adjourn the Planning Commission Meeting.

Commissioner Scheel seconded the motion.

Motion passed unanimously.

Meeting adjourned: 9:40 PM

Washington City

Signed By: _____

Jason Hansen, Planning Commission Pro Tem

Attested to: _____

Kathy Spring, Zoning Technician

G-21-01 General Plan Amendment to change from Low Density to Neighborhood Commercial at approx. 580 East Washington Dam Rd. Applicant Kimball Gardner

1 message

Keith Funk <funkcon@infowest.com>
To: kspring@washingtontcity.org

Tue, Jan 5, 2021 at 12:50 PM

I am concerned about the request to change the zoning of the property at 580 East Washington Dam Rd. This property is surrounded by residential neighborhoods. Spot zoning and allowing commercial development in this area will add to an already busy street with an increase in traffic, noise and light pollution. My home is directly north across the dam road from the subject property so I will be severely impacted by a zone change. I would hope that the existing zoning will protect us from the negative effects of having a commercial development zoned and built so closely.

Keith C. Funk