
Public Notice of Electronic Meeting
Washington City Planning Commission
Regular Meeting
June 2, 2021 MINUTES

Present: Commissioner Hansen, Commissioner Musso, Commissioner Scheel, Commissioner Anderson, Attorney Thad Seegmiller, Councilmember Staheli, Drew Ellerman, Eldon Gibb, Brandon Wright, Kathy Spring, Brandee Walker, Georgietta Kent, Neal Kent, Kristen Kaiser, Alexandra Roberts, James Jessop, Bret Howcroft, Royce Jessop, Linda Greenwood, Jan Keefe, Ryan Lay, Jason Smith, Ron Romney, Shelleen Arregui,

Meeting Called to order: 5:35 PM
Invocation: Commissioner Scheel
Pledge of Allegiance: Commissioner Musso

1. APPROVAL OF AGENDA

- a. Approval of the agenda for June 2, 2021. Tabled item from May 19, 2021 Z-21-11 zone change moved to July 7, 2021.
Commissioner Scheel motioned to approve the agenda for June 2, 2021
Commissioner Musso seconded the motion.
Motion passed unanimously.

2. APPROVAL OF MINUTES

- a. Approval of the minutes from May 19, 2021.
Commissioner Scheel motioned to approve the minutes from May 19, 2021.
Commissioner Musso seconded the motion.
Commissioner Hansen abstained because he wasn't present.
Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

Commissioner Hansen lives near items 4A and 5D

4. FINAL PLAT

- a. Consideration and recommendation to City Council for the Village 26 at Stucki Farms located at approximately Washington Fields Road and Groves Parkway. Applicant: Karl Larson

Background

Eldon Gibb reviewed report: The applicant is requesting approval of a Final plat for Village 26 at Stucki Farms subdivision, located at approximately Washington Fields road and Groves Parkway. The applicant is proposing 3 lots on an area coverage of 15.6 acres. The zoning designation at this particular location is Planned Community Development (PCD). The surrounding zoning is Planned Community Development to the north, east, south and west.

The applicant's 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 Final plat as outlined.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Final plat for the Village 26 at Stucki Farms subdivision to the City Council, based on the following findings and subject to the following standard 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 Anderson asked if the final plat conforms to the preliminary plat.

Eldon Gibb answered it does.

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.

5. PRELIMINARY PLAT

- a. Public Hearing for consideration and recommendation to City Council for the Frontier subdivision Preliminary Plat located at approximately 1000 South Washington Dam Road. Applicant: Doug Dennett

Public comment for this item will be accepted at: washingtoncity.org/meetings, until 4:30 the day before the meeting. After that time only in person comments will be taken.

Background

Eldon Gibb reviewed report: The applicant is requesting approval of a Preliminary plat for the Frontier Subdivision located at 2075 East Washington Dam Road. The applicant is proposing 21 lots on an area coverage of 11.93 acres. The zoning designation at this particular location is Residential Agriculture 1 Acre. The surrounding zoning is RA-5 to the north, Open space to the east, Industrial-1 to the west, and RA-1 to the south.

The applicant has applied for bonus density credits as seen on the plat which include interconnectivity of external streets, a mixture of lot sizes, landscaped open space, public trails and tree lined streets.

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 Frontier subdivision to the City Council, based on the following findings and subject to the following standard 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 Anderson asked Brandon Wright how this ties into Washington Dam Road.

Brandon Wright answered that the developer will be responsible for the improvements.

Commissioner Musso asked for an explanation of the bonus density.

Mr. Ellerman explained that on the plat there is a chart that explains the credits. It is for projects south of the river. He explained that the easement line is for multiple entities but the Rocky Mountain power line is why there is a line along the properties.

Commissioner Scheel asked if animals would be allowed.

Mr. Ellerman answered that the lot size would have to meet the criteria to have animals, half acre. You would have to be 100 feet away from a home. They could have chickens.

Commissioner Hansen opened the public hearing.

Georgietta Kent stated they moved in their subdivision to the east so they could have animals. She said that she doesn't know how this proposal is in harmony with what is there. There is a trail to nowhere. She is opposed to the request.

Neal Kent said he seconded everything his wife said. He commented that the trail goes near his animals and he is concerned with the liability of kids getting hurt and if people want to feed his animals and it is harmful to the animals. He said he will never give permission to go onto his property and there is an arena with lights and he will not give that up. He said that the road proposed will go nowhere.

Kristin Kaiser asked about the easement and the widening of Washington Dam Road. She said she will not give up her property for the road. This area is for farming properties not for a subdivision.

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

Commissioner Anderson asked Brandon Wright to answer the question regarding the Washington Dam Road.

Mr. Wright said that there is a plan to widen Washington Dam Road. He said that there is another developer that is talking to people about the road.

Commissioner Scheel said that he doesn't like to see properties that have animals taken away. He wants to revisit the bonus density program.

Commissioner Musso said he agrees that people with no animals have started complaining about the people that do have animals. He said that the two roads and trail go nowhere.

Commissioner Anderson said that he appreciates the developer but he feels there needs to be some protection for agriculture. He would like to see half-acre lots.

Mr. Ellerman said that this is a challenge property per the General Plan. Half is Industrial and the other half is Estate. He said that he can't allow anything RA in the Industrial. This property has been on the market for a long time. The parcel is split in half.

Commissioner Anderson asked if it is Industrial how can they put homes on it.

Mr. Ellerman said they are just proposing the RA-1 piece.

Attorney Thad Seegmiller asked if the proposal is for the RA zoning.

Mr. Ellerman answered yes. It is zoning, not the General Plan.

Commissioner Musso asked if they need a General Plan Amendment.

Mr. Ellerman explained that they are only using the RA-1 zoned and general plan.

Commissioner Anderson said the bonus density is too aggressive and that the bonus density given should not allow for lots smaller than ½ acre which would still preserve the right to allow agriculture on each lot, thus preserving the intention of the RA-1 zoning and the surrounding neighborhood.

Commissioner Scheel motioned to recommend denial to the City Council based on the request for bonus density being too aggressive with lot sizes causing restrictions on agriculture and lot sizes proposed not being consistent with the intention of the

current zoning. Also noted that this is a difficult parcel in that the General Plan and Zoning conflict.

Commissioner Musso seconded the motion.

Motion passed unanimously.

- b. Public Hearing for consideration and recommendation to City Council for the Red Mesa at Sunrise Valley Subdivision Phase 1 and 2 Preliminary Plat located at approximately 300 South Country Way. Applicant: Middon, LLC

Public comment for this item will be accepted at: washingtoncity.org/meetings, until 4:30 the day before the meeting. After that time only in person comments will be taken.

Background

Eldon Gibb reviews report: The applicant is requesting approval of a Preliminary plat for Red Mesa at Sunrise Valley Subdivision located at approximately 500 South Country Way. The applicant is proposing 66 building pads on an area coverage of 16.23 acres. The zoning designation at this particular location is Planned Unit Development Residential (PUD-R). The surrounding zoning is Planned Unit Development to the north, east, south and west.

The proposed subdivision conforms to the approved zoning. The request meets the subdivision requirements and other city ordinances as it relates to this location. Staff has reviewed the request and recommends approval, with conditions, of the preliminary plat as outlined.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Preliminary plat for the Red Mesa at Sunrise Valley subdivision to the City Council, based on the following findings and subject to the following standard 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 Anderson asked if this is the same developer of the Red Waters Project.

Mr. Ellerman answered that the zoning was done for platting approval.

Commissioner Hansen opened the public hearing.

No response.

Commissioner Scheel motioned to close the public hearing.

Commissioner Musso seconded the motion.

Motion passed unanimously.

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

Commissioner Scheel seconded the motion.

Motion passed unanimously.

- c. Public Hearing for consideration and recommendation to City Council for the Seville Estates subdivision Preliminary Plat located at approximately Antigua Lane and Galilee Way. Applicant: Lance Richards

Public comment for this item will be accepted at: washingtoncity.org/meetings until 4:30 the day before the meeting. After that time only in person comments will be taken.

Background

Eldon Gibb reviewed report: The applicant is requesting approval of a Preliminary plat for Seville Estates Subdivision located at approximately Antigua Lane and Sonoma Cortile. The applicant is proposing 39 lots on an area of coverage of 15.46 acres. The zoning designation at this particular location is R-1-15 on the northern half of the subdivision and R-1-10 on the southern half. The surrounding zoning is RA-½ and RA-5 to the north, Open Space to the east, R-1-15 and R-1-12 to the west, and C-1 to the 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 Seville Estates subdivision to the City Council, based on the following findings and subject to the following standard 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 Musso asked about the designation lot A.

Mr. Gibb answered that it isn't part of the request.

Jason Smith explained that lot A is the commercial piece and isn't part of this proposal.

Commissioner Hansen opened the public hearing.
He explained that there was a comment that was sent.

Kress Staheli said that there was talk to have the master transportation plan specify a road to the east side of this plat to intersect with 3060 South. He said that this proposed layout isn't what he had previously seen. He said he is concerned with access to 3650 South. Any intersection further East of the intersection of his property and the proposed property would be restricted to right in and right outdo to the proximity to the Southern Parkway. His understanding was that it was a 4-way intersection at the intersection of his property, the commercial property South of Saville Estates, and 3650 would be proposed. It appears that the road in the proposal does not match what he understood would be.

Jason Smith explained that it isn't on the transportation plan. It doesn't have to be straight and they can move Antiga Road. He said there should be an intersection.

Attorney Seegmiller said that staff didn't identify any conflict with the transportation plan because the current plan does not include any of this property yet.

Mr. Staheli said that the previous city engineer had approached him regarding the road. He said that he is concerned that the city will later want an intersection near his property and that if Saville Estates doesn't show a North/south road on the East side of the property, and future road intersection 3650 South would put the entire width of the road on his property. He asked that such a road would be split at the property line as is customary..

Commissioner Anderson asked for the zoning map.

Mr. Ellerman showed the zoning map.

Brandon Wright said that he doesn't have the information that Mr. Staheli has. He would like to look at the information.

Commissioner Anderson asked Mr. Staheli if his property is zoned open space.

Mr. Staheli said that the General Plan does not show any zoning other than open space.

Jason Smith said they can split the access.

Mr. Staheli said he wanted to have Drew review the email that he was sent by the city.

Drew Ellerman brought up the email that was sent to Mr. Staheli. The exhibit shows 4 way intersections.

Mr. Smith said that he doesn't have the information as well. He said that this information does not pertain to this preliminary plat application. He said that an intersection could be split with lot Z and the Staheli piece at a later date and that Lot A does not have anything to do with this application. He said that he doesn't think it should be straight north and south.

Commissioner Anderson asked how many feet between intersecting roads.

Mr. Smith answered that 3650 South can't be closer than 650 feet.

Commissioner Anderson noted that if Antiga Lane connected to 3650 South then it would only be 521 feet from the Staheli Lot A intersection, which is closer than the 650 feet allowed by city code.

Commissioner Musso said that they need to know where Antiga is going to make any decisions.

Kress Staheli repeated that he doesn't want to place the entire width of a future North/South road on his parcel but would like to split it with Parcel A.

Mr. Smith said he agrees with that, but only on the commercial piece Lot A.

Commissioner Hansen said that he would like to table this.

Mr. Smith said that he doesn't have the information as well. He said that this is about this plat.

Commissioner Musso motioned to close the public hearing.

Commissioner Anderson seconded the motion.

Motion passed unanimously.

Commissioner Hansen said that without this information they would have already moved ahead but there is additional information.

Mr. Smith said that this information doesn't have anything to do with this plat.

Commissioner Musso said that they need to know where Antiga is going.

Commissioner Anderson said that if they approve the preliminary plat it limits what adjacent property owners can do. He said that the transportation plan needs to be worked out to include this area. The long-term impact of a North South intersection with 3650 needs to be considered as it will impact all of the adjacent property owners because it is a major road.

Commissioner Scheel said that they don't know where the road will go. He said that he doesn't know if the exhibit Mr. Staheli showed what is going to be where the road will be located.

Attorney Thad Seegmiller said that the road was brought about by a separate individual and isn't part of this proposal. The proposal doesn't have to do with the road. The challenge is that the question is whether the parcel isn't part of this proposal and so the commissioner's need to consider what this proposal is presented with. There needs to be a motion with conditions. The Council will still have to struggle with the issues.

Commissioner Musso said the adjacent properties will have an impact on their parcels.

Commissioner Anderson asked how wide Majestic Drive is.

Mr. Ellerman answered that Majestic Drive is a 60-foot road.

Commissioner Hansen said that if they throw out all the additional information and consider the proposal this would be voted on already.

Commissioner Anderson motioned to deny based on the concerns to get public works and staff and the concerned property owner to discuss the future impact of Antigua intersecting 3650 would have on any future North South road intersection 3650 South that may be proposed in the General Transportation Plan.

Commissioner Scheel seconded the motion.

Motion passed unanimously.

Mr. Smith asked for instructions as to what he needs to bring to the City Council.

Commissioner Anderson answered that he needs to meet with Public Works, staff and the property owners affected by the roads to answer the question posed in the motion to deny.

Recess: 7:15 PM

Reconvene: 7:25 PM

- d. Public Hearing for consideration and recommendation to City Council for the Stucki Farms Storage Preliminary Plat located at approximately Washington Fields Road and Red Slope Parkway. Applicant: Karl Larson

Public comment for this item will be accepted at: washingtoncity.org/meetings until 4:30 the day before the meeting. After that time only in person comments will be taken.

Background

Eldon Gibb reviewed report: The applicant is requesting approval of a Preliminary Plat for Stucki Farms Storage Subdivision located at approximately 5500 South 1000 East. The applicant is proposing 4 lots with an area coverage of 26.01 acres. The zoning designation at this particular location is Planned Community Development.. The surrounding zoning is Planned Community Development to the north, east and west and St George property to the 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 Stucki Farms Storage subdivision to the City Council, based on the following findings and subject to the following standard 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.
Commissioner Musso motioned to close the public hearing.
Commissioner Scheel seconded the motion.
Motion passed unanimously.

Commissioner Scheel asked if these were storage units.

Brandee Walker said that lot 1 is storage units.

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.

ZONE CHANGE

- e. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-21-13 for the Red Mesa at Sunrise Valley Phase 3 PUD-R Design located at approximately 400 South 2700 East. Applicant: Middon, LLC

Public comment for this item will be accepted at: washingtoncity.org/meetings, until 4:30 the day before the meeting. After that time only in person comments will be taken.

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 7.77 acres

in size. The property is located at approximately 400 South and 2700 East. The name of this particular portion of the master developed area will be known as Red Mesa at Sunrise Valley - Phase 3. 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 28 detached building units (this would have a 3.6 dwelling units per acre ratio). The surrounding zoning to this project is PUD-R to the south and east, and Open Space zoning to the north and west.

Staff has no concerns with the proposed design of the project. 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 phase will require the park to be completed in its entirety.

Recommendation

Staff recommends that the Planning Commission recommend approval of Z-21-13, for the specific site design/use to the already zoned Planned Unit Development - Residential (PUD-R) 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. 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.

5. All structure and site improvements shall meet the requirements of City-adopted building and fire codes.

6. A Post Construction Maintenance Agreement must be recorded prior to any plat recordings.

7. All driveways to each individual unit will be a minimum of twenty feet (20') deep and eighteen feet (18') wide.

8. In no case shall any dwelling unit be closer than ten feet (10') to each other at any point within the development, also on corner lots, there will be a minimum setback of fifteen feet (15').

Commissioner Musso asked if they have to complete the Sunrise Valley Park.

Mr. Ellerman answered that there are 4 phases and they will have to complete the park at that time.

Commissioner Musso asked about the contour elevation.

Ryan Lay answered that page 5 shows the elevation of grade.

Commissioner Hansen opened the public hearing.

No response.

Commissioner Musso motioned to close the public hearing.

Commissioner Scheel seconded the motion.

Motion passed unanimously.

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

Commissioner Anderson seconded the motion.

Motion passed unanimously.

- f. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-21-14 for the Desert Ridge PUD Planned Unit Development design located at approximately Bella Vista Drive. Applicant: Stephen Howcroft

Public comment for this item will be accepted at: washingtoncity.org/meetings, until 4:30 the day before the meeting. After that time only in person comments will be taken.

Background

Drew Ellerman reviewed the report: The applicant is requesting approval to amend the zoning of approximately 7.77 acres, located at approximately Bella Vista Drive and Bonnie Lane. The amendment of the currently zoned Planned Unit Development - Residential (PUD-R), would be to change the elevations of the the triplexes on the south side of Bonnie Lane, change the amenity area at the east end of the overall development, change the lot layout of the single family detached lot portion (also on the east end), and finally, add another row of triplex buildings at the south end of the development.

The elevation change on the triplexes would go from the current "craftsman style" finish, to a "modern style" finish, much like the style of the homes directly to the west (known as Desert Flower - same developer), see the exhibits attached hereto. Staff has no issue with the requested change to the elevations of the exterior finishes to the triplex units.

The proposed amenity change at the east end of the development is due to the previous denial of the vacation rental request by the applicant. With the lack of vacation rentals and the need for an enhanced amenity area, the applicant is wishing to eliminate the pool area, and keep the amenity to a more simple: play area with a gazebo and BBQ grills; basketball sports court; grass areas; and a pickleball court; with associated parking area as shown in the exhibits attached to the report. Staff is okay with this proposed change which will still be tied to the other amenity on the west end of the development and associated trails within the project.

The new proposed "Phase 2 & 3" areas (single family detached lots. The original approval showed 49 detached pad parcels with common area in between and around this portion of the overall master development. The new proposal is showing 72 detached individual lots, This is an increase from the previous 2.4 dwelling units per acre, to a new proposed 3.62 dwelling units per acre. Due to surrounding developments (not associated with this developer), staff has no problems with this proposal, other than concerns with the known soil conditions in this specific area of the project.

Lastly, the proposed extension of the triplex units moving up the hill in the area between Bella Vista Drive and Florence Drive. The applicant is wishing to add a third row of triplex units (17 units in all) to this portion of the overall development. Staff has an issue with this particular proposal, due to the fact that the units would be located in the Hillside Protection area. This would also be another increase in the total unit count from the previous approval of 63 total triplex units to a proposed 81 total triplex units. The total overall count would add 23 detached home units and 18 triplex units to the entire project.

Staff has reviewed the requested amendment to the current zoned Planned Unit Development - Residential project, and is in agreeance of the changes to the triplex elevations, and the amenity area (east end as portrayed), and the modification to the single family lots (new phases called out as Phase 2 & 3 in the attached exhibits). But, staff is not in favor of the additions row of triplexes shown between Bella Vista Drive and Florence Drive.

Recommendation

Staff recommends that the Planning Commission recommend approval of Z-21-14, for the zone change/amendment request of the currently zoned Planned Unit Development - Residential (PUD-R), for the changes to the building elevation finishes of the triplex units; for the changes to the amenity area at the east end of the development; for the modification to the detached single family lots on the southeast end of the development, onto to the City Council, based on the following findings and subject to the following conditions: (Note: this would be not in favor of the proposed third row of the triplex townhomes between Bella Vista Drive and Florence Drive.)

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.
3. The only changes as it pertains to the previously approved Z-18-04 and this amendment, are one, the name change to Desert Flower; and two, the elevation finishes to the exterior of the single family detached units west of Bella Vista Drive

Conditions

1. The project shall conform to the standards of the PUD Zone.
2. A traffic study shall be submitted for review and approval prior to submitting building permit applications.
3. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to site development. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department. Note: all

drainage will be directed to 100 East Street.

4. The elevations of the buildings shall be as portrayed in this submittal.
5. Details for dumpster screening methods shall be submitted for review and approval with the building permit applications (when designed to use such trash removal method).
6. Detailed landscape and irrigation plans shall be submitted for review and approval prior to building permit applications and shall conform to the approved conceptual plan. The developer shall install the landscaping and irrigation infrastructure prior to the occupancy of any unit.
7. Block walls (six feet in height min./max.) will be required along all boundaries of the development that borders all other adjacent developments. Details for the required perimeter block walls shall be submitted for review and approval with the site development plans.
8. All structure and site improvements shall meet the requirements of City-adopted building and fire codes.
9. Public vs. private streets with associated cross sections, will need to be submitted to the public works department for review and approval.
10. 1100 East as shown will need to be constructed as part of this development.
11. A right turn lane will be required on Telegraph Street as part of the first phase of this development.
12. A Post Construction Maintenance Agreement needs to be recorded prior to any plat recordations.
13. No vinyl siding will be allowed throughout the project, if horizontal siding is used, it must be a "Hardie Siding" (or equivalent).
14. The units abutting the Horizons West development are only allowed to be single story units.
15. No overnight rental will be allowed anywhere within this development
16. All units must have a two-car garage with driveway width and depths allowing for

two cars in the driveway area.

17. No more than 30 dwelling units will be allowed east of Bella Vista Drive, until the extension of Bonnie Lane & 1100 East (northward) to the south side of Telegraph Street is constructed.

Commissioner Scheel asked if staff doesn't recommend this why are they considering it.

Mr. Ellerman answered that the applicant does have the right to ask for the third row of units.

Brandon Wright said that the lots on the slope in phase 3 and 4 are going to need to be GEO tested.

Commissioner Muusso asked about the soil type.

Mr. Wright answered it is clay. The GEO report is for Phase 1.

Mr. Ellerman said that the soil report would come in at a preliminary plat.

Commissioner Musso asked what the request was for.

Mr. Ellerman answered it is for additional units and the amenity area and the elevation.

Commissioner Musso asked if there was a required turn around at the upper level.

Mr. Ellerman answered it would be a cul de sac.

Commissioner Hansen opened the public hearing.

Jan Keefe said she lives in Bella Vista. She said that the vacation rental is what the developer wanted and the city council denied it. This was to be an affordable house with the amenities for the children. At Desert Flower there is parking on the street and they were told that wouldn't happen. She is opposed to going up the hill with phase 4. They need to stick to their original agreement with the amenity.

Linda Greenwood said that she is concerned with the increase of units and homes.

Mr. Ellerman explained it went from 49 to 72. That is 23 more. He said that he would let the applicant explain the increase.

Ron Romney said that the density and traffic is concerning currently and in the future. He said that the traffic flow is a concern with the various road sizes. The traffic flow will go to Bella Vista onto Telegraph. He feels the original plan needs to be the one followed.

Kent Heideman said that it is interesting why people build and then complain about what people come in and want to build. He feels that is stupid for people to come in and complain after their homes are built.

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

Commissioner Hansen asked Mr. Ellerman if this had been approved before and this is different.

Mr. Ellerman answered yes. The change is the amenity area with a pool. They are requesting this change because the vacation rental was denied but they have an amenity area that is for children. Also Desert Flower will have an amenity area not as large as this one. He explained that the change of the configuration of the units along Bonnie Lane is because of the power line that is why the driveways are so long.

Commissioner Musso asked James Jessop what the size of the lots was.

Mr. Jessop answered about 50 feet wide and 70 feet deep.

Commissioner Musso said that the lots seem small with hardly any backyards.

Mr. Jessop said that there is a lot of construction going on. He explained that due to soil issues, the amenity area with Desert Flower will increase a little.

Commissioner Anderson asked about the new phase 3 and the slope.

Mr. Jessop answered that the slope will require fill. He said they didn't downsize the amenity they just didn't want to put in a pool. They feel this is a better neighborhood park.

Commissioner Anderson asked about the slope of the hill above the road in the proposed phase 4.

Mr. Jessop answered that this is a lava flow hillside comparable to the Entrada.

Commissioner Anderson suggested that Sunbrook in St George AGCE made them change their plans from over excavation to piers due to the expansive soils. The triplex may require piers. He asked if they had considered the impact on the project if they had to do piers instead of over-excavation.

Mr. Jessop said that they have done piers on some multi-family projects such as Pelican Hills in St George.

Commissioner Musso said his concern is that this doesn't appear affordable.

Mr. Jessop said that he feels these are affordable compared to what the market is now.

Commissioner Musso asked if the dirt across the fill is for this project and is it clean dirt.

Mr. Jessop answered it is clear dirt and they will use it.

Commissioner Anderson said that with phase 3 and 4 and the increase in units he feels that if they deny them it would cause the project to be less affordable as it would increase the cost of land per unit. He feels that phase 3 and 4 needs the missing soil report noted by staff.

Mr. Jessop said they have the report to give to Brandon.

Commissioner Anderson asked Brandon Wright if his concern with not having the report was due to lack of recommendations or another reason. He asked if the engineer recommended either piers or 17 feet of over-excavation if that would satisfy Brandon's concern noted in the staff report.

Mr. Wright said he isn't concerned about their ability to follow the soil engineering recommendation because they are a good excavation company. He knows it can be taken care of. He was just noting that he has not reviewed the soil engineering report yet.

Mr. Jessop said that the reports on the lower area is from AGECE and the report on the proposed phases 3 and 4 is from Landmark.

Commissioner Hansen asked what the reason was to change the architectural style.

Mr. Jessop answered that they partnered with a company that has this modern look and felt it would sell better.

Commissioner Musso asked Mr. Ellerman what his concern was with the units up the hill.

Mr. Ellerman answered that he was concerned with losing the look of the knoff from Telegraph street as it would be covered up by the townhomes.

Commissioner Hansen said that he likes the project and usually sides with staff's recommendation.

Commissioner Musso asked if 418 to 434 can be eliminated from the approval.

Mr. Ellerman said that this is just for zoning. This is a PUD that shows everything. They will come back with a preliminary plat.

Attorney Thad Seegmiller said that the commissioners can approve all or a portion of the request.

Commissioner Anderson asked if they approved the zoning could they still have the same amount of units. This is a request for the amenity, elevations and increased density, and they could come back with a different layout as long as it conforms with the approved amount of units based on density.

Attorney Seegmiller answered that is correct.

Commissioner Anderson asked what the density is in the surrounding area for comparison's sake. If this was straight zoning what would it be comparable to.

Mr. Ellerman said they are not comparable but the surrounding subdivisions have a variety of density, but much lower density than the apartments to the East.

Commissioner Musso motion to recommend approval to the City Council to amend the PUD-R with the elevation, amenity and layout changes except to not allow construction in the area represented by units 418 to 434.

Commissioner Scheel seconded the motion.

Commissioner Anderson Nay He said that we shouldn't just arbitrarily deny 17 units from the proposal because staff had unresolved concerns with where those units are located. He felt that the applicant can resolve these concerns or come up with an alternative solution to those concerns.

Commissioner Musso Aye
Commissioner Scheel Aye
Commissioner Hansen Aye
Motion passed 3-1.

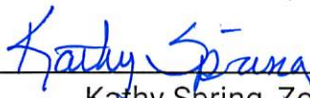
Commissioner Musso motioned to adjourn the Planning Commission Meeting.
Commissioner Scheel seconded the motion.
Motion passed unanimously.
Meeting adjourned: 8:45 PM

Washington City
Signed By: _____



Jason Hansen, Planning Commission Chairman

Attested to: _____



Kathy Spring, Zoning Technician