
Public Notice of Electronic Meeting
Washington City Planning Commission
Regular Meeting
June 16, 2021 Minutes

Present: Commissioner Hansen, Commissioner Musso, Commissioner Scheel, Commissioner Anderson, Commissioner Bulloch, Attorney Thad Seegmiller, Councilmember Staheli, Drew Ellerman, Eldon Gibb, Brandon Wright, Kathy Spring, Mark Fonger, Craig Chagnon, Douglas Good, Dick Saunders, Laurie Saunders, Marc Raines, Dwain Schallenberger, Bill Baun, Don Bean.

Meeting called to order: 5:30 PM
Invocation: Commissioner Hansen
Pledge of Allegiance: Commissioner Bulloch

1. APPROVAL OF AGENDA

a. Approval of the agenda for June 16, 2021.
Commissioner Scheel motioned to approve the agenda for June 16, 2021.
Commissioner Musso seconded the motion.
Motion passed unanimously.

2. APPROVAL OF MINUTES

a. Approval of the minutes from June 2, 2021.
Commissioner Anderson motioned to approve the minutes from June 2, 2021.
Commissioner Scheel seconded the motion.
Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. MINOR SUBDIVISION

a. Consideration to approve a conceptual Plan for the Good Minor Subdivision located at 400 South 100 East. Applicant: Douglas Good

Background

Drew Ellerman reviewed the report: The applicant is requesting approval for the conceptual Good Minor Subdivision plan, located at approximately 400 South 100 East.. The applicant is wishing to split the present 0.47 acre parcel into two lots. Parcel 1 (W-180-C) of the subdivision will be 14,097 sq. ft. (0.32 ac.), Parcel 2 (W-180-G) of the subdivision will be 6,450 sq. ft. (0.15 ac.). Both proposed lots meet the minimum 6,000 Sq. Ft. required for the zoning at this location.

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

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

Recommendation

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

Findings

1. The minor subdivision conforms to the land use designation as outlined in the General Plan.
2. That the minor subdivision conforms to the Washington City Subdivision Ordinance as outlined.

Conditions

1. All improvements shall be completed or bonded 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.

Brandon Wright said that there is a deferral agreement for both lots. The agreement is so the improvements along the street can be deferred to a later date and the city can call it up.

Attorney Seegmiller said that the agreement doesn't have a specific date.

Commissioner Musso said that there are homes on the lots so when does the agreement come due.

Mr. Wright explained that the agreement is recorded against the property. The bond is 110 percent so they can defer to a later date.

Attorney Seegmiller explained that in the old part of downtown the deferral has been in effect for years.

Commissioner Scheel asked if the access goes through the other lot and if it will cross the ditch.

Douglas Good explained that he is the last one on the road to use the ditch so there is a right-of-way that is covered.

Commissioner Anderson asked if the agreement comes due when the city is ready to improve the road.

Attorney Seegmiller said that 400 South isn't improved so at some point the deferral will come due then the property owner will have to participate.

Commissioner Bulloch motioned to approve the conceptual plan with the findings 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 Oak Grove Meadows Preliminary Plat located at approximately 2800 South 240 West. Applicant: Amira Development

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 the report: The applicant is requesting approval of a Preliminary plat for Oak Grove Meadows Subdivision located at 240 West and 2800 South. The applicant is proposing 24 homesites on an area coverage of 18.01 acres. The zoning

designation at this particular location is R-1-15. The surrounding zoning is R-1-10 to the north, County property and R-1-15 to the east, R-1-10 to the west and south.

The proposed subdivision conforms to the approved zoning. The request meets the subdivision requirements. Staff does have concern with the proposed LID and public works can not recommend approval due to the lot specific retention being in conflict with city ordinance; however, the City Council may approve this type of LID if they see fit.

Recommendation

Washington City does not allow LID on individual lots unless approved by the City Council and staff can not recommend that the Planning Commission recommend approval of the Preliminary plat for the Oak Grove Meadows 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. The proposed on site LID does not meet city ordinances and must be approved by the City Council.

Brandon Wright explained that condition #13 doesn't meet city ordinance which puts the annual inspection on the individual homeowner and it should be with the HOA. The LID needs to be approved by the City Council. He isn't saying that he doesn't want the subdivision to not be approved, it is just the City Council has to approve the LID.

Commissioner Musso asked what the issue was and why the property has to have a LID.

Brandon Wright explained that the LID refers to stormwater drainage.

Mark Fonger explained that this is the same design as the subdivision across the street. He said that this design would spread out the amount of standing water due to the high water table. They would be designed as landscaped swales in the backyard of each lot.

Commissioner Musso said that Brandon stated that there is a yearly inspection.

Brandon Wright explained that the stormwater maintenance agreement requires a private inspector to complete the inspection once per year..

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 Anderson said that the dilemma was access to the back yards. If the LID remains on private property at the back of each lot, the burden would be on each owner to complete individual LID inspections annually. If the HOA were to conduct the LID inspections they would still have to get access to private property for the inspections.

Mr. Wright said that they are not recommending denial, it is just the city council has to approve the individual LID on property.

Commissioner Anderson said the problem is property owners don't always know about the yearly inspection and people want the city to fix standing water. He asked if it could be called out as open space.

Mr. Wright said that he has discussed denial, it is just the city council has to approve the individual LID property.

Commissioner Anderson said the problem is property owners don't always know or remember about the yearly inspection and people want the city to fix the standing water. They may not realize that their lot is designed for standing water.

Mr. Wright said that he has discussed with staff about putting a note on the plat.

Commissioner Anderson recommended that in addition to a note on the plat designating the area as LID drainage, that the property at the LID area be divided off of each property and designated as open space owned by the HOA. Then the HOA would be responsible for performing one LID inspection annually.

Dwain Schallenberger said that they would be willing to do that and that would probably work. With a high water table it could create a pond so that is why they thought it would work to put it on the properties.

Commissioner Anderson said that he feels this is good with the city council addressing the LID on each property.

Attorney Seegmiller said that the motion could be that of referring the LID to the city council.

Commissioner Musso said that a pool would be a problem with the high groundwater.

Mr. Schallenberger said they would have to bring in fill.

Mr. Fonger said that if they bring in fill they would have to bring in a drainage plan.

Commissioner Hansen asked if there is a maximum fill.

Commissioner Anderson said that they shouldn't encourage individual lot drainage plan..

Mr. Schallenberger said they would have to consider it at the beginning of the build.

Commissioner Hansen said that it seems awkward to recommend approval before the city council has approved something.

Mr. Ellerman explained that Attorney Seegmiller's suggestion is good with the additional condition in the motion.

Mr. Fonger said that he appreciates the Planning Commission when they make recommendations to the city council for the layout.

Commissioner Anderson motioned to recommend approval to the city council with the findings and conditions of staff with an additional condition that the city council addresses the access to the LID area behind each lot by designating the LID property as open space owned by the HOA.

Commissioner Musso seconded the motion.

Motion passed unanimously.

- b. Public Hearing for consideration and recommendation to City Council for the Standing Rock East at Long Valley located at approximately 4200 East 1400 South. Applicant: Don Bean

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

Background

Eldon Gibb reviewed the report: The applicant is requesting approval of a Preliminary plat for Standing Rock East at Long Valley located at Long Valley Rd and SR-7. The

applicant is proposing 191 homesites on an area coverage of 78.70 acres. The zoning designation at this particular location is Planned Community Development (PCD). The surrounding zoning is Planned Unit Development to North and East and Planned Community Development to the 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 Standing Rock East at Long 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 where this fit in with other projects they have approved.

Mr. Gibb explained where it is located. Mr. Ellerman showed on google map where the location is.

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 Musso asked how the Washington Dam Road was coming.

Don Bean answered that city staff might have more information.

Attorney Seegmiller said there were some unexpected condemnations but as soon as the right away is figured out the road will move forward. There are also some trail issues.

Commissioner Hansen asked what is the built-out time frame for the project?

Mr. Bean said about 8 to 10 years to completion.

Commissioner Hansen asked what happens if there is a down turn on housing and what happens to this being built out.

Mr. Bean said that DR Horton has financial backing that would allow them to continue to build.

Commissioner Anderson said that previously there was a statement that the Washington Dam Road was close to being built.

Marc Raines said that there were some issues that the property owners didn't sign off.

Attorney Seegmiller said that in the last 21 days the property owners to the north wouldn't sign off on the trail. The conflict was that the city had planned for a trail. He explained that Public Works was to talk to property owners. He explained that from Country Way to the Long Valley Road was to have a trail but the property owners along the road didn't want to have the trail along their property. So it won't be part of the trail expansion at this time. He explained that there is a ridge line that doesn't make the trail easy to move to another area.

Commissioner Anderson asked what the plans for the trail easement are if the trail doesn't get built?

Attorney Seegmiller said that the canal easement is also there. The grade is still the same, just not the trail.

Commissioner Anderson said that traffic on Washington Dam Road is bad now and adding additional projects puts a danger to those traveling on Washington Dam Road.

Mr. Raines said that Public Works has to sign off on a plat to record before they can submit building permits. There are insurances to eliminate the concerns.

Commissioner Anderson said the project is good, just needs to have the Washington Dam Road built.

Attorney Seegmiller said that the developer has the burden because they can't have a building permit until roads are improved or built.

Commissioner Scheel said that he feels that they know they need to do the road.

Mr. Raines said that they know they can't build homes until the road is built.

Mr. Bean said he would ask that they approve this so they can get things ready.

Commissioner Hansen said he likes the project.

Mr. Bean said he is now a property owner in Washington City.

Commissioner Bulloch motioned to recommend approval with the findings and conditions of staff.

Commissioner Scheel seconded the motion.

Commissioner Anderson voted aye but noted the Washington Dam Road needs to be built before any building permits are issued.

Motion passed unanimously.

6. CONDITIONAL USE PERMIT

- a. Public Hearing to consider approval of a Conditional Use Permit C-21-04 for an additional Dish wireless antennas, equipment cabinet and ice bridge located at approximately Coral Canyon SR-9. Applicant: Dish Wireless LLC, Craig Chagnon

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 the report: The applicant is requesting approval of a Conditional Use Permit to modify the existing cell tower located at the east end of Corral Canyon as seen from the south side of SR-9 and approximately 2200 North. The applicant is proposing the addition of (1) a underground fiber line from an existing manhole off of Doral Court to the cell tower, (2) extend power from the existing transformer to the proposed new dish platform, (3) adding a 5 foot by 7 foot metal platform to house new equipment, (4) construct an Ice bridge between the proposed equipment and existing cell tower and (5) installation of an antenna system approximately 10 feet lower than the already existing antennas. The existing antennas are installed at approximately 100 feet and the new antennas will be installed at approximately 90 feet.

The existing cell tower and equipment is enclosed by a 50 foot by 70 foot chain link fence. This area is not being expanded. The proposed new equipment and platform will be inside of the existing fenced off area.

The zoning designation at this particular location is Planned Community Development. The surrounding zoning is Planned Community Development to the north, east, south and west.

Recommendation

Staff recommends that the Planning Commission approve C-21-04, allowing modifications be made to the existing cell tower (as shown in the exhibits), with the findings and conditions as outlined below

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.
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 improvement in the vicinity
3. The proposed use will comply with the regulations and conditions specified in this title and associating state and federal titles, for such use.
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 and the associated building permits and construction plans will be obtained through the Building Department before any construction work.

Commissioner Hansen opened the public hearing.

Eldon Gibb read the comment submitted.

Commissioner Scheel motioned to close the public hearing.

Commissioner Musso seconded the motion.

Motion passed unanimously.

Commissioner Hansen asked the reason for the addition.

Craig Chagnon said it is about the demand and the market. He said that it is due to the growth in the area.

Commissioner Hansen asked if growth continues will there need to be an additional tower.

Mr. Chagnon said it depends on the growth. This tower has additional capacity.

Commissioner Hansen asked how many more antennas could be added to this tower.

Mr. Chagnon answered that the tower has to be structurally sound and this tower could support more antennas. This was an AT&T tower and this could have two more antennas.

Commissioner Scheel asked if the current antennas allow 5G.

Mr. Chagnon answered yes. He said that he thinks there is going to be a need for 5G.

Commissioner Hansen said he didn't think there was opposition to 5G.

Mr. Chagnon said he knows there is opposition to 5G. There are people that don't want to live near them. There is information regarding 5G and he encourages people to educate themselves.

Commissioner Scheel motioned to approve the conditional use permit.

Commissioner Bulloch seconded the motion.

Motion passed unanimously.

Commissioner Hansen asked Attorney Seegmiller if he is aware of the opposition to 5G.

Attorney Seegmiller explained that there are people that oppose 5G but there are some things that the city can't prohibit.

Commissioner Anderson said that his brother designs towers and works with 5G proximity and intensity. He asked Attorney Seegmiller if in the report in the finding #2 It says this is safe not a detriment to health and safety but some people have concerns about 5G.

Attorney Seegmiller explained that there have always been people with concerns with 5G and cell towers in general. He said that he doesn't think there is enough information for item #2 regarding the health question.

Commissioner Anderson suggested that we exclude finding #2 as the City does not have the expertise as to the health and safety of the use of the tower, and note that the tower is approved under the guidelines and approval of the FCC.

Commissioner Scheel modified the motion to approve the conditional use permit to exclude finding #2 due to lack of experience and information, rather health is an issue. Commissioner Anderson seconded the amended motion. Motion passed unanimously.

7. CITY CODE AMENDMENT

- a. Public Hearing for consideration and recommendation to the City Council a City Code Amendment to amend Title 9 Chapter 6 standardized street addressing to include multi family projects letters and numbers on buildings. Applicant: Washington City, Drew Ellerman

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

Washington City is wishing to amend the City Code, by amending Title 6 - "Public Ways and Property", Chapter 7 - "Standardized Street Addressing", Section 6 - "Multi Family Residential". The following is being proposed:

6-7-6 MULTIPLE FAMILY RESIDENTIAL: Building Identification sequence will start on

the right side of the "main" approved addressed entrance and flow in a counterclockwise spiral direction consecutively numbering each building from outward to the inward. Individual unit identification numbers will begin with the first and most outward building on the right side of the main approved entrance and flow in a counterclockwise spiral direction consecutively numbering each unit.

A. When multiple buildings exist on one property, the following standards will be upheld:

1. Letters are to be used on the buildings on the furthest pop out to maximize visibility.

2. Letters on the building should be legible and placed in the front of the building

facing

the parking lot/roadway. If there is more than one entrance into the building(s) letters need to be placed on all entrances that are from the parking lot.

the
3. When a complex has multiple units, letters should be consistently placed on the buildings in the same location.

4. Letters should be in contrast with the background of the building color.

twenty-one
5. Size of letters shall be fifteen inches (15") high for single story buildings, inches (21") high for two story buildings, and twenty-seven inches (27") high for three story and higher buildings. Letters should be placed near the top of the building to avoid obstruction and maximize visibility. Trees shall not be permitted to be planted below the attached letters or in a way that could potentially obstruct the letters when fully mature.

6. Letters shall be lighted for night-time visibility.

7. Numbers are to be used on the units (internally) and should be Arabic or alphabetical letters.

Recommendation

Staff recommends that the Planning Commission recommend approval for the proposed amendment to the Zoning Regulations, specifically Title 6 - "Public Ways and Property", Chapter 7 - "Standardized Street Addressing", amending Section 6 - "Multiple Family Residential", onto the City Council.

Commissioner Hansen asked what happens to projects that are already built.

Mr. Ellerman answered that the projects have been good to do this already.

Commissioner Anderson asked on a single building where it is.

Mr. Ellerman answered that this is for multi-family units with more than one story. This was determined by the Fire Department and Building Department.

Commissioner Anderson asked if the number was high on the building and the individual unit letters were in the standard location..

Mr. Ellerman answered yes and on all buildings within the project.

Commissioner Musso said that Freedom Village has its own address.

Mr. Ellerman said that this is for a project that comes off one street in a shared parking lot.

Commissioner Hansen opened the public hearing.

No response.

Commissioner Musso motioned to close the public hearing.

Commissioner Bulloch seconded the motion.

Motion passed unanimously.

Attorney Seegmiller said it is interesting how times have changed and this is now necessary.

Commissioner Anderson said this is what is done in St George without the lighting. The lights are expensive to maintain and usually done by the HOA.

Attorney Seegmiller asked for clarification of the lighting, if the letters are lighted or the lighting on the building illuminated.

Mr. Ellerman said that the letter or number on the building is lit so that emergency services can find the building where the units are located. Public safety would not put an expense on the cost of lighting to save a life.

Commissioner Anderson motioned to recommend approval to amend the city code with the item #6 that the numbers and letters are to be illuminated for nighttime visibility.

Commissioner Musso seconded the motion.

Motion passed unanimously.

Commissioner Anderson motioned to adjourn the Planning Commission Meeting.

Commissioner Scheel seconded the motion.

Motion passed unanimously.

Meeting adjourned: 7:15 PM

Washington City

Signed By: _____


Jason Hansen, Planning Commission Chairman

Attested to: _____


Kathy Spring, Zoning Technician

PLANNING COMMISSION MEETING

June 16, 2021

Please Print Your Name!

Address

[illegible]

1, 67
84788

Conditional Use Permit C-21-04 Dish Wireless LLC

1 message

Sharon Haddix <alaskahaddix@gmail.com>

Mon, Jun 7, 2021 at 4:11 PM

To: kspring@washingtoncity.org

June 7, 2021

To: Washington city

Re: Conditional Use Permit C-21-04

Hello,

I am a property owner in Coral Canyon on Fourteenth Fairway Drive. My question and concern is does this additional Dish wireless antenna have anything to do with 5G? I do not want any 5G network towers located within 10 miles of my property.

Thank you,

Sharon Ruppel (maiden name Haddix)

W-FFCC-1-8-CC

AlaskaHaddix@gmail.com