



Community Development Department  
111 North 100 East  
Washington City, UT 84780  
Phone (435) 656-6325  
Fax (435) 656-6371  
www.washingtoncity.org

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**Minutes**  
**WASHINGTON CITY PLANNING COMMISSION**  
**MAY 6, 2009**

Present: Commissioner Burnette, Commissioner Kinder, Commissioner Schofield, Commissioner Howell, Commissioner Gren, Councilmember Heaton, Drew Ellerman, Mike Shaw, Kathy Spring, Vanessa Obetz, Michal Terry, Ray Carpenter.

Commissioner Burnette called meeting to order 5:31 P.M.

Invocation: Commissioner Howell

Pledge of Allegiance: Commissioner Schofield

Commissioner Burnette excuses Commissioner Jason Smith.

1. APPROVAL OF AGENDA

A. Approval of Agenda for May 6, 2009.

**Commissioner Gren motioned to approve to agenda for May 6, 2009.**

**Commissioner Schofield seconded the motion.**

**Motion passed unanimously.**

2. APPROVAL OF MINUTES

A. Consideration of approval of minutes from April 15, 2009.

**Commissioner Kinder motioned to approve the minutes of April 15, 2009.**

**Commissioner Gren seconded the motion.**

**Motion passed unanimously.**

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. CONDITIONAL USE PERMIT

A. Public Hearing and consideration for C-09-4 requesting Conditional Use Permit for a Daycare located at 1912 S Pommel Circle. Applicant: Vanessa OBetz

### **Background**

Mr. Ellerman stated the applicant is requesting approval of a conditional use permit to run a daycare facility out of their home in a residential neighborhood, located at 1912 South Pommel Circle. The daycare will run from 7:00 a.m. to 6:00 p.m. Monday through Friday with a maximum number 16 children at any given time. State law requires that two caregivers be present at all times for the number of children at the daycare facility. The home has been inspected by the Building and Fire Departments and given approval for the proposed use. The home sets on a cul-de-sac lot, which is helpful for drop off and pick up by the children's parents. The back yard is completely fenced in. The applicant will be required to be licensed by the State, and follow all applicable standards under that licensing.

### **Recommendation**

Staff recommends that the Planning Commission recommend approval of C-09-04 based on the 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 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 adopted codes.
2. The daycare will be limited to operating hours of 7:00 a.m. to 6:00 p.m. on Mondays through Friday's.
3. The maximum number of children will be no greater than sixteen (16), with two adult supervisors.
4. The children shall be kept in the home or backyard area only, unless arriving or departing before or after a session.
5. A copy of the State of Utah license for Daycare facilities will be kept on file at the Community Development Department.

Mr. Ellerman stated he would like to add condition #6 to include no more than 3 children under the age of 2. When more than 3 the home is required to be sprinkled per the Fire Chief. The applicant is aware of this.

Commissioner Burnette asked about the table 2 on licensing hand out and can they have 24 children.

Mr. Ellerman stated he would let the applicant address that. Our condition 3 states 16 with two adult supervisors. That has been what we set as a standard for Daycare.

Commissioner Howell stated that condition 3 takes care of that.

Vanessa Obetz stated the table is from the State licensing rules. The caregivers children over the age of 4 are not include in the number of children. Ms. Obetz stated their plan is to only have 10 children.

Commissioner Gren asked if neighborhood was noticed.

Mr. Ellerman stated noticing was given in the 300 ft radius from the property as required.

Commissioner Howell asked if the fence is a 6 ft fence.

Ms. Obetz stated the back yard is fenced and it is 6 ft. It is cinder block material with the lock on the gate.

Commissioner Burnette asked about the north yard and equipment in that area. Commissioner Burnette stated that he felt the equipment should be fenced off or gated off.

Ms. Obetz stated the equipment is fenced off.

Commissioner Howell asked about pets.

Ms. Obetz stated they have two cats and the State requires them to notify the parent.

Commissioner Schofield asked about drop off and pick up.

Ms. Obetz stated she would have a variety of drop off times so there shouldn't be a traffic problem with every one coming at the same time. The 7 to 6 are her available time but the drop of and pick up will vary.

Commissioner Burnette opened the Public Hearing.

No response.

Commissioner Burnette closed the Public Hearing.

Commissioner Howell asked if the applicant would have to have a business license.

Mr. Ellerman stated yes.

**Commissioner Howell motioned to approve with the findings and conditions of staff with additional condition #6 to not have more than 3 children under the age of 2.**

**Commissioner Schofield seconded the motion.**

**Motion passed unanimously.**

- B. Public Hearing and consideration for C-09-05 requesting Conditional Use Permit for a Transmitter Site located at approximately 2000 North 330 East near the Washington City Water Tank site. Applicant: Sky View Technologies

### **Background**

Mr. Ellerman stated the applicant is requesting approval of a conditional use permit to install a communications transmitter building site, located at the southern border of the City's water tank on the north side of I-15. The communications building will be one of a series of communications transmitter facilities owned by the applicant throughout the county. The parcel is zoned Open Space, the Open Space zone allow for public utility sites, and transmissions towers are under Conditional Use Permits approvals.

### **Recommendation**

Staff recommends that the Planning Commission approval C-09-05 based on the 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 metal building unit will be painted with paint approved by staff.

Commissioner Burnette asked if condition #2 could state the metal building is painted and any maintenance will be required in the future and approved by staff.

Mr. Ellerman stated they could amend condition #2.

Commissioner Howell asked if this is a tower and building site.

Mr. Ellerman stated it is building with antennas on it. There is a 35 ft height requirement.

Commissioner Burnette asked if this is on City property.

Mr. Ellerman stated it is on SITLA property and the agreement is done and signed.

Mical Terry stated he is president Sky View Technologies.

Commissioner Burnette asked if this is going to service all of Green Springs.

Mr. Terry stated yes. They are not like the others. They have FCC licensing and the others do not.

Commissioner Burnette asked to clarify if this is a tower.

Mr. Terry stated there would be a 20 ft metal container the maximum height from SITLA is 20 ft. and that includes anything, the piping would have to go up the sides. If they vacate the site they could take a crane and remove it from the site. They are going to fence the site.

Commissioner Gren asked about power.

Mr. Terry stated they would obtain power from the power company. They don't need a lot of power.

Commissioner Howell asked if the container could be painted.

Mr. Terry stated he would have to be careful placing paint over the Radom of the microwave units.

Commissioner Burnette opened the Public Hearing.

No response.

Commissioner Burnette closed the Public Hearing.

Commissioner Howell asked if the paint use on the building could match the tank that is there.

Commissioner Burnette stated condition #2 would be amended. He asked if the applicant would have a problem with painting with the approval of the City staff.

Mr. Terry stated he does not have any problem with the request.

Commissioner Howell asked when the tank is constructed would their equipment handle the earth moving.

Mr. Terry stated the earth moving is done.

Commissioner Schofield asked about other areas they would be putting more of these antennas.

Mr. Terry stated when they have shadow areas they try to service that area. There are a couple of other sites they are looking at.

**Commissioner Gren motioned to approval with the finding and conditions of staff with the amendment of condition #2 to be painted and maintain present and future with the approved of staff.**

**Commissioner Schofield seconded the motion.**

**Motion passed unanimously.**



Meeting Adjourned: 6:00 PM

Minutes approved and signed on 20<sup>th</sup> day of May 2009

Attested by: Kathy Sprigg  
Kathy Sprigg, Zoning Technician

Signed by: Barry Burnette  
Barry Burnette, Chairman