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Public Notice  
Washington City Planning Commission  
Regular Meeting

November 3, 2021 Minutes

Present: Commissioner Hansen, Commissioner Musso, Commissioner Scheel, Commissioner Anderson, Commissioner Bulloch, Commissioner Tupou, Attorney Thad Seegmiller, Councilmember Staheli, Drew Ellerman, Eldon Gibb, Kathy Spring, Dick Saunders, Laurie Saunders, Bradon Saunders, Ken Menlove, Collin Dalley, Dave Nasal, Stephen Simister, Ryan Lay, Kory Klotz, Todd Curtis, Diane Curtis, Benjamin Gonzales, Reyna Gonzales, Marilyn MacLellan, Jack MacLellan, Todd Alford.

Meeting Called to Order: 5:30 PM

Invocation: Commissioner Scheel

Pledge of Allegiance: Commissioner Hansen

**1. APPROVAL OF AGENDA**

a. Approval of the agenda for November 3, 2021.

Commissioner Scheel motion to approve the agenda for November 3, 2021.

Commissioner Anderson seconded the motion.

Motion passed unanimously.

**2. APPROVAL OF MINUTES**

a. Approval of the minutes from October 20, 2021.

Commissioner Bulloch motioned to approve the minutes from October 20, 2021

Commissioner Scheel seconded the motion.

Commissioner Hansen abstained; he was not present for the meeting.

Motion passed unanimously.

**3. DECLARATION OF ABSTENTIONS & CONFLICTS**

Commissioner Scheel disclosed that he lives near 5A.

**4. FINAL PLAT**

- a. Consideration and recommendation to City Council for the Mustang Valley Phase 2 Final Plat located at approximately Goldline Drive and Mustang Valley Drive. Applicant: Goldline Homes LLC.

**Background**

Eldon Gibb reviewed the report: The applicant is requesting approval of a final plat for the Mustang Valley, Phase-2 subdivision, located at Goldline Drive and Mustang Valley Drive. This particular subdivision is proposing 30 units on an area covering 3.024 acres. The specific location of this subdivision is zoned Planned Unit Development - Residential

Staff has reviewed the requested proposal and the proposed final plat conforms to the approved preliminary plat which was approved back on July 08, 2020.

**Recommendation**

Staff recommends that the Planning Commission recommend approval of the Final plat for the Mustang Valley, Phase 2 subdivision to the City Council, based on the following findings and subject to the following conditions:

**Findings**

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

**Conditions**

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. When applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners" are used, they shall be changed to read as "Property Owners and/or Home Owners Association".

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

Commissioner Tupou asked if there will be off-street parking.

Mr. Gibb answered that there is guest parking. There will be no parking on the south end of the street.

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

**Commissioner Scheel seconded the motion.**

**Motion passed unanimously.**

- b. Consideration and recommendation to City Council for Heritage Place Phase 1 Final Plat located approximately Northeast of Heritage Fields Drive and 2000 South. Applicant: Nisson Field LLC.

### **Background**

Eldon Gibb reviewed the report: The applicant is requesting approval of a final plat for the Heritage Place, Phase-1 subdivision, located at approximately Heritage Fields Drive and 2000 south. This particular subdivision is proposing 13 lots on an area covering 3.95 acres. The specific location of this subdivision is zoned Planned Unit Development-Residential

Staff has reviewed the requested proposal and the proposed final plat conforms to the approved preliminary plat which was approved back on August 11, 2021.

### **Recommendation**

Staff recommends that the Planning Commission recommend approval of the Final plat for the Heritage Place, Phase-1 subdivision to the City Council, based on the following findings and subject to the following conditions:

### **Findings**

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

**Conditions**

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. When applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners" are used, they shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

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

**Commissioner Anderson seconded the motion.**

**Motion passed unanimously.**

- c. Consideration and recommendation to City Council for the Heritage Place Phase 2 Final Plat located approximately Northeast of Heritage Fields Drive and 2000 South. Applicant: Nisson Field LLC.

**Background**

Eldon Gibb reviewed the report: The applicant is requesting approval of a final plat for the Heritage Place, Phase-2 subdivision, located at approximately Heritage Fields Drive and 2000 south. This particular subdivision is proposing 22 lots on an area covering 6.31 acres. The specific location of this subdivision is zoned Planned Unit Development-Residential

Staff has reviewed the requested proposal and the proposed final plat conforms to the approved preliminary plat which was approved back on August 11, 2021.

**Recommendation**

Staff recommends that the Planning Commission recommend approval of the Final plat for the Heritage Place, Phase-2 subdivision to the City Council, based on the following

findings and subject to the following conditions:

### **Findings**

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

### **Conditions**

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. When applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners" are used, they shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

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

**Commissioner Tupou seconded the motion.**

**Motion passed unanimously.**

- d. Consideration and recommendation to City Council for Sunrise Valley Industrial Phase 1 Final Plat located approximately West of Landfill Road. Applicant: Middon LLC, Plumb Holdings SG LLC.

### **Background**

Eldon Gibb reviewed the report: The applicant is requesting approval of a final plat for

the Sunrise Valley Industrial Park, Phase-1 subdivision, located at approximately Landfill road and Country Way. This particular subdivision is proposing 32 lots on an area covering 35.79 acres. The specific location of this subdivision is zoned heavy industrial (I-2).

Staff has reviewed the requested proposal and the proposed final plat conforms to the approved preliminary plat which was approved back on October 27, 2021.

### **Recommendation**

Staff recommends that the Planning Commission recommend approval of the Final plat for the Sunrise Valley Industrial Park, Phase-1 subdivision to the City Council, based on the following findings and subject to the following conditions:

### **Findings**

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

### **Conditions**

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. When applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners" are used, they shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

Commissioner Scheel asked if there is fencing required around this.

Mr. Gibb answered that there is fencing but not block walls.

Mr. Ellerman explained that the fence is along the hillside and the Hillside Committee required it.

Commissioner Bulloch asked about the overlay.

Mr. Ellerman answered that there is no build on the other side of the fence line.

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

**Commissioner Scheel seconded the motion.**

**Motion passed unanimously.**

- e. Consideration and recommendation to City Council for the Commerce Hospitality Center Final Plat located at approximately 954 North Commerce Blvd. Applicant: Dean T Terry Investments LC.

### **Background**

Eldon Gibb reviewed the report: The applicant is requesting approval of a final plat for the Commerce Hospitality Center subdivision, located at approximately 954 North Commerce Blvd. This particular subdivision is proposing 9 Lots on an area covering 12.92 acres. The specific location of this subdivision is zoned C-2.

Staff has reviewed the requested proposal and the proposed final plat conforms to the approved preliminary plat which was approved back on September 22, 2021.

### **Recommendation**

Staff recommends that the Planning Commission recommend approval of the Final plat for the Commerce Hospitality Center subdivision to the City Council, based on the following findings and subject to the following conditions:

### **Findings**

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.

3. The proposed final plat conforms to the approved preliminary plat.

**Conditions**

1. All improvements shall be completed or bonded for prior to recording the final plat.

2. A current title report policy shall be submitted prior to recording the final plat.

3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.

4. When applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners" are used, they shall be changed to read as "Property Owners and/or Home Owners Association".

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

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

**Commissioner Bulloch seconded the motion.**

**Motion passed unanimously.**

- f. Consideration and recommendation to City Council for the Oak Grove Final Plat located at approximately 2200 South 240 West. Applicant: Capital 5 LLC

**Background**

Eldon Gibb reviewed the report: The applicant is requesting approval of a final plat for the Oak Grove subdivision, located at approximately 2700 south 240 west. This particular subdivision is proposing 8 lots on an area covering 7.29 acres. The specific location of this subdivision is zoned Single Family Residential - 15,000 sq. ft. Min (R-1-15).

Staff has reviewed the requested proposal and the proposed final plat conforms to the approved preliminary plat which was approved back on November 12, 2020.

## **Recommendation**

Staff recommends that the Planning Commission recommend approval of the Final plat for the Oak Grove subdivision to the City Council, based on the following findings and subject to the following conditions:

## **Findings**

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

## **Conditions**

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. When applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners" are used, they shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

Commissioner Scheel asked if there were any notes regarding secondary water.

Mr. Ellerman explained that it is on another project to the west of this one.

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

**Commissioner Tupou seconded the motion.**

**Motion passed unanimously.**

## **5. PRELIMINARY PLAT**

- a. Public Hearing for consideration and recommendation to City Council for the Queensridge Phase 2-5 Preliminary Plat located at approximately Washington Fields Road and 3500 South. Applicant: Stephen Simister.

### **Background**

Eldon Gibb reviewed the report: The applicant is requesting approval of a Preliminary plat for the Queensridge, Phases 2-5 subdivision, located at approximately Washington Fields Road and 3500 South. These particular phases are proposing 86 lots on an area covering 40.19 acres. The zoning designation at this location was recently re-zoned to include Single Family Residential -12,00 sq. ft minimum and Single Family Residential - 15,000 sq. ft. Minimum (R-1-12 and R-1-15). The surrounding zoning is R-1-15 and R-1-10 to the north and east, R-1-12 and RA-½ to the south and R-1-12 to the 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 Queensridge phases 2-5 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 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 drawing 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 Tupou asked where the secondary access was located.

Mr. Ellerman answered Camino Real.

Commissioner Scheel asked if it was fenced.

Mr. Ellerman answered not at this time that and the canal is piped.

Commissioner Anderson asked about lot 510 and 511 and if there is a retaining wall.

Stephen Simister answered that he doesn't have the design for the retaining wall.

Commissioner Anderson said that the engineer needs to do a different design to address the slope.

Commissioner Hansen asked about the time frame.

Mr. Simister said they will start the first two streets right away. He said that he thinks there will be 4 phases.

Commissioner Bulloch asked if the developer is going to move the Washington Fields Road to Lost Ridge.

Mr. Simister answered they will do the first 4 lots then finish it at Lost Ridge.

Commissioner Bulloch asked why they don't just build out Washington Fields Road so there isn't a partially constructed road.

Mr. Simister answered that he is agreeable.

Commissioner Hansen said he agrees with the road being built out.

Commissioner Anderson said that there is a detention basin by lot 501. He asked that it should be cleaned and maintained.

Mr. Simister answered that they plan to do the same in their CC&Rs that the HOA has to maintain.

Commissioner Anderson asked where the storm drain dead ends.

Mr. Ellerman said that it isn't part of the project.

Commissioner Hansen opened the public hearing.

No response.

Commissioner Scheel

Commissioner Tupou seconded the motion.

Motion passed unanimously.

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

Commissioner Hansen said he is in favor of the Washington Fields Road being built out in phase 1.

**Commissioner Anderson motioned to recommend approval to the City Council with the findings and conditions of staff with addition #13 that the rockery design be 20-feet and condition #14 that all of Washington Field Road is completed in phase 1.**

**Commissioner Bulloch seconded the motion.**

**Motion passed unanimously.**

## **6. CONDITIONAL USE PERMIT**

- a. Public Hearing for a Conditional Use Permit C-21-12 for a Commercial Site Plan approval located at approximately 225 East Buena Vista Blvd. Applicant: Ken Menlove.

### **Background**

Drew Ellerman reviewed the report: The applicant is requesting approval of a Conditional Use Permit, to allow for a storage unit facility/business. The new storage unit facility will be located at approximately 225 East Buena Vista Blvd.. The zoning for this particular site is C-2, storage unit facilities in the commercial zones require a conditional use permit approval.

The proposed building is showing indoor (controlled conditions) storage units and outdoor (uncontrolled conditions) storage units. The overall majority will be indoor controlled units.

There will be approximately 880 units in a variety of sizes ranging from 5' X 5' on the small end, up to 10' X 30' at the large end, with several sizes in between.

The proposed new (indoor / outdoor) storage structure(s) will need to be built in accordance with the adopted building and fire codes of the city.

Staff has reviewed the proposed project and finds that it meets the standards as outlined in the Zoning Ordinance.

**Recommendation**

Staff recommends that the Planning Commission approve C-21-12, the new proposed Bear River Storage business located at approximately 1230 South Sandhill Drive, based on the following findings and subject to the following conditions:

**Findings**

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

**Conditions**

1. Any site improvements shall meet the requirements of City and State adopted codes.
2. The development of the site shall comply with the development standards of the C-2 Zone.
3. A detailed landscaping plan will be submitted for review and approval prior to any landscaping being installed throughout the project.
4. All lighting within the project development will be directed inward to the site.
5. All signage will be in accordance with the adopted sign regulations of the city.
6. A post construction maintenance agreement needs to be recorded prior to the building permit issuance.
7. If the Billboard located on the property is to be moved, it will be governed by the request and approval (with associated exhibits) of the Planning Commission on August 18, 2021.

8. The development will be in accordance with the exhibits (as shown) and made part of this Conditional Use Permit application, and approval.

9. We will need verification on the required privacy wall running parallel with Gail Way. One detail sheet shows back of curb location and another detail sheet shows 20 feet into the property. Staff needs it to be off the curb a minimum of ten feet.

Commissioner Scheel asked if there is outdoor storage.

Mr. Ellerman answered no.

Commissioner Hansen asked if there is an exit only on Gail Way.

John Hehnke said the entry is on Warm Spring Drive and right out Buena Vista Blvd.

Commissioner Topou asked where the block wall is located.

Mr. Ellerman answered that it is next to the landscape that turns to Buena Vista Blvd.

Ken Menlove said that the privacy wall is behind the 10 foot landscape stripe.

Commissioner Tupou said that the sign should be closer to Buena Vista and Warm Spring Drive.

Mr. Ellerman answered that it couldn't be.

Commissioner Anderson asked if the sign could go in the detention basin.

Mr. Ellerman said that the sign should not go in that corner. Where the sign is now is big and so moving should not make that much difference.

Commissioner Hansen said that the sign was discussed and that the sign should stay.

Mr. Ellerman explained that the conversation previously was with the sign company and this is with the developer. He said that it appears to be moving 100 feet and about 40 feet off of Gail Way.

Bradon Saunders said the sign is about 13 x 48.

Commissioner Hansen opened the public hearing.

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

Marilyn MacLellan said that Gail Way is a private road. The driveways are short and they would like to have an easement. She said that she doesn't like where the sign is being relocated.

Todd Alford lives at 149 E Gail Way. Asked the height of the block wall.

Mr. Ellerman answered 6 feet.

Mr. Alford asked about the leaves and who is going to maintain it and would like to have an easement for parking.

Mr. Ellerman explained that Gail Way isn't being used for this project.

Reyna Gonzalez said she lives at 217 E Gail Way. She said she is concerned with a commercial zone.

Mr. Ellerman said that it has been commercial for many years. This project is on Buena Vista so that is why they have to do a conditional use permit.

Ms. Gonzalez asked if her home is commercial.

Mr. Ellerman said that her home is residential.

Attorney Seegmiller explained that cities have general plans and zoning that meets the general plan. This use is permitted; it just falls within the requirement that anything along Buena Vista needs a conditional use permit for approval by the Planning Commission.

Mr. Alford said that it appears that they are moving the sign closer to the apartments.

Bradon Saunders said that the sign and the storage units are different issues.

Commissioner Scheel motioned to close the public hearing.

Commissioner Bulloch seconded the motion.

Motion passed unanimously.

Attorney Seegmiller said that Commissioner Musso has arrived but Commissioner Tupou will continue on this item since she has been present for the entire conversation.

Commissioner Hansen said that he doesn't want to move the sign. He would like to have the storage units built around the existing sign location.

Commissioner Tupou said that when they first looked at this the citizens were noticed and they wanted to let the citizens give input.

Commissioner Scheel said that he would like to see the sign remain.

Commissioner Anderson asked if there are setbacks for existing and if they move it.

Mr. Ellerman answered a minimum of 10 feet.

Commissioner Hansen said he doesn't have a problem with the project but doesn't want the sign moved.

Commissioner Anderson said that one of the reasons for the postponement was to allow the citizens to give input. Another concern was the amount of lighting. Also one of the things is this has been commercial and storage units are permitted. He asked Mr. Ellerman what other uses.

Mr. Ellerman answered that a retail or a gas station. Most uses in the C-2 zone, even a car dealership.

Commissioner Anderson said that based on Mr. ' answer is less intrusive. He said that he doesn't like the sign being moved and the privacy wall will block the sign and with this proposal the triangle is open so the sign will be more noticeable.

Mr. Ellerman said that trees under a billboard isn't a good idea.

Commission Anderson said he would like the trees to be around the sign.

Commissioner Musso said that he sees this as a major noise barrier.

Commissioner Scheel said that storage unit projects do a lot of studies and work to make sure the project works. He said that this will be successful.

Attorney Seegmiller said that the approval is for the storage units. There has been conversation about the billboard because it was on their site plan.

Commissioner Anderson said that there is still consideration of the sign.

Attorney Seegmiller said that the vote is for the conditional use permit for the storage unit with the plan as it appears tonight showing the moving of the sign.

Commissioner Hansen said he isn't in favor of the sign, not the project.

Mr. Ellerman said that they could table this so they can bring in another plan.

Commissioner Bulloch asked if the condition units are on top and if the elevations include that in the height.

Mr. Menlove said that the AC units will go inside if it is above 35 feet or what is allowed. The units are only 3 feet.

Mr. Ellerman explained that the units have to be screened.

Mr. Menlove said that they would use architectural metal that would match.

Mr. Ellerman said that they need to be aware that YESCO will need space to work on the sign.

Commissioner Anderson said he thinks this is a good use and is a good noise buffer. He thinks an 8 foot wall is better. He said that the benefit of moving the sign is that they would do better with lighting.

Attorney Seegmiller said that in moving the sign they have to comply with the current sign requirements. We wouldn't let them put a new sign there but this is a non-conforming sign. It is within this body for consideration.

Commissioner Musso said that he thinks what was just said is that they can't move the sign.

Commissioner Bulloch said that would mean they can't move it.

Commissioner Hansen asked if they approve this are they approving the sign.

Attorney Seegmiller said they are approving the storage unit and the sign could be challenged.

Commissioner Hansen said he wants them to come back showing the sign location to be where it is currently.

Mr. Ellerman read the motion from the non conforming sign: Approval for the nonconforming sign relocation on the condition that a future conditional use permit is approved.

Bradon Saunders said that they can move the sign up to a mile per State code. They were going to upgrade so the lighting would be better.

Attorney Seegmiller said that he recalls that the previous statement was that they would do what is best for the property owner and the city.

Mr. Saunders said that they have the right to move the sign.

Commissioner Hansen said he doesn't think that is correct.

Attorney Seegmiller said that there is State and City Code and they can move signs.

Commissioner Hansen said that he remembers Mr. Saunder said that they would work with what the city wants.

Mr. Saunders said that the developers wanted to move the sign. He said that it is easier to not move the sign but there is an avenue to move the sign.

Commissioner Hansen said that it affects the citizens that live there.

Mr. Menlove said that they didn't design around the sign. They would have to go to three stories to make up for leaving the sign where it is located.

Mr. Saunders said that the building looks good but the esthetic look good.

Attorney Seegmiller said that the commissioners wanted to see the plan before approving the project.

Commissioner Anderson said this is still the best use for the citizens and the sign is already there. It improves the area with the landscaping. There will be more light pollution with the current sign than an upgrade to moving the sign.

Mr. Ellerman showed a drawing of potential moving and the setbacks.

Commissioner Bulloch asked if there is a power transition line.

Mr. Ellerman answered it is on the other side of Buena Vista Blvd.

Commissioner Scheel said this is the best use for the property.

**Commissioner Anderson motioned to approve the conditional use permit for the storage unit along Buena Vista Blvd with the findings and conditions of staff with additional condition #10 that the privacy wall be 8 feet and extend to the triangle area beyond the sign. Condition #11 that the sign relocation is V shaped and closer to the street. Condition #12 that the landscape continues to the triangle area.**

**Commissioner Scheel seconded the motion.**

**Commissioner Anderson Aye**

**Commissioner Scheel Aye**

**Commissioner Bulloch Aye**

**Commissioner Tupou Nay**

**Commissioner Hansen Nay**

**Motion passed 3-2 vote.**

- b. Public Hearing for a Conditional Use Permit C-21-13 for an existing wireless facility located at the east end of 700 North 400 East along I-15. Applicant: Dish Wireless

**Background**

Drew Ellerman reviewed the report: The applicant is requesting approval of a Conditional Use Permit to update their currently approved cell tower site. The upgrade consists of adding some new ground control boxes (consisting of an equipment box, a GPS unit, and wiring bridge), and a new row of antennas arms consisting of three new panels with associated wire connection for each new antenna panel. The attached exhibits show the size and location of the new items wishing to be installed at the current site.

Staff, seeing no problems with proposal(s), is recommending approval of the amendment to the current Conditional Use Permit at this particular location. Adding 3 antenna panels, and control ground equipment on the ground at this site.

**Recommendation**

Staff recommends that the Planning Commission approve C-21-13, allowing for upgrades/ additions to a cell tower facility currently located at approximately 700 North 400 East, 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. Only those items as listed and as shown on the attached exhibits are allowed to be

added at the site. No other items will be allowed on the premises without additional approval from the city.

2. Building permits will be required for the work performed as part of this amended Conditional Use Permit.

Commissioner Hansen opened the public hearing.

No response.

Commissioner Bulloch motioned to close the public hearing.

Commissioner Anderson seconded the motion.

Motion passed unanimously.

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

Commissioner Anderson said he is concerned with the health part as part of condition #2.

**Commissioner Musso motioned to approve the conditional use permit for the addition to the existing cell tower with the findings except for the health in condition #2.**

**Commissioner Anderson seconded the motion.**

**Motion passed unanimously.**

Commissioner Scheel motioned to adjourn the Planning Commission Meeting.

Commissioner Anderson seconded the motion.

Motion passed unanimously.

Meeting adjourned: 7:41 PM

Washington City

Signed By:   
Doug Scheel, Planning Commission Pro Tem Chairperson

Attested to:   
Kathy Spring, Zoning Technician

# **PC110321 Public Comments:**

**1 Total Comments, Page Refreshed: 11/09/2021 11:33:36**

## **6a. Public Hearing: Conditional Use Permit C-21-12 Commercial Site Plan, 225 E Buena Vista BLVD. Applicant: Ken Menlove**

### **Gary Richard Gilbert of GreenSpring (North of I-15)**

Regarding: 6a. Public Hearing: Conditional Use Permit C-21-12 Commercial Site Plan, 225 E Buena Vista BLVD. Applicant: Ken Menlove  
Sent: 11/1/2021 19:48:33

We have concerns about the new Storage Units going in across the street!! First of all I think storage units belong in more of a industrial park or warehouse type setting rather than in a quiet neighborhood!! The biggest concern we have is devaluation of our property!! I don't know anyone who would want to live across the street from Storage Units!! We also have concerns about an increase in noise, (Late night especially) lights and crime! In addition we are concerned about increased traffic in the area. This is a quiet little neighborhood, the last thing we need is more cars, trucks and moving vans in our area!! The privacy wall is also a concern. If it does get approved, the six foot privacy wall is NOT going to do much for privacy, it needs to be at least 8' to do any good!! I don't mean to be cynical but my guess is that you have already decided to approve this as it will bring additional revenue to the city which is ALWAYS more important than the needs or wants of it's citizens!! The last thing I would ask you to consider... If you lived where we do would

you want this facility moving in across YOUR street?!?!? Thank you for you consideration, Please don't allow this to come into our neighborhood!!

**End of Page.**

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## Conditional use permit

1 message

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**Jim Pollock** <jimpollock2@gmail.com>  
To: kspring@washingtoncity.org

Wed, Nov 3, 2021 at 5:21 PM

My name is James Pollock I live at 251e Gail Way. Across the street from the specified area. I am all for the use permit. The area in concern is a fire hazard in the summer, dusty when the wind blows. Motorcycles and 4 wheelers often use it as a race track. It will help keep the traffic noise from the freeway down. Please approve this permit.

Thank you  
James Pollock