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**Minutes**

**WASHINGTON CITY PLANNING COMMISSION**

**July 17, 2013**

Present: Commissioner Smith, Commissioner Shepherd, Commissioner Williams, Attorney Melinda Hill, Drew Ellerman, Mike Shaw, Kathy Spring, Calvin Fox, George Reinoehl, Tim Haws, Sherrie Reeder, Patti Zabriskie, Nekar Nield, Doug Dennett, Karl Rasmussen, Sam Haslem, GL Bowers, Boni Powell, Mary Jones, Linda Pike, Stephen Pike, Troy Billiston, Jeff Hall, Dennis Gibson, Douglas Gibson, Chris Loperena, Ross Spriggs, Julie Spriggs.

Meeting called to order: 5:30 PM

Invocation: Commissioner Shepherd

Pledge of Allegiance: Commissioner Smith

1. APPROVAL OF AGENDA

A. Approval of the agenda for July 17, 2013.

Commissioner Shepherd motioned to approve the agenda for July 17, 2013.

Commissioner Williams seconded the motion.

Motion passed unanimously.

2. APPROVAL OF MINUTES

A. Approval of the minutes from July 3, 2013.

Commissioner Shepherd motioned to table minutes from July 3, 2013 to August 7, 2013.

Commissioner Williams seconded the motion.

Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. CONDITIONAL USE PERMIT

A. Public Hearing to consider approval of a Conditional Use Permit C-13-11 for a Daycare located at 737 Quail Ridge Drive. Applicant: Patti Zabriskie

**Background**

The applicant is requesting approval of a Conditional Use Permit to operate a daycare facility out of her home in a residential neighborhood, located at 737 Quail Ridge Drive. The daycare will run from 7:00 a.m. to 5:00 p.m., Monday through Friday. The applicant is requesting a number of 8 children be approved for this daycare facility. The home has been inspected by the Building Department and Fire Department and given approval from both for the proposed use.

The daycare will be held in the home, with an area fenced off in the backyard area for outdoor recreation time. A drop off and pick up plan will be required to be in place to mitigate any traffic congestion or concerns.

Staff has reviewed the request, and is recommending approval with conditions as outlined below.

**Recommendation**

Staff recommends that the Planning Commission approve C-13-11, allowing for a daycare facility at 737 Quail Ridge Drive, based on the following findings and subject to the following conditions:

**Findings**

1. The proposed use, at the particular location, is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood and community; and.
2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of the persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and
3. The proposed use will comply with the regulations and conditions specified in this title and associating state and federal titles, for such use; and
4. The proposed use will conform to the intent of the general plan.

**Conditions**

1. Any site improvements shall meet the requirements of City and State adopted codes.
2. The daycare will be limited to operating hours of 7:00 a.m. to 5:00 p.m. on Mondays through Fridays.
3. The maximum number of children will be no greater than eight (8) as outlined in the state adopted regulations.
4. The children shall be kept in the home or backyard area during operating hours (unless arriving or departing at the beginning or end of each day).
5. A copy of the approved State of Utah license for Daycare facility will be kept current and on file at the Community Development Department offices.

Patti Zabriskie stated she has been in business for 8 years. The children will be the only provider and all the children will go to the bus stop about 5 houses, 1/2 acres 500 to 600 feet.

Commissioner Williams asked if all the back yard is fenced.

Ms. Zabriskie stated yes.

Commissioner Williams asked about the bike riding area, if they would be able to ride in a secured area.

Ms. Zabriskie stated there is an area in the back. The drop off area is the driveway.

Commissioner Smith stated it appears they arrive at separate times. He asked about part time kids and full time kids and would the number of children match what is proposed.

Ms. Zabriskie stated yes they would come at different times.

Commission Shepherd asked if all the items on the exhibit would be fenced off.

Ms. Zabriskie stated the items are fenced off.

Commissioner Smith opened the public hearing.

No response.

Commissioner Williams motioned to close the public hearing.

Commissioner Shepherd seconded the motion.

Motion passed unanimously.

**Commissioner Shepherd motioned to approve the Conditional Use Permit with the findings and conditions of staff.**

**Commissioner Williams seconded the motion.**

**Motion passed unanimously.**

5. ZONE CHANGE

- A. Public Hearing for consideration and recommendation to City Council for a Zone Change Z-13-07 to change from RA-1 (Residential Agricultural minimum 1 acre) to R-1-10 (Single Family Residential minimum 10,000 square foot lots) located at approximately 3310 South 950 East. Applicant: Doug Dennett, Dennett Construction

**Background**

The applicant is requesting approval to change the zoning of approximately 17.92 acres, located approximately at 3300 South 950 East. The requested change is from the current zoning of Residential-Agricultural / One Acre Min. (RA-1) to a proposed Single-family Residential - 10,000 square feet min. (R-1-10) zoning designation.

The General Plan Land Use Map designation for this location is Low Density Residential (LD) which allows for zoning districts of R-1-8, R-1-10 and R-1-12. The surrounding zoning districts are R-1-15 to the north and east, RA-1 to the south and Ag-20 to the west (Staheli Farms).

The applicant is wishing to rezone this particular area to the R-1-10 and incorporate it into a subdivision conceptual plan to the north and east. These R-1-10 lots would allow for a variety of lot sizes mixed with the R-1-15 zoned lots.

Staff has reviewed the proposed zone change and finds it fitting with the General Plan designation for this area and feels the mix of R-1-10 and R-1-15 lots would be compatible for the area. Just to note, the Staheli Farms area is designated as Community Commercial for future growth, as outlined in the General Plan Land Use Map.

### **Recommendation**

Staff recommends that the Planning Commission recommend approval of Z-13-07, for the zone change request from Open Space (OS) to Single-family Residential - 8,000 square feet min. (R-1-8), 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. That the requested zoning will be compatible with surrounding developments.
3. That the utilities that will be necessary for this type of development will be readily accessible to the site.

Commissioner Williams asked to see the aerial of where the project is located.

Mr. Ellerman showed the aerial.

Commissioner Shepherd asked what the zone was to the west.

Commissioner Smith asked about the applicant and the property owner.

Mr. Ellerman stated Ralph Staheli the property owner signed the application. The zone to the west is A-20.

Commissioner Smith opened the public hearing.

Jeff Hall stated there are some 1/3 acres and most are 1/2 acres. He lives in Majestic View Subdivision and this doesn't fit with the surrounding area he wants larger lots.

Timothy Haws stated he lives in Majestic View Subdivision. He stated he prefers the open space with this coming in. He would prefer larger lots with open space. Kids play on streets.

George Reinoehl lives in Majestic View stated the open space is going. The kids play with mountain biking and ATVs. He would rather have it open space with no housing.

Commissioner Smith stated the property owner has the right to develop his land and this is private property so people are trespassing when they use his property.

Chris Loperena stated he lives on Royal Sceptor Way he stated he wants open space and bringing in smaller lots will affect the property value. He stated he would prefer the lot sizes stay the same with 1/2-acre lots.

Dave Nasal stated he owner 27 lots in Galilee a project close to this one and said he like what is being proposed. He stated this would not affect property value.

Commissioner Williams motioned to close the public hearing.  
Commissioner Shepherd seconded the motion.  
Motion passed unanimously.

Doug Dennett stated they wouldn't get any more lots with the bonus density because of the terrain.

Commissioner Smith explained the bonus density.

**Commissioner Shepherd motioned to recommend approval to the City Council with the findings of staff.**  
**Commissioner Williams seconded the motion.**  
**Motion passed unanimously.**

Commissioner Williams motioned to adjourn the Planning Commissioner meeting for June 5, 2013.  
Commissioner Shepherd seconded the motion.  
Motion passed unanimously.

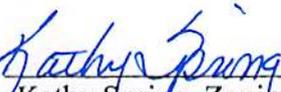
Meeting Adjourned: 6:10 PM

Washington City

Signed by: 

Rick Schofield, Chairman

Attested to:



Kathy Spring, Zoning Technician