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MINUTES
WASHINGTON CITY PLANNING COMMISSION
May 20, 2009

PRESENT: Commissioner Burnette, Commissioner Kinder, Commissioner Gren, Commissioner Schofield, Commissioner Howell, Attorney Melinda Hill, Councilmember Heaton, Drew Ellerman, Kathy Spring, Joann Secrist, Shawn Hoffman, Ted Hickman, Derlin Campbell, Deon Campbell, Minnie Wunderlich, David Bown, Marilyn Bown, Mary Ann Charter, Mimi Peterson, Virginia Rowan, Hans Latschkowski, Jim Raines, Paul Heaten, Gina Merrell, Dale Ure.

Meeting called to order: 5:30 PM

Commissioner Burnette excuses Jason Smith was called unexpectedly detained.

Invocation: Commissioner Gren

Pledge of Allegiance: Commissioner Kinder

Commissioner Burnette explains that item 6-A is not a Public Hearing and no comments will be taken tonight because on April 15th the Public Hearing was closed and by law they are unable to take public input. He would like to add 6-B as a discussion item for Planning Commissioners regarding addresses in the same subdivision as item 6-A, with staff.

1. APPROVAL OF AGENDA

A. Approval of Agenda for May 20, 2009.

Commissioner Howell motioned to approve the agenda for May 20, 2009 with added item 6-B for Discussion for the Planning Commission to discuss addresses in regards to item 6-A.

Commissioner Gren seconded the motion.

Motion passed unanimously.

2. APPROVAL OF MINUTES

A. Consideration of approval of minutes from May 6, 2009.

Commissioner Schofield motioned to approve the minutes for May 6, 2009.

Commissioner Kinder seconded the motion.

Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

Commissioner Kinder abstains from item 6-A because he lives in the subdivision.

4. EXTENSION OF TIME

- A. Consideration and approval of an Extension of Time for Steeplechase located at approximately 3800 S to 4000 S and 300 E to 600 E. Applicant: New Stream Capitol

Background

Drew Ellerman stated the applicant is requesting approval of an Extension of Time for the Preliminary plat for Steeplechase subdivision, located approximately at 3800 South to 4000 South and 300 East to 600 East. The preliminary plat will be expiring on May 28, 2009. The applicant is wishing to extend the time on their preliminary plat before applying for final plat due to the present economic conditions in the housing industry. They have requested a one year extension. Staff has no problem with this request and notes that the same findings and conditions will apply to the preliminary plat as shown below.

Recommendation

Staff recommends that the Planning Commission recommend approval of the extension of time for twelve (12) months, for the preliminary plat for Steeplechase subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The preliminary plat meets the Medium Density Residential land use designation of the General Plan.
2. That the preliminary plat conforms to the Zoning Ordinance and Subdivision Ordinance, as conditioned.

Conditions

1. A 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, drainage study, improvements for drainage and detention shall be approved by the Public Works Department.
2. A 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 the 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, 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. A note shall be placed on the plat stating that the City

- has the right to assess the property owners 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 plat stating that the City has the right to assess the property owners 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. The subdivision will have two paved legal accesses to and from the subdivision.

Mr. Ellerman stated staff can review and give 6-month extension but this is for a 12-month extension.

Commissioner Howell asked about the new code revision is there any chance for further extensions.

Mr. Ellerman stated that staff can review it and if there are public work projects coming in staff can grant 6 months. If further time were needed they would have to ask for further extensions.

Mr. Ellerman stated due to the economy City Council has granted the extension and with the extension it gives the developer almost two years. Most projects if they are not recorded within two years probably won't continue on.

Commissioner Gren motioned to recommend approval to City Council to grant a 12-month extension with the findings and conditions of staff.

Commissioner Howell seconded the motion.

Motion passed unanimously.

5. CONDITIONAL USE PERMIT

- A. Public Hearing and consideration for C-09-06 requesting Conditional Use Permit for a Cell Tower located at approximately 600 East Bluff View Drive. Applicant: Insite Towers, Todd Fuson

Background

The applicant is requesting approval of a conditional use permit to relocate a 125 foot cellular communications tower from its current location in the city yard near I-15 and 500 East to an adjoining property to the east. The new location is at approximately 600 East Bluff View Drive. The new site will continue to house communication service boxes and antennas for such businesses as South Central communications, Nextel, AT&T and Sprint. The new yard will be fully closed in with a six foot (6') chain link fence and a twelve foot (12') gate at the entrance from Bluff View Drive.

Staff has one major concern with this proposal, and that being the height (125 feet) of the tower, with no complete internal fall zone within the location itself. The lot designated for the tower is basically sixty feet (60') square, with the tower set directly in the middle of the site. If the tower happened to fall over, only thirty feet (30') would stay within the site and the remaining ninety-five feet (95') would land on an adjoining property. Added to that scenario, is the fact that Bluff View Townhomes will have an additional phase of townhomes directly to the south of this site sometime in the future.

Recommendation

Staff recommends that the Planning Commission approve C-09-06 with evidence that the fall zone area can be mitigated, and 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 necessary utilities will be installed to the site before the tower can be moved into place.
3. Plans for construction and anchoring will be submitted to the Building Department and a permit approved before any construction.
4. An all weather surface will have to be installed from where the pavement ends on Bluff View Drive to and throughout the new site.

Mr. Ellerman stated he is concerned with the height of pole and the size of the property 200 X 200 fall area and if the pole should fall his feeling is that it should fall on the property in which it is placed.

Commissioner Schofield asked how far away is the city site and what is the height going to be.

Mr. Ellerman stated it is the same pole they will be moving the boxes at the base. They just want to move this to the east.

Commissioner Schofield asked if the pole falls how are they going to mitigate the problem.

Mr. Ellerman stated he did not know that he would let the applicant speak of this and answer the questions.

Commissioner Schofield asked what is in the area that would be affected by the pole.

Mr. Ellerman stated nothing now. Mr. Terry owns the property and the city hopes to have commercial in the area and Bluff View Drive bends into this area.

Commissioner Schofield asked if there is another area that has something similar to this and what is surrounding that pole.

Commissioner Burnette asked Mr. Ellerman if he had heard of a pole falling.

Mr. Ellerman stated he had not heard of a pole falling.

Commissioner Schofield stated it would appear to be a concern if the pole should fall with a pole that is 125 ft tall and the property is only 60 x 60.

Mr. Ellerman stated using a certain strength of steel that would handle winds of 250 MPR but the engineer would have to explain how they would handle the concern.

Commissioner Howell asked if the current site would handle the fall zone.

Mr. Ellerman stated it would fall on city property or on UDOT's right away but not on the I-15 Highway lanes.

Commissioner Howell asked if the lease area isn't 200 square feet.

Mr. Ellerman stated it is not 200 square feet. It is just what the proposed project area, which is more than 125 ft.

Jim Raines from Bush & Gudgell stated it exceeds the wind flow. There is a Geo Tec study done it is like a 50 ft skyscraper and they are designed not to fall and they have reviewed the industrial standards of California with stringent standards where the wind flows are severe. The homes will fall before the tower.

Commissioner Burnette asked if they are using California standards.

Mr. Raines stated they have reviewed seismic standards and the industrial standards, which far exceeds governmental standards.

Commissioner Schofield asked if this would meet the all required standard and criteria.

Mr. Raines stated it would.

Commissioner Burnette opened the Public Hearing.

Ted Hickman asked is this near housing units, if there is going to be a radiation problem, is it going to be fenced and is there a soils impact test done, is this safe to have a tower.

Mr. Raines stated there is not any structures currently that would be affected by this. There have been a Geo Tec study done and there is no scientific harmful study dealing with radiation, your cell phone probably gives off more radiation. There will be a 6-foot fence with chain link with wire on top. The site will be locked and secured and will follow the FCC requirements as well.

Commissioner Schofield asked how long has the current site been in existence.

Mr. Rains stated about 10 to 20 years.

Commissioner Burnette closed the Public Hearing.

Commissioner Schofield motioned to approve C-09-06 with the findings and conditions of staff to include condition #5 to provide industry standards to staff.

Commissioner Gren seconded the motion.

Motion passed unanimously.

- B. Public Hearing and consideration for C-09-07 requesting Conditional Use Permit for a structure height request located at 584 West Mariposa Drive. Applicant: David Bown

Background

Mr. Ellerman stated the applicant is requesting approval of a conditional use permit to build an accessory building (garage, shop and storage) in the rear yard of their residence. The reason for the request is that the structure will be more than twenty feet (20') in height, thus requiring a conditional use permit to be able to construct. Staff has no problem with the proposed project as long as the conditions are met as stated with this report.

Recommendation

Staff recommends that the Planning Commission approve C-09-07 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 roof shall not project across a property line.
3. Storm water runoff from the building shall not run onto an adjacent property.
4. If the building is to be placed over a drainage and/or utility easement, it will require that the applicant receive written approval from the electrical power department and public works department and all other utility companies with easement rights prior to obtaining a building permit.
5. A building permit will be applied for and approved prior to construction of the accessory building.
6. The maximum height of the accessory building will twenty-five feet (25').

Commissioner Burnette stated it is a beautiful neighborhood and he saw nothing wrong with this being built.

Mr. David Bown stated there are other structures in the area that are quit high. He just wants a two-foot higher than building code allows.

Commissioner Gren asked what the pitch of the roof would be.

Mr. Bown stated the pitch is 5-12.

Commissioner Burnette opened the Public Hearing.

No response.

Commissioner Burnette closed the Public Hearing.

Commissioner Gren motioned to approve C-09-07 with the findings and conditions of staff.

Commissioner Kinder seconded the motion.

Motion passed unanimously.

Commissioner Burnette acknowledged Councilmember Heaton and Bundy.

Commissioner reiterated that is regards to the next item the Public Hearing is closed and no public comments will be taken because it is illegal to do so. The Planning Commissioners are to just consider what to recommend to City Council.

Mr. Ellerman stated that adding item 6-B is not a problem due to it was part of the April 15th motion in which included the addresses.

6. STREET NAME CHANGE

- A. Continuation to consider and recommend to City Council Street name changes within the Red Rock, Washington Hollow and Cotton Mill East Subdivision to change duplicate street name. Applicant: Washington City, Drew Ellerman

Background

Mr. Ellerman stated Washington City has been conducting a street and address audit for the past several years. During the audit, problems have been found in street names that are duplicated and/or are too similar in name that cause confusion and possible hindrances in emergency service response. Also found were problems with addresses not sync with the established uniform addressing grid used by the City. For those purpose, staff feels that corrections need to be made to eliminate any possible problems in emergency service situations.

The Cotton Mill East, Red Rock Estates, Washington Estates and Washington Hollow subdivisions have street names and addresses that are all too closely related in their names, and location. It is purposed that Scenic Drive West be changed to **Scenic Drive**, and Scenic Drive East and Scenic Drive North be changed to one street name known as **Freedom Way**. Addressing will be changed as per staff's evaluation and notification to each individual property owner as necessary.

At the April 15, 2009 Planning Commission meeting, this item was continued to the May 20, 2009 meeting. The public hearing was closed, the Commission directed staff and the residence to use this time to come up with an alternative name (replacing Freedom Way), staff was also asked to review the addresses again, to see if any could be left as they currently are. Since that time a few names have been presented from three different individuals, and staff, at this time, wishes to withdraw Freedom Way as an option (it will be better served in a location which will appreciate the name). Several of the proposed names are already taken, and the ones that are not taken and should be options for the Commission and the residents are attached to this report. Also, note that we are discussing the change of a street name and should as much as possible, leave the addressing discussion to the City Council. The Planning Commission is not an appellent body to decisions by staff, and the city council is aware of this matter and has held several meetings with these residents to date.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Street name changes to the City Council, based on the following findings:

Findings

1. That the request is for the purpose of safety to the citizens of Washington City, and to comply with the County Emergency Response Dispatch System.
2. That the request does not change anything but the addresses and/or the street names, all other conditions and/or City standards and codes remain the same.

Conditions

1. Any proposed public roads will comply with the Public Works Department.
2. The street name changes will take effect on July 1, 2009

Proposed street names

Party A (Mr. Hickman) proposed: utopia, mystery, whispering pine, cameo, snapdragon, bluebell, and eureka

Party B (Mrs. Whitney) proposed: haven, millstone, lookout, view, city view, zion view, clearview, sandy ridge, sandy ledge, rocky ledge, rocky slope, and rocky ridge

Party C (Mr. Latschkowski) proposed: prarie view, and panorama

Mr. Ellerman read the list of submitted proposed street names and reviewed the map of the area. Scenic Drive West will change to Scenic Drive and drop the West and change the other Scenic Drive North and East names to something with the Way being the reference. The Commissioners can choose one or two names submitted for consideration to City Council from the list that was submitted and let them decide.

Commissioner Burnette asked for clarification on what street will be changed.

Mr. Ellerman stated Scenic Drive West will drop the west and Scenic Drive East and Scenic Drive North will be re named.

Mr. Howell asked if the name would start at the Cottonmill East Ave and Scenic Drive East and end at the end of Scenic Drive North going onto Scenic Drive West.

Mr. Ellerman stated yes. They can choose two names or one.

Commissioner Howell asked if the directional could be for an example North Panorama Drive.

Mr. Ellerman stated an example of a bend is Urie East Drive, Urie North Drive and Urie West Drive. This was an area that needed to be corrected from a circle to a drive. In this case it will be a Way. There are standards in identifying Drives and Ways.

Commissioner Schofield stated he appreciated the citizens submitting the names since the meeting on April 15th and he likes Panorama. The name seems to fit the area because it will come off of Scenic Drive.

Commissioner Kinder asked if the names have been verified.

Mr. Ellerman stated there is a Panorama in St George that is a small road by the Mall.

Commissioner Howell asked if there is a Rocky Slope in Coral Canyon.

Mr. Ellerman stated he didn't see a Rocky Slope.

Commissioner Burnette stated he considered the Views because he saw the Panorama in St George. Commissioner Burnette stated he would suggest the Commissioners pick names that appeal to them to recommend to City Council.

Mr. Ellerman stated they can submit all the names or they can select some of the names. He stated he could put in his report what the Planning Commission recommended from the list.

Commissioner Howell asked due to the residents living there for a long time could they send a letter to the citizens on the street that will be changed, to select the name.

Commissioner Burnette stated in the Public Hearing they would have a chance to.

Commissioner Howell asked if there is there a notice sent to the residence of the meeting.

Mr. Ellerman stated he thought they would receive a notice because it is a public hearing.

Commissioner Burnette stated he would suggest that the notice have all the proposed names on the notice so they will be able to select from the list.

Commissioner Kinder stated Rocky Slope Circle does exist.

Commissioner Gren stated he likes Clear View, Sandy view and Panorama.

Commissioner Schofield motioned that item 6-A be forwarded to City Council to remove West from Scenic Drive West and change to Scenic Drive and to remove Scenic Drive East and Scenic Drive North, for City Council to determine from the submitted street name change list submitted by individuals that live in the subdivision and that the notice mailed include all the names to be considered.

Commissioner Gren seconded the motion.

Motion passed unanimously.

6. DISCUSSION ITEM

B. Discussion of Addressing in the Red Rock, Washington Hollow and Cotton Mill East Subdivision

Commissioner Burnette stated because they have been asked to address the addressing issue in the this subdivision he felt there needed to be more discussion among the Planning Commissions to clarify and questions or concerns but they don't have any roll in changing addresses. He stated he has met with staff and the community and it boils down to health and safety issue. He stated he has directed staff to point out problems that emergency responders would have.

Mr. Ellerman showed exhibit of an example that EMS and our IT department has used in the past with bringing an address 240 North to the far north of this subdivision and the grid that will be

used by Dispatch would show the house several houses to the south. He stated that Korey Kinder's address is 128 North and his neighbor just north of his is 228 North, which is almost a block away. He stated this is just a few of the problems with the addresses in this subdivision.

Commissioner Burnette stated this is significant because at 3:00 AM on a snowy morning the emergency vehicle would not go to the correct home.

Commissioner Kinder stated that on his GPS it shows a few numbers from his current address but he said he did not want emergency going to the corner. At 3:00 AM if his daughter is choking he would like for ambulance be at his home and not at the corner.

Commissioner Burnette stated if you put something in GPS a 50 it takes you to the middle of the block, it does not take you to the specific house.

Mr. Ellerman also showed exhibit of clustering addresses because there is only 2 points in the address, which is usually used for units such as townhomes or apartments.

Commissioner Schofield asked about the other system used other than GPS system.

Mr. Ellerman stated it is the Spillman system and every city inputs their coordinates.

Commissioner Schofield asked if it is what is used by the Dispatch.

Mr. Ellerman stated it is different than a Magellan. Spillman is taken from a supplier that someone sends it to. The Spillman takes it from the Cities.

Commissioner Schofield asked if the EMS had showed what would happen with incorrect addresses at a meeting with City Council.

Mr. Ellerman stated there was a presentation showing what he just showed along with an example of an address and it showed duplicate sites. In doing research in 2005 the State brought to the city's a program to encourage the City's to correct the addressing problems. This is not a mandate but Kathy, Dale and others have been to the meetings and Dale is a member of the Committee 911 system for this area. The State has asked that address problems be taken care of. The City has been doing an audit for two years to try to correct the problems.

Commissioner Howell stated that with technology of today it would seem that with the City and County plat it seems there could be a way to over ride, that would allow Spillman to work and would not have a problem. It seems that even with Korey and his neighbor why it could not be over written.

Commissioner Burnette stated it would probably come at a great cost to do each individual house.

Commissioner Howell stated if you take 100 addresses in the city would they be 100% correct.

Mr. Ellerman stated what if the system goes down what will you rely on?

Commissioner Howell stated then you would go on a one tenth of a mile.

Commissioner Schofield stated that Commissioner Burnette and himself have spoken with citizens and staff and realize this is difficult and has sympathy for Korey and others in the inconvenience this will cause. He stated he has asked Drew to look at addresses about 10 times and wanted to thank him for doing that.

Mr. Ellerman stated he has reviewed all of the addresses and there were 6 to 7 addresses most on Wagon Wheel Drive that will stay. The others are just too far apart. There are also even numbers on odd side of the street and so there are changes that way.

Commissioner Schofield indicated that this is a tough thing to do. He had met with Commissioner Burnette and asked staff to see if the numbers could stay and he asked for about the 10th time to see if it could stay. This is difficult for staff and for the citizens.

Commissioner Burnette stated some of the citizens have asked if just one number could change but changing one number is an address change so the change needs to be to the new address.

Commissioner Schofield stated he only realized the process after meeting with Commissioner Burnette and Drew and wished all the citizens could go through this process. He stated he realizes the citizens are disgruntled about having the change but in the long run it is the best thing for the city and this just needs to be done.

Commissioner Burnette asked for a consensus of the proposal Drew just showed to pass on to City Council.

Commissioner Schofield stated yes.

Commissioner Gren stated yes.

Commissioner Kinder stated yes for safety but dislikes the inconvenience and pain it will be.

Commissioner Howell stated yes. It seems like the tail wagging the dog. It seems that with technology they could make this work but realizes that it may not be the best option.

Commissioner Burnette announced that the June 3 2009 Planning Commission packet has been given to them because Kathy is going on vacation and will email the minutes tomorrow.

Meeting adjourned 6:45 PM.

Minutes passed and signed 3rd day of June 2009.

Attest to by: Kathy Spring
Kathy Spring, Zoning Technician

Signed by: Barry Burnette
Barry Burnette, Chairman