

**PLAIN CITY PLANNING COMMISSION
MINUTES OF MEETING
9 MARCH 2006**

The Plain City Planning Commission convened in a meeting on Thursday, the 9th March 2006, in the Council Chambers of the Plain City Hall at 7:00 p.m. Present showed the following: Chairman Artie Pearce, Vice Chairman Buddy Sadler, Members: Gary Jackson, Bob Spencer excused, Ted Balderree, Alternate Al Drummond, and Secretary Kathy Hancock. Also present: Mayor Jay Jenkins, City Councilmembers: Brent White, Darwin Smith, Elaine Calvert, Chad Costley, & Bruce Higley; Carl Miller, Judy Johnson, Rex Johnson, Brad Phillips, Julie Phillips, Claramae Grieve, Pete Grieve, Mike Flood, Corland Felts, Chase Kirkham, Jeff Kirkham, Anna Broderius, Ron Broderius, Mike Newell, Ken Hall, Dean Hurd, Jay Gresham, Danny Kilgore, Dan Kilgore, Jordan Preator, Rob Preator, Cherie Dodgen, Robert Dodgen, Nolan Loftus, Paul Southwick, Hayden Huss, Jayce Warren, and Kent Hurd. Chairman Pearce conducted the meeting and Jackson gave the invocation.

Approval of the Minutes – 23 February 2006:

Jackson moved to approve the minutes of 23 February 2006, as corrected. The corrections are to change Chairman “Jackson” to “Pearce”. Seconded by Sadler. Motion carried.

Public Comments:

No comments.

Public Hearing with City Council – 7 p.m. – Rezone Petition – Grieve, Hancey, Hurd – RE-15 to R-1-11:

Sadler moved to convene in a public hearing for the rezone petition from Grieve, Hancey, and Hurd from RE-15 to R-1-11 zone. Seconded by Jackson. Motion carried.

Judy Johnson who lives within 500 feet and their right of way adjoins the Grieve property, is concerned about the construction debris and clutter. There are 4 trailers, trucks, and other debris on the access to this property. If the property is rezoned she is concerned about blocking the public right of way. She would like to see the City annex the easement. Weber County says Plain City owns it and they don't want it. Judy is afraid that if it is not annexed into the city it will be an eye sore. She presented the Commission with pictures of the trucks, trailers, clutter, and debris that is on the right of way and how their gate is by the right of way. If it is annexed the Johnsons will need to keep their right of way access with a gate to the advantage of what they have now. Mr. Johnson usually mows the area, but with the debris there, he hasn't been able to. Plain City hasn't mowed it either. Plain City has access to the reservoir that they use for storm water. Last year the reservoir was overflowing and flooded the pasture so Plain City came in and dug it deeper. Pearce mentioned that the access to the Johnson property would have to remain the same.

Claramae Grieve mentioned that she is trying to rezone the property. The debris is not on the property and is not in anyone's way. They are just asking for a rezone tonight not anything else.

Dean Hurd lives on the eastside of Grieves. He has an acre lot that is divided into 2-½ acre lots. He has a shed behind his house that straddles both lots. He also has a rental house, and in the future if it is rezoned, he can sell less land with the rental house and have more with his home.

Brad Phillips who wants to build a house on the property, mentioned that the road has nothing to do with the rezone. The only reason stuff is there is because there isn't enough parking right now. He tries not to block the right of way. Once he can get a building permit and builds, the trucks and debris will be in his garage and sheds.

Pearce mentioned that she received a phone call from Sheryl Skeen. Sheryl couldn't be to the meeting and wanted it known she has no problem with the rezone. **Sadler moved to adjourn from a public hearing into the regular meeting. Seconded Balderree. Motion carried.**

Motion – Rezone Petition – Grieve, Hancey, Hurd – RE15 to R-1-11:

It was mentioned that this is for the rezone and nothing more. **Jackson moved to recommend the rezone petition to the City Council for the Grieve, Hancey, and Hurd property from RE15 to R-1-11. Seconded by Balderree.** Sadler is concerned about the right of way, and feels Plain City needs to own the right way. There is no frontage on a street. Right now it is a 66-foot right way and the owners on both sides may be getting 3 feet since

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60 feet is all that is required for a street. Mayor Jenkins mentioned that it is not a buildable lot until the roadway issue is resolved. He also mentioned that it is not a right of way but a dedicated road owned by the County. The Mayor stated he is in the process of getting the County to deed the property to the City and the County will abandon the road, but it will remain a road not a right of way. The Mayor explained that when the lot comes to the commission for a building permit, they can decide if it should be dirt or gravel road with curb and gutter or not. It was determined that this is a legal lot and would not have to come back to the commission. **Motion carried.**

Discussion – Motion – Grieve Property

Claramae Grieve mentioned that what they want is the city to take over the road so they can get a building permit. They know that the road will need to be wide enough for emergency vehicles and it will either have to be paved or graveled. They would like to be able to get a building permit as soon as they can. They are willing to follow the steps and do what they need to. The commission feels that since the Mayor is in contact with Weber County and working out the road, than a motion won't be needed. They do feel that the road would need to be wide enough for emergency vehicles and either paved or graveled, which will be determined by the fire code, with a 50-foot radius turnaround at the end. It was suggested a deferral agreement might be in order. A pioneering agreement might be in order for future development if Grieves puts out expense on the road. The commission has some concerns they feel need to be addressed by the City Council before a building permit is issued. **Sadler moved to table the motion on the Grieve property. Seconded by Balderree. Motion carried.**

Public Hearing – 7:30 p.m. – Hawkins PRUD – 521 units approx. 3300 W North Plain City Rd:

Jackson moved to convene in a public hearing to discuss the Hawkins Conditional Use and PRUD. Seconded by Balderree. Motion carried. Mike Flood explained that there will be 511 units instead of 521 units. The memo from the City Planners dated March 3, 2006 was reviewed. Under site plan item 1, a new fence plan has been submitted. Item 2, more trail information is needed. Item 3, more cities are looking at 5-foot sidewalks instead of 4 foot. Item 4, more information is needed on the large buffer on North Plain City Road. Who is it dedicated to and who maintains it? Item 5, the medians and roundabouts are proposed for City maintenance. Is the City willing to do this? A more intricate landscaping plan may be needed. Item 6, speeding on the main roads since there is only one driveway needs to be addressed. Item 7, open space needs to be addressed as to what facilities such as playground equipment, and basketball courts will be provided. Item 8, there is only one access at this time, so the amount of development will be limited. A phasing plan has been provided. Item 9, the fencing around the lot that is not part of the subdivision on North Plain City Road needs to be addressed. Item 10, the short road that runs by Grouse Meadows could become a protection strip and needs to be addressed. Item 11, mentions the one house fronting on the main street. There was discussion. The commission would like to see if this could be redesigned. Under the Development Agreement comments item 1, shows certain areas dedicated to the city such as under the power lines. These need to be in weed free condition. The landscaping detail will need to be done. Item 2, the patio homes and townhouses will also need to be defined as to elevations and architectural plans. Item 3, the planners recommend that the rear yard setback be at least 20 feet. Item 4, the PRUD ordinance suggests using City street standards. Hawkins proposes that the standard pavement width is the same, but there is only a sidewalk on one side of the street making it a 50-foot right of way. The streetlights need to be specified. Item 5, there are several phases, but it is necessary to get future access to some of them. Item 6, the signature needs to be changed. Item 7, the Attorney needs to review the Development Agreement.

Ken Hall who lives off of North Plain City Road is concerned about the amount of homes. He feels that the developer is just trying to put as many homes in a small amount of space as possible. This is much higher density than has been in Plain City. He has seen the acreage go from ½ acre to 1/3 acre and now less than ¼ acre and is concerned.

Mayor Jenkins mentioned that the interest is now coming this far north. They are running out of property in Davis and Salt Lake, so they are coming north. There are 4 or 5 companies discussing doing the same thing. The Mayor mentioned that there are ½ acre lots that are just full of weeds.

Mike Flood addressed the issues. They are not trying to get a bunch of homes in a huge piece of ground. They are putting in pocket parks, trail systems, and parks. The developer likes this area because of the community. Right

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now there are 2.7 units allowed in a RE-15 zone, with a PRUD there are 5.7 units allowed if they meet the criteria. They are only doing 3.2 units. If they were all ½ acre lots they would have a difficult time selling that many. There are three types of housing. There are 284 single housing units on property ranging from 8,000-sq. ft. up to 20,000-sq. ft. The patio home area is designed for an active adult community and will be similar to what is in Harrisville, where they don't have to maintain their own yards. The townhouses will be 3-4 units. Our ordinance doesn't allow for only half of the front being garages, which might cause a problem in the design. It will not be an apartment complex. They will be owned and only a small portion allowed to be rented according to the restrictive covenants. They are in the heart of the project so they will have to be maintained and will be done so by the Homes Owners Association. A Homeowners Association will maintain the private property, townhouses, and patio homes. With the Development Agreement they tried to identify each of the items on the PRUD ordinance. The width of the private right of way doesn't meet the city standards, but the asphalt width will. The same amount of on street parking and drive lanes are the same. The sidewalk just isn't there on one side. If the city wants regular streets they will do away with the private streets and the park space. As they come in for preliminary, conditions can be set for site-specific plans such as sprinkler systems and housing plans. Homes that sell today might not sell tomorrow or material might not be available. They might come back with high density or all single units depending on what is wanted. As fencing is required around the perimeter, it will be required to be a specific type. Along the parkway they would like semi-private fences. They are willing to discuss the trail use and accesses. Mike showed a plan as to who will own what park. Under the power lines will be dedicated to the city along with the trails. The minimum width of the trails is 5 ft. Mike mentioned a honeycomb material the city could get to put under the trail to keep the gravel together. None of the trail accesses are narrower than 20 ft. The city standards on sidewalks are presently 4 ft, so unless they are revised that is what they will be done. There are two accesses to the property; off of North Plain City Road and one connecting to Grouse Meadows where there will be a 4 to 5 ft protection strip. The lift station in Grouse Meadows is only big enough for 400 lots. Grouse Meadows has 31 lots and Hawkins will use the rest so they will share the cost of the sewer lift station. Since the lift station won't hold all of the units another line will be needed. By phasing, it allows the developer and city to plan a sewer line going west. **Jackson moved to adjourn from a public hearing into a regular meeting. Seconded by Sadler. Motion carried.**

Motion — Conditional Use - Hawkins PRUD –511 units approx. 3300 W North Plain City Rd:

Sadler has some concerns with the lift station not being able to handle the whole subdivision. He also still is concerned about the street section not being standard. He thinks that by the townhouses it might be okay, but by the patio homes the residents might want to walk on both sides of the street. The wetland delineation study is needed. Mike mentioned that the majority of the wetlands are in the last phase. They still feel that the wetlands will go away once the ditches are repaired. There has been 5 test holes installed and will be monitored until June or July. These will determine if there is ground water or surface water. If the wetlands and sewer problems aren't resolved they can't bring those phases in for final approval. Mike didn't bring the letter from the wetland study tonight. The open space under the power lines will have a sprinkler system and grass. Sadler would like to see more amenities in the power line park area and see them in an earlier phase. He would like more time to discuss this with the planner and City Attorney. John Janson, City Planner, mentioned that the open space on North Plain City Road needs to be addressed. Can that road handle that much traffic? There is one home on North Plain City Road that this subdivision is on both sides of and the developer will put a fence and screening trees around it. They will present the landscaping plan for the large buffer area at preliminary. Once preliminary is approved they will come in with final and address some issues. The large open space will be done in Phase 3, with the parking lot built and dedicated to the city. A small portion of the park will be used for storm drain. The fencing around the perimeter will be done as it is built. It was mentioned that our ordinance just requires a field fence around the perimeter. The attorney needs to review the Development Agreement. Pearce read a letter from Ken & Heidi Gibson expressing their concerns with this subdivision. They don't feel that North Plain City Road is wide enough for that much traffic, the water table is high in this area, and they don't want to see units but would like the City to stay with 1/3-acre lots. **Sadler moved to table the Hawkins Conditional Use until the next meeting to give more time for questions to be answered and invite City Council to go over it with the commission in the next meeting. He feels like they are treading on new ground and want to do it right and slow. Motion dies for lack of second.** Pearce mentioned she made the decision to send the packets out late. Janson mentioned that a lot of the items could be worked out in preliminary. **Jackson moved to approve the conditional use for the Hawkins PRUD with the following conditions: #1 we come to terms with an adequate fencing program. #2**

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we come to terms with trails, as far as the width, material it is made out of, and other issue's related to the connectivity for future trails and development around them. #3 dedication along North Plain City, the buffer improvements need to be shown and satisfactorily worked out with Plain City, with a mutual agreement as to what it will be. #4 medians and roundabout maintenance to be done by the Homeowners Association. #5 speed control worked out with an adequate speed control for the subdivision that is agreeable to the city and the developer. #6 open space adequately approved on phase by phase basis that is agreeable to developer and city. #7 development will be limited until another access is provided. #8, if the driveway can be changed off of the main road than it needs to be done. #9, the City accepts the open space in a weed free condition, and a mutual agreement is met on how landscaping is done on a phase by phase basis. Mayor Jenkins mentioned that the planners have suggested a motion at the end of their comments that addresses all of the items. **Jackson withdrew his motion. Jackson moved to grant conditional use to the Hawkins for their PRUD subject to the conditions A through I as outlined in the memo dated March 3, 2006, on the last page of the planners comments to the development agreement. Seconded by Balderree. Motion carried.** Pearce called for a 5-minute recess from 9:15 to 9:20 p.m.

Set Public Hearing – Cicadis Corp – Rezone Petition – Re20 to RE-15 and Discussion River Crossing:

After Pearce discussed this rezone petition with the Mayor during the recess, she would like to call for reconsideration on the motion from February 9th. She voted against it and after a lot of thought would like to call for a revote to reconsider the vote. Pearce deferred to Mayor Jenkins for the process that should be followed. Mayor Jenkins explained what the commission needs to do to recall the vote. Sadler recalled the vote. Mayor Jenkins was asked if a motion was needed and he stated one wasn't. Pearce asked the Mayor if a recall constitutes another public hearing and he stated it isn't required. The rezone just includes the front 300-ft. Mr. Buie presented his plans for a subdivision on this property. There were three plans presented. Plan A shows 82 lots and plan B shows 76 lots; Mr. Buie prefers Plan A. Plan A shows about half ½ acre lots and the other half 1/3 acre lots. There would be open space with a trail system going around it. Plan B would have less 1/3 acre lots, and Plan C would be all ½ acre lots. He is willing to do a Consent or Developer Agreement showing that he will do 1/3 and ½ acre lots if the property is rezoned. The open space would include some wetlands and slough with the trail system winding around it. Maintaining the open space was discussed. Most of the open space is natural and the only upkeep would be the trail system. Mr. Buie would like to see natural plants put along the trail with benches. Lot 19 will be removed from the plan. The wetland study has been completed. Tom Favero thought that once he sold his property and isn't farming, the wetlands in the slough might dry up. There was discussion that there needs to be areas for ½ acre lots and this is the area. There was another discussion that this could be done under the PRUD ordinance. Pearce called for a revote on the old motion. **The old motion was to recommend that the City Council deny the rezone petition for Cicadis Corp. from RE-20 to RE15. Revote: Jackson aye, Drummond nay, Sadler nay, and Balderree nay, and Pearce nay. Motion denied. Sadler moved to recommend to the City Council the rezone petition for Cicadis Corp. from RE-20 to RE-15 and the City Council look at a Development Agreement. Seconded by Balderree. Vote: Jackson nay, Sadler aye, Drummond aye, Pearce aye, and Balderree aye. Motion carried.**

Set Public Hearing – England Meadows – PRUD – 188 units:

Paul Southwick mentioned they received preliminary approval, but has changed the plans. The wetland study dictated what can be done. There are less lots and more open space. The trails tie into the railroad parkway and in the center area. The wetlands should go away like in the Hawkins property. They will provide parking for the parks. They have an agreement to bring a road in from 4000 North and will tie into the Hawkins Development. They will tie their fencing together and would like to keep as much open by the railroad trail as possible. Sewer and water issues need to be addressed. They are looking at putting in a lift station with Hawkins. It was mentioned that the lift station would be at maximum. Southwick would propose hooking onto the existing lift station on North Plain City Road by going down the existing easement. The sewer issue will need to be addressed. Brad Jensen has mentioned that the line is not big enough to handle all of these homes without up grading it. A bigger line needs to be looked at for over 700 homes. **Jackson moved to set a public hearing date of April 13th for conditional use and PRUD for England Meadows. Seconded by Drummond. Motion carried.**

Motion Big Cottonwood:

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Danny Kilgore mentioned they have received approval for Big Cottonwood with secondary water from Mountain View Irrigation. The developer would like to go with wells because of the expense with using Mountain View Irrigation. They have tried to get Pineview but can't get that. The costs associated with Pineview and Mountain View make them not possible to use. Tiffany Bluffs was approved with wells. The developer has gone to the State and Bona Vista. Danny mentioned that neither Bona Vista nor the State has problems with the wells. Bona Vista will allow shallow wells as the secondary water source. The water table is about 4 feet right now and wells might help lower that. The Mayor has suggested an option with Pioneer Water System and they can look into that. Wells might help eliminate the water table and still be within the state requirements and have secondary water for the subdivision. Pearce read the letter from the City Engineer. Jensen is concerned that there won't be enough water for Tiffany Bluffs and this large of a subdivision. Jackson mentioned that the reason secondary water is required is because Bona Vista requires it and Bona Vista is allowing wells. Dan Kilgore mentioned that they are only proposing 26 wells with two individual pumps for each well. A commission member and resident mentioned that they have heard that Tiffany Bluffs has had problems with either too salty of water or too much sand in the pumps. Dan mentioned that with wells, the homeowners have free water and can put that money aside for a pump if their pumps go out. Dan also mentioned that there are filters that the homeowners can put on the pumps to reduce the sand. **Jackson moved to recommend to the city council approval of wells to be used in Big Cottonwood Estates as a secondary water source as approved by Bona Vista. Seconded by Balderree. Vote: Sadler nay, Drummond nay, Pearce nay, Balderree aye, and Jackson aye. Motion died.**

New Business:

Pearce mentioned a concern with sewer and storm drain issues with all of the subdivisions coming in. She suggested a moratorium on subdivisions until some studies are done and the new Senate Bill is understood. There is a concern with the sewer not being able to handle all this development. A new impact study may be needed on the sewer. Secondary water is also another concern. **Drummond moved to recommend to the City Council they consider a moratorium for 90-180 days on subdivision applications in order to assess our infrastructure including sewer, transportation, drainage, and water issues exempting all developments that have come before the commission. Seconded by Jackson. Vote: Sadler nay, Drummond aye, Pearce aye, Balderree aye, and Jackson aye. Motion carried.** Jackson mentioned that Dan Murray contacted him and would like to know if the commission would consider letting him pursue 4 lots with deferring the storm drain until 1975 North is upgraded. Judy Johnson requested the pictures back for City Council.

Report from City Council – Balderree:

Because of the lateness of the hour, there was no report.

Schedule for attending City Council Meetings:

<u>Jackson</u>	<u>Pearce</u>	<u>Sadler</u>	<u>Spencer</u>	<u>Balderree</u>	<u>Drummond</u>
	Apr 20	May 4	May 18	June 1	June 15
Jul 6	Jul 20	Aug 3	Aug 17	Sept 7	Sept 21
Oct 5	Oct 19	Nov 2	Nov 16	Dec 7	

Drummond moved to adjourn at 11:05 p.m. Seconded by Sadler. Motion Carried.