

**PLAIN CITY PLANNING COMMISSION
MINUTES OF MEETING
25 AUGUST 2005**

The Plain City Planning Commission convened in a meeting on Thursday, the 25th August 2005, in the Council Chambers of the Plain City Hall at 7:00 p.m. Present showed the following: Chairman Gary Jackson, Vice Chairman Artie Pearce, Members: Buddy Sadler, Ted Balderree, Bob Spencer arrived at 7:30, alternate Bob Lewis, and Secretary Kathy Hancock. Also Present: Joe Benstog, Nola Benstog, Henry Post, Judy Post, Carl Miller, Robert Wilde, Debra Wilde, John Janson, Steve Pastorik, and Councilman Jay Jenkins. Chairman Jackson conducted the meeting and Sadler gave the invocation.

Approval of the Minutes – 11 August 2005:

Pearce moved to approve the minutes of 11 August 2005, as written. Seconded by Lewis. Motion carried.

Conditional Use Permit – Joe & Nola Benstog - Kennel:

Jackson stated that after researching and checking with the City Attorney it falls under the Home Occupation Ordinance 10-13-1 and the Limited Residential Occupational Conditional Use Permit 10-10-9. There is a concern that the two ordinances contradict themselves. The Home Occupation Ordinance doesn't allow for use of an accessory building and the Conditional Use Permit does allow use of 35% of the main dwelling floor space for an accessory building. This falls under the 10-10-9 ordinance. Under this ordinance, the applicant needs to get written approval from all of the neighbors within 500 feet of the property. If the Benstog's do this then the commission might not have to have a public hearing. According to 10-10-9-C the governing body sets conditions, not more than 35% of the main dwelling floor space can be used for the accessory building. The employees will be limited to those in the dwelling. The commission discussed suggested conditions including cleanness, noise, odor, random Weber County inspections, no more than 50 dogs overnight and parking. The conditions would be reviewed every year. An insulated building would control the barking. It was suggested moving the building back further. The Benstogs were willing to do this. The commission discussed tabling it instead of denying it so that the Benstogs could get written approval from the neighbors within 500 feet of the property. The property was annexed into the city when the England property was. Rezoning it commercial was mentioned but our commercial ordinance doesn't allow for kennels. **Pearce moved to table the conditional use permit for the Benstogs.** A variance was discussed for a conditional use permit. If a variance is requested they are looking at a variance to allow the size of the accessory building as drawn on the plan; approximately 100% of the dwelling space. **Seconded to Balderree. Motion carried.**

Conditional Use Permit – Henry & Judy Post – Flag Lot:

Jackson mentioned that this is the same piece of property that was brought in a couple of years ago. The petition was worded wrong the first time. The City Council can't grant variances so it now falls under a conditional use permit. There is a fire hydrant out front. There is sewer available. The commission discussed conditions. The driveway needs to be paved with a 50-foot radius turnaround at the end, the house can't be further back than 500 feet, and one house can be built on the lot. Pearce read the flag lot ordinance. The lot has to be a minimum of 125% of what is required for that zone, the stem has to be 30 foot with 20 foot paved with a 5-foot buffer on each side. **Pearce moved to recommend to the City Council the conditional use permit for the Henry Post flag lot, with the conditions that the width of the access stem shall be at least 30 feet with 20 feet paved and a 5 foot buffer on both sides with a 50 foot turnaround at the end, and one single dwelling not more than 500 feet back so that they can use the existing fire hydrant. Seconded by Spencer. Motion carried.**

Discussion – PRUD Ordinance, Cluster Housing Ordinance & R-3 Zone:

John Janson and Steve Pastorick have been asked to help the commission with planning. John Janson is the planner for Pleasant View. They drove around the area before coming into the meeting. They have read the PRUD, Cluster and R-3 ordinances but would like to know what the current issues are to better help the city. The commission explained that there is a developer that would like an R-3 zone in the city out by 2600 North. It was determined that the General Plan would have to be changed to show an R-3 zone in that area. One reason the commission feels an R-3 zone is needed is right now we meet the affordable housing plan, but after the approximately 500 proposed homes are built we will no longer be in compliance. For the R-3 zone draft, the commission reviewed several plans, chose the one that best fits Plain City, and changed and added some items. The City Council had some concerns and denied it. Mr. Janson and Mr. Pastorick feel both ordinances are needed. They suggested modifying the PRUD to be more flexible to allow the developer to use it instead of the R-3 zone. For the R-3 zone, the

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commission needs to decide what the city wants whether it is condos, apartments or townhouses. The ordinance may need to allow so many units, but restrict the zone to a certain area. The affordable housing plan was discussed. The commission needs to decide what the city wants and put it in writing that is readable. Mr. Janson and Mr. Pastorick can make some suggestions and have them back to Plain City in a couple of weeks to work on at the next work meeting. The present PRUD ordinance was discussed. Most cities allow a 20% allowance instead of 10%. The commission, Mr. Janson, and Mr. Pastorick discussed the Hawkins PRUD and the England PRUD. There are different things the PRUD can require like the open space has to be usable space. Even though the England PRUD is preliminary approved the planners felt that the commission can require them to do certain things. The commission can determine different types of trees in the park strips, streetlights, and the design of the houses so the whole street is not the same. The planners feel like the 2600 North developer's property would work well under a PRUD. It was decided to look at modifying the PRUD ordinance first before working on the R-3 Zone Ordinance. The planners are willing to meet with the developer and engineers to discuss the PRUD. Mr. Janson and Mr. Pastorick will put together a modified draft of the PRUD ordinance. Mr. Janson and Mr. Pastorick would like copies of the Zoning Ordinance, General Plan, and a copy of the conceptual for Hawkins.

New Business:

No new business.

Report from City Council - Lewis:

No report from City Council.

Schedule for attending the 2005 City Council Meetings:

<u>Jackson</u>	<u>Pearce</u>	<u>Sadler</u>	<u>Spencer</u>	<u>Balderree</u>	<u>Lewis</u>
Oct. 6	Oct. 20	Nov. 3	Nov. 17	Dec. 1	Dec. 15 (if held)

Pearce moved to adjourn at 9:40 p.m. Seconded by Balderree. Motion carried.