

Public Notice of Electronic Meeting
Washington City Planning Commission
Regular Meeting Minutes
March 3, 2021

Present: Commissioner Hansen, Commissioner Musso, Commissioner Anderson, Commissioner Bulloch, Councilmember Ivie, Drew Ellerman, Eldon Gibb, Brandon Wright, Matt Evans, Kathy Spring, Adam Allen, Drake Howell, Laurie Saunders, Dick Saunders, Rose Jessop, James Jessop, Katherine Staheli, Sherrie Tate, Doug Dennett, Nichols Laffley, Kale Goodman, Kaylee Goodman, Nichols Laffely, Brad Stewart, Mark Burgess.

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

Meeting Called to order: 5:36 PM
Invocation: Commissioner Musso
Pledge of Allegiance: Commissioner Hansen
Commissioner Phetsomphou and Commissioner Scheel excused.

1. APPROVAL OF AGENDA

a. Approval of the agenda for March 3, 2021.
Commissioner Musso motioned to approve the agenda for March 3, 2021.
Commissioner Anderson seconded the motion.
Motion passed unanimously.

2. APPROVAL OF MINUTES

a. Approval of the minutes from February 17, 2021.
Commissioner Anderson motioned to approve the minutes from February 18, 2021.
Commissioner Musso seconded the motion.
Motion passed unanimously.

3. PRO TEM FOR 2021

- a. Approval of Pro Tem for 2021.

Commissioner Musso motioned to recommend Commissioner Phetsomphou as the pro tem for 2021.

Commissioner Anderson seconded the motion.

Motion passed unanimously.

4. DECLARATION OF ABSTENTIONS & CONFLICTS

None

5. PLAT AMENDMENT

A limit of 20 people will be allowed in the Council Chambers at a time, Mask and social distancing must be maintained.

- a. Public Hearing for consideration and recommendation to City Council for Crimson Park Townhomes Preliminary Plat Amendment located at approximately 550 East Treasure Valley Road. The purpose for the amendment is to add 3 units in the future expansion area noted on the approved plat. Applicant is Ryan Thomas.

Background

Drew Ellerman reviewed the report: The applicant is requesting approval of an Amended Preliminary plat for the Crimson Park Townhomes subdivision, located at approximately 550 East Treasure Valley Road. The reason for this amendment request is to add 3 more townhome units to this development. Recently the approved PUD Zoning was amended in adding the extra units, the applicant is now pursuing the amendment to the Preliminary Plat.

Staff has reviewed the proposed amended preliminary plat and finds it conforms to the Planned Unit Development - Residential (PUD-R) zoning of this development. The subdivision also remains in compliance to the Subdivision Ordinance of the City.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Amended Preliminary Plat for the Crimson Park Townhomes subdivision to the City Council, based on the original findings and subject to the original conditions of the approved Preliminary Plat of October 23, 2019.

Findings

1. The amended preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.

2. That the amended preliminary plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.

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. Though outside of the subdivision boundary, the street labeled "Hayfield Drive" (which is the north-east continuation of 4200 South) will be required to be in place between the far east end of Treasure Valley Road and Washington Fields Road before any final plat(s) can be applied for. This was a requirement given by the city council during the zoning approval process.

13. The subdivision shall conform to the standards of the approved PUD - Residential (Multiple Family Development) Zoning of this development.

14. The detention pond areas are to be as much grass as possible (as design will allow), to be used as a play area for the residents.

Commissioner Hansen asked if there is going to be a 6-foot wall and if there are any gates that people can access.

Mr. Ellerman answered that there is a wall and he didn't know about any gate.

Commissioner Hansen asked about the trash can area and if it will be visible from the street.

Mr. Ellerman explained that there is going to be a block wall that will block visibility of the street.

Commissioner Bulloch asked about units 111 and 93 if there is going to be a turn around.

Chief Evans stated that it has to be 150 feet or longer to require a turn around.

Commissioner Anderson asked if moving the units doesn't increase the density but it might impact parking if people use their garages as storage. He asked if the parking is adequate.

Mr. Ellerman explained that there is adequate parking with two stalls with a garage. There is adequate visitor parking as well.

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.*

Eldon Gibb said that there aren't any comments for this item.

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

Mark Burgess is the developer and he said there isn't a plan for gates and if the commissioners want an additional wall around the trash area they would do that.

Commissioner Hansen said he would like to have a gate but wouldn't require it.

Commissioner Musso motioned to recommend approval to the City Council with the findings and conditions of staff.
Commissioner Anderson seconded the motion.
Motion passed unanimously.

6. SUBDIVISION 6 LOT VACATION

A limit of 20 people will be allowed in the Council Chambers at a time, Mask and social distancing must be maintained.

- a. Public Hearing for consideration and recommendation to City Council a request for Rusted Hills Phase 3 Lots 47 through 52, 6 lots to be vacation located at approximately 3342 South to 3358 South Camino Real. Applicants are Ralph and Katherine Staheli.

Background

Drew Ellerman reviewed the report: The applicant is requesting approval to vacate six lots out of the existing Rusted Hills, Phase 3 subdivision, located at approximately 3342

through 3358 South Camino Real (lots 47 through 52). The reason for this request vacation of lots is due to an oversight back when the final plat of Rusted Hills Phase 3 was recorded.

The Staheli Family (Ralph and Katherine) were co-applicants/owners, with Mr. Doug Dennett when the Rusted Hills subdivision was going through the development process. There was an agreement between the two parties that when the plat was recorded that the six lots in question (lots 47-52 owned by the Staheli's) were not to be part of the Home Owners Association nor restricted by the CC&R's of Rusted Hills Phase 3 subdivision. Unfortunately, when the plat was recorded along with the CC&R's, these six lots were mistakenly left in with the rest of the lots of the subdivision.

This plat vacation application is trying to fix the oversight of the six lots (47-52) accidentally left under the control of the HOA and the CC&R's of Rusted Hills Phase 3.

Staff has reviewed the proposed vacation of Lots 47-52 of the Rusted Hills Phase 3 subdivision and finds no concerns by the city to allow the removal of these six. Staff's only request is that an application for a Minor Subdivision run concurrently with this vacation application that these six lots will be placed into once vacated. That proposed minor subdivision is called Heartland.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Vacation of lots 47 through 52 of the Rusted Hills Phase 3 subdivision, onto the City Council.

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

Commissioner Hansen explained that the word vacation in this case is not to bring in vacation rental homes.

Mr. Ellerman explained that there is a letter from the property owners explaining the agreement.

Commissioner Musso asked how this affects Tax ID number and legal descriptions.

Mr. Ellerman explained that the Tax ID will change to reflect the Minor Subdivision. They would have to notify the mortgage company.

Commissioner Hansen asked if Mr. Ellerman knew about the agreement.

Mr. Ellerman explained that the property owners came in together and the mistake was that the 6 lots were supposed to be excluded from the CC&Rs.

Commissioner Hansen asked if there is a determinant to taking the lots out.

Mr. Ellerman answered that it could affect the HOA fee.

Commissioner Hansen asked if the city council approves this and they share the same detention pond.

Mr. Ellerman answered that the pond is on the Staheli property and the drainage will use the regional detention area.

Commissioner Andersen asked if the fees go to the future park/detention area.

Brandon Wright said that the city will not maintain the detention basin.

Commissioner Hansen stated he would like to hear from the applicant.

Commissioner Anderson asked about the recommendation RA-1 but the lots are less than an acre.

Mr. Ellerman explained that this project is part of the bonus density program and they were given credits for putting in the detention pond.

Commissioner Hansen opened the public hearing.

Nicholas Laffely stated he would be adversely affected by the action. He stated that the Goodmans obtained a building permit and agreed to abide by the CC&Rs. He explained that the metal roof makes a glare to their property. He said they offered to pay the property owner to use another roof. He said that this doesn't serve as a good cause to vacate from the plat. He feels this would set a precedent for property owners who do not want to abide by the CC&Rs.

Katherine Staheli said they feel bad about this and they told their children that they would not be a part of the CC&Rs and that this is their property. She and Ralph signed by mistake.

Sherrie Tate was on the phone and wanted to know if Doug Dennett can connect.

Katherine Staheli commented that the basin has not been used by the subdivision. They will maintain the basin.

Commissioner Hansen asked if the 6 lots have been paying into it.

Ms. Staheli answered no they didn't know they were part of the subdivision.

Sherrie Tate explained that the detention pond was beautiful for about 6 months then the pump clogged. She said that Stucki Farms has a well and they are trying to get a well. They have paid for everything with Doug Dennett. She said that they are trying to be good neighbors and Mr. Laffleys comments are false. The 6 lots were never to be part of the HOA. She explained that her mother just made a mistake. The whole reason for the lots was to be a buffer between the Rusted Hills subdivision.

Mr. Laffely said they were willing to talk to them and wanted to pay for the coating of the roof.

Brad Stewart lives on lot 50 and he said he was the first one in and he understood they were not part of the HOA.

Kale Goodman said they did look into the coating and the builder said that it would cost more to change the plan and they understood they weren't in the HOA. The maintenance of the coating would be costly to them. He said that he suggested that they build a higher wall. He said that there are others that have metal roofing.

Doug Dennett said he purchased 5 acres of the property for a park but the Staheli's wanted to keep it so they put it in a 3 acre detention area. He said they are working on the irrigation problem so they can maintain the pond. He said that he thought the 6 lots were out of the detention fee. He said that he spoke with Drew and they agreed that the 6 lots were not to be included in the Rusted Hills CC&Rs.

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

Commissioner Hansen asked if the city gets involved when one subdivision has a requirement for not metal roofs but the subdivision next to them did.

Mr. Ellerman explained that the city doesn't get involved in CC&Rs per State law.

Commissioner Hansen asked if there is a concern about the legal action.

Mr. Ellerman answered that if the city isn't to get involved then they don't get involved in legal matters. It is a civil matter. He said that he knew that this would not be involved in the CC&Rs. Lots can be part of a subdivision but can be included in the CC&Rs. The CC&Rs should have excluded the 6 lots.

Commissioner Musso said that the lots do meet the lot requirement.

Commissioner Anderson stated that his understanding is the issue is the roofing whether it was intended to be a part of the CC&Rs puts everyone in a hard situation. He explained that the city will not get involved so it is the civil matter.

Mr. Ellerman asked if the roof wasn't metal would anyone oppose vacating out of the subdivision.

Commissioner Anderson asked if there is a city code or state code that would object to lots being vacated out.

Mr. Ellerman answered no.

Commissioner Hansen said that vacating out would present a problem for the city.

Mr. Ellerman answered no.

Commissioner Musso asked if they would recommend this to city council.

Mr. Ellerman answered yes.

Commissioner Hansen said he is empathetic to the citizens but it is legal to vacate lots out of the subdivision. He said he would encourage people to work this out. He said that his opinion is that the commissioners are to recommend to the city council.

Commissioner Anderson motioned to recommend approval to the city council with the findings of staff with the approval of the Heartland Subdivision.

Commissioner Musso seconded the motion.

Motion passed unanimously.

7. MINOR SUBDIVISION

- a. Consideration to approve a conceptual Plan for the Heartland 6 Lot Minor Subdivision Final Plat located at approximately 3342 South to 3358 South Camino Real. Applicant is Katherine Staheli.

Background

Drew Ellerman reviewed the report: The applicant is requesting approval for the Heartland Subdivision plat, located at approximately 3342 through 3358 South Camino Real. The applicant is wishing to have these six lots recorded following their vacation from the Rusted Hills Phase 3 subdivision.

The proposed minor subdivision is currently zoned Residential/Agricultural - One Ac. Min. (RA-1), with the surrounding zoning of RA-1 to the north, south and east, and Ag 20 to the west.

Staff has reviewed the requested proposal, and the proposed Heartland Subdivision, conforms to the standards as set forth in the Zoning Regulations and Subdivision

Ordinance of the city.

Recommendation

Staff recommends that the Planning Commission recommend approval of the proposed Heartland Subdivision, to the City Council 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.
5. The shared access area between lots 1 and 4 needs to be adjusted by calling it a "Public Utility & Drainage Easement and Ingress & Egress Easement". Also, the area highlighted between lot 1 and 4 (this easement area) needs to be extended twenty more feet into lots 2 and 3.

Mr. Ellerman explained that he is requesting this to be tabled for two weeks because the exhibit isn't representing a Minor Subdivision heading. He said that he will check to see if a 6 lot subdivision requires notices. There will not be a loss of time for the applicant.

Commissioner Anderson asked if the vacating is to be tabled.

Mr. Ellerman answered no. It is still running concurrently and will end up on the City council agenda at the same time.

Commissioner Musso motioned to table this item for two week to the March 17, 2021 meeting.

Commissioner Anderson seconded the motion.

Motion passed unanimously.

8. CONDITIONAL USE PERMIT

A limit of 20 people will be allowed in the Council Chambers at a time, Mask and social distancing must be maintained.

- a. Public Hearing to consider approval of a Conditional Use Permit C-21-01 request for a Daycare located at approximately 143 South Desert Saguaro Lane. Applicant is Rose Elise Jessop.

Background

Drew Ellerman reviewed the report: 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 143 South Desert Saguaro Lane. The daycare will run from 7:30 a.m. to 6:00 p.m. Monday through Friday. The applicant is requesting a number of 16 children (which is the maximum for in-home use) be approved for this daycare facility. With the 16 children requested, a second caregiver will always be required to be on-premises. The home will be required to be 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 in the designated area (garage area) as shown on the attached exhibit(s), with an area fenced off at the back of the home for outdoor recreation time. A drop off and pick up plan will need to be in place to mitigate any traffic congestion or concerns.

Staff has reviewed the request, and has a few concerns as it relates to the property/location itself. The development is a subdivision with smaller homes and all the surrounding land around each home is labeled as common or limited-common area. The yard areas around all these homes in the subdivision are somewhat small in size. The streets are private, making them smaller than the standard residential streets in size (could be problematic in drop-off/pick-up circumstances. Staff just feels the location is limited in all the areas mentioned above. Staff will make note that the applicant intends on this location being a temporary location until a commercial location can be built and utilized. So if the Commission wants to consider a temporary (or time limited) approval, that is something that could be considered.

Recommendation

Staff has no recommendation for the Planning Commission due to concerns at the location.

If the Planning Commission wishes to do some sort of an approval C-21-01, allowing for a daycare facility at 143 South Desert Saguaro Lane, then it could be 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 7:30 a.m. to 6:00 p.m. on Mondays through Friday.
3. The maximum number of children will be no greater than sixteen (16), as outlined in the state adopted regulations (including a second caregiver always on the premises).
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.
6. Inspections by both the Building Department and Fire Department will need to be approved before the daycare operations begin.

7. A drop-off/pick-up schedule plan will need to be provided to city staff in the Community Development Department (and approved) before any daycare sessions begin.

8. A possible temporary or limited approval ending date to be determined by the Commission.

Commissioner Anderson asked about the limited common area and if block walls are allowed.

Mr. Ellerman answered that limited common areas could allow for block walls.

Commissioner Hansen asked if the streets are private and no parking is allowed.

Mr. Ellerman answered yes.

Commissioner Hansen opened the public hearing.

Rose Jessop said that the garage is for extra activities. They are going to complete the backyard and they have had the fire department do the inspection.

Commissioner Hansen asked if there were any comments from the fire department about parking.

Ms. Jessop said that they reviewed the drop off and pick up.

Commissioner Musso asked specifically about the yard.

Drew Ellerman handed out the missing items from the packet.

Commissioner Musso asked about the 15 children and she and her sister have 8 between them.

Ms. Jessop said her kids are 10 and older and her sister has one 5 year old that counts in the 16.

Commissioner Anderson asked if the chain link fence still exists.

Ms. Jessop said the chain link fence is still there and there is artificial turf.

Commissioner Anderson asked what they would do when the turf got too hot.

Ms. Jessop said that they would sprinkle it.

Commissioner Hansen asked if the block wall will be finished.

James Jessop said the block wall will come in about July.

Commissioner Hansen asked when Ms. Jessop will open.

Ms. Jessop said as soon as possible.

commissioner Hansen asked if she is currently doing this.

Mr. Jessop said that Rose has been taking care of about 30 siblings.

Commissioner Musso asked if there is another area she is looking at to do the business.

Mr. Jessop said there are a couple of places but would like to get started.

Commissioner Andereson asked if the inspection included any concerns about the block wall not being complete.

Ms. Jessop answered no.

*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 Anderson seconded the motion.

Motion passed unanimously.

Commissioner Musso said he thinks he is okay with the temporary timing.

Commissioner Hansen said his concern is the chain link fence and parking. He asked what the time frame could be.

Mr. Ellerman said that the family is in construction and they are good at what they do. He said that he would leave the time frame to the commissioners and ask the applicant what they think they could do.

Commissioner Musso asked Mr. Jessop how far along they are in the subdivision.

Mr. Jessop answered that about 12 homes are built.

Commissioner Musso said his concern is the parking on the road.

Mr. Jessop said there is parking on one side for 24 hours while they are doing construction.

Commissioner Musso asked for verification that the homes across and next to Ms. Jessop are already built.

Mr. Jessop answered they are built.

Commissioner Musso asked if parking is allowed on Ms. Jessop's side.

Mr. Jessop answered that the parking is on the other side.

Commissioner Anderson said that his concern is expediting the block wall.

Mr. Jessop answered that as soon as the stucco is done the wall will come in. He explained that the chain link is for safety and is a way off from the construction.

Commissioner Anderson asked what the distance between homes was.

Mr. Jessop answered that it is 12 feet. That is why they need to do the stucco first.

Commissioner Musso asked with zero lot line is there extra parking on the driveway.

Mr. Jessop answered that there is gravel.

Mr. Ellerman explained that there aren't zero property lines. The area around the homes is a limited common area. He said the only ownership is the pad the homes are set on.

Commissioner Anderson asked where the gate is located.

Mr. Jessop answered that there is a gate to the side.

Commissioner Hansen asked if the time frame gives opportunity to handle issues.

Mr. Ellerman said that they can do whatever time frame they want to. The CUP stays with the property.

Commissioner Hansen said he wants to set a time frame to allow them to move forward with the daycare.

Commissioner Anderson asked Mr. Jessop how far away is the fence.

Mr. Jessop answered about 5 feet from the construction.

Commissioner Anderson said he builds homes for a living and has a 4 year old. He is concerned with the wall. He stated that at a minimum the chain link fence needs to be removed and a block wall and constructed.

Commissioner Musso asked Commissioner Anderson if he wanted the chain link moved and secured.

Commissioner Hansen asked about the concrete slab showing in the exhibit.

Mr. Ellerman showed on the exhibit how to build a secure wall.

Commissioner Bullock asked if they can revisit this in 6 months to make sure the wall is in place.

Commissioner Hansen asked if the applicant has to come back in 6 months.

Commissioner Musso motioned to approve the conditional use permit for a daycare opening 6:30 AM to 8:00 PM with the conditions of staff with an additional condition that fencing going from the corner of the house to the block wall is secured, that the block wall be installed as soon as possible then the temporary fencing is removed. The approval is for 6 months then approval can be given if in compliance.

Commissioner Bullock seconded the motion.

Motion passed unanimously.

Recess at 7:47

Reconvene 7:55

9. PRELIMINARY PLAT

A limit of 20 people will be allowed in the Council Chambers at a time, Mask and social distancing must be maintained.

- a. Public Hearing for consideration and recommendation to City Council for the Finlay Farm Preliminary Plat located at approximately 300 East 4300 South. Applicant is Cardiff Wales LLC.

Background

Drew Ellerman reviewed the report: The applicant is requesting approval of a Preliminary plat for the Finlay Farms subdivision, located at approximately 300 East 4300 South. The applicant is proposing 175 lots on an area of coverage of 64.86 acres. The zoning designation at this particular location is Single-Family Residential - 10,000 Sq. Ft. Min. (R-1-10) & Single-Family Residential - 8,000 Sq. Ft. Min. (R-1-8). The surrounding zoning is R-1-8 to the north, Ag-20 to the east, RA-1 to the west, and Stucki Farms PCD to the south.

These parcels were recently rezoned into the R-1-8 and R-1-10 zoning designations. 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 Finlay Farms 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 asked about the adjacent property.

Adam Allen said that they are tying this into the first phase.

Commissioner Hansen asked about phase 6 and if they are cutting into the hillside.

Mr. Allen said they are cutting into the bench a little but not going up the hill.

Mr. Ellerman asked if there is a retaining wall along the ridge.

Mr. Allen answered the rock wall is for hazard protection.

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

Commissioner Musso asked about the Medallion Road and if that will be complete.

Mr. Allen answered they are connecting water and sewer.

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

Commissioner Musso seconded the motion.

Motion passed unanimously.

- b. Tabled form February 17, 2021: Continuation of the Public Hearing to review only conditions made at the February 17, 2021 meeting. One that a secondary access to meet fire code and if the access can go through a floodplain. Second that the HOA is not part of Coral Canyon. Three that 25-foot height is followed. Four that the issue with extra trash be dealt with.
Consider and make a recommendation to the City Council for The Island at Coral Canyon located at approximately 3300 East 1100 North. Applicant is Cole West Home.

Background

Drew Ellerman reviewed the report: This item was tabled at the February 17th, 2021 Planning Commission meeting. The applicant was asked to get together with the Fire Chief and work out a solution for emergency secondary access to this proposed development. After those discussions, the applicant is going to use the exception in the Fire Code to have fire sprinkling systems installed in each of the dwelling units, thus removing the requirement for a secondary access at this point. A secondary access will come at a future date when the remaining portion of land within Area 7 is developed.

The applicant is requesting approval of a Preliminary plat for The Island at Coral Canyon subdivision, located at approximately 3300 East 1100 North. The applicant is proposing 99 lots on an area of coverage of 23.621 acres. The zoning designation at this particular location is Coral Canyon Planned Community Development (PCD). The surrounding zoning is PCD to the north, east, west, and south. This particular subdivision/area is zoned for vacation/short term rental use(s). Each townhome unit will have a two car garage and a double-wide driveway.

There will be developed a secondary emergency access in conjunction with the existing cart path associated with the golf course located on the southwest side of this project proposal.

The design of the secondary emergency access will be reviewed and approved by both the fire department and public works department.

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 Island at Coral Canyon subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the preliminary plat conforms to the Zoning and the Subdivision Ordinances as conditioned.

Conditions

1. A preliminary and final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. A preliminary and final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:

- A. A title report.
- B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).

6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.

7. A final landscape plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.

8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.

9. Driveway locations are to be approved by the Public Works Department.

10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.

11. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

12. 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. There will be required a secondary emergency access in conjunction with the existing golf cart path located on the southwest side of this project proposal. The design of the secondary emergency access will be reviewed and approved by both the fire department and public works department.

14. The main amenity area shown in phase 1 of this development will be required to be completed before 33% of the units in phase 1 receive their certificate of occupancy.

Commissioner Bulloch asked when secondary access is required.

Mr. Ellerman said that all subdivisions have two points of ingress and egress. Usually it gets worked out in the construction drawing stage.

Commissioner Bulloch asked if the trail was gone.

Mr. Ellerman answered that it doesn't show a secondary access.

Drake Howell said that they met with the fire chief and said that they are going to sprinkle the units. He said that north of area 7 would have secondary access. It would most likely be near the golf course shed. There is a paved road off of Telegraph and as they build they would build the road.

Commissioner Musso asked if not sprinkled the occupancy is 10 but when it is sprinkled there are numerous people and then parking becomes a problem.

Commissioner Hansen said his concern is the trash. Does the city have the ability to pick up trash outside the schedule?

Mr. Ellerman answered that trash pick up is hired out and it is handled through the solid waste district.

Commissioner Hansen said that he has seen that trash cans were overflowing and the dumpster wasn't used. Trash sits for a couple of days before pick up. He would like to have the trash picked up on Monday mornings.

Mr. Ellerman said that HOAs can handle that issue.

Mr. Howell said that he has considered this issue and would like to put it in the CC&Rs and the property manager would need to see that the cans are moved off the street. He said that on busy weekends they could bring in extra dumpsters.

Commissioner Anderson said he built a nightly rental in St George and one of the requirements was with 78 units they had individual cans with two dumpsters that the HOA paid for pick-up once a week.

Commissioner Hansen said that some of the dumpsters were farther away than people wanted to use.

Mr. Howell said that they could add language for the property owners to make them responsible for trash and take it to the dumpster to keep the area clean.

Commissioner Anderson said that with 99 units two dumpsters may not be enough.

Commissioner Hansen asked Mr. Howell if there is another area for additional dumpsters.

Mr. Howell said that the issue is a truck being able to empty the dumpster. He said that he doesn't think all units would be occupied at the same time. He said that at the Town Center he has ordered them to get additional dumpsters if the problem continues. He has seen from the people an improvement.

Commissioner Hansen said that there isn't anyone present that wants to speak.

Commissioner Hansen asked about the conditions.

Commissioner Anderson asked about the HOA.

Mr. Ellerman said that it isn't necessary to address the HOA because the city stays out of HOAs. He said that he would make the 25-foot height a condition.

Commissioner Bulloch said he is still concerned about secondary access.

Mr. Ellerman said that is a legitimate concern.

Commissioner Hansen said that he understands that there will be only one access until the other phases come in. He said they would work with the fire chief to see when that has to come in.

Commissioner Musso said that the main road into the subdivision is Palm Drive.

Commissioner Anderson motioned to recommend approval to the City Council with the findings and conditions of staff with removing condition #13. Condition #13 replaced with amenity to be built at 33% units. Condition #15 the 25-foot height is in place. Condition #16 that the two dumpsters are approved with an additional two other dumpsters and serviced by the HOA. Condition #17 that the secondary access is triggered in phase 1

Commissioner Bulloch seconded the motion

Commissioner Anderson Aye

Commissioner Bulloch Aye

Commissioner Musso Nay

Commissioner Hansen Aye

Vote passed 3-1

Commissioner Musso motioned to adjourn the Planning Commission Meeting.

Commissioner Anderson seconded the motion.

Motion passed unanimously.

Meeting adjourned: 8:48 PM

Washington City

Signed By: _____

Jason Hansen, Planning Commission Pro Tem

Attested to: _____

Kathy Spring

Kathy Spring, Zoning Technician