

**PLAIN CITY PLANNING COMMISSION  
MINUTES OF MEETING  
11 MAY 2006**

The Plain City Planning Commission convened in a meeting on Thursday, the 11th May 2006, in the Council Chambers of the Plain City Hall at 7:00 p.m. Present showed the following: Chairwoman Artie Pearce, Members: Gary Jackson, Bob Spencer excused, Ted Balderree excused, Alternate Al Drummond, and Secretary Kathy Hancock. Also present: Mayor Jay Jenkins, City Councilmembers: Darwin Smith and Chad Costley; City Attorney Ken Bradshaw; Lynn Cottle, Nicole Cottle, Blake Cottle, Jerry DeBartolo, Sheila Roberts, Floyd LaFleur, Kathy LaFleur, Gene Johnson, Jessie Johnson, Lorin Child, Zanna Child, Larry Hodson, Brent Sparks, Cheri Sparks, Lee Roberts, Dennis Price, Debbie Peterson, Mark Peterson, Janet Furlong, Monica Combe, Mark Combe, Gary Parkin, Kelly Parke, Julie Binkerd, Bill Fox, Jason Lewis, Robert Lewis, Sean Lewis, Staci Wilson, John Larsson, Keith Fisher, Stacy Powell, Mark Lowther, Robyn Lowther, Brent Cottle, Steven Spiers, Bernard Spiers, Jed Brunson, Jerry Garcia, Shawn Fowers, Reid Newey, Susan Newey, Andy Jackson, Margene Cottle, Lora Parker, Cherie Griffin, Jason Nicholls, Lisa Cox, Kari Rigley, Gordon Nozaki, Dustin Skeen, Rich Skeen, Lynette Gatherum, Cindy Rogers, Steve Diamond, Carl Miller, Kari Rigley, Lisa Cox, Debbie Peterson, Bob Lewis, Kent Buie, Paul Southwick, Steve Pastorik, Jeff Hales, Tom Favero, Mildred Sparks, Meriam Stanger, Scott Van Orden, Jason Klomp, Kate Drake, Elaine Cliften, Robert Cliften, Sherie Marsh, Bradley Marsh, Jason Call, Eric Drake, Kelly Ficarra, Lee Ficarra, Cheryl Humphris, Bob Bushell, Debbie Costley, Blake Costley, Lynn Bell, Jake Rhees, Jeni Rhees, Brandon Peterson, Jean Fenn, Carlos Heslop, Verl Stokes, James Gochis, and Chad Cottle. Chairwoman Pearce conducted the meeting and Jackson gave the invocation.

**Jackson moved to convene in a public hearing. Seconded by Drummond. Motion Carried.**

Public Hearings:

Wayne & Margene Cottle Property – Rezone Petition – RE-20 to R-1-11- Approx. 3525 W 1975 N

Pearce explained the process. **Nicole Cottle**, representing the Cottle family, explained that even though the rezone is for ¼ acre lots there would be no lots with 11,000 sq. ft. The average lot size is 16,800-sq. ft. with some even bigger. All of the frontages would be 100-ft. minimum as required, so the look would be the same from the street, but the lots wouldn't be long and narrow. When they designed the subdivision, they considered teenagers speeding on the streets. With the more interesting street patterns, there are natural speed control devices. This subdivision is intended for the younger generation of Cottles who don't want as much grass. The CC&Rs would require bigger house sizes with 100% of masonry standards. **Mark Peterson** lives in the Robson subdivision and is concerned about the geography of the area. It is surrounded by the slough and from Plain View west it is ½ acre lots. With smaller lots there are smaller homes and it affects the value. **Carl Miller** has nothing against subdivisions, but would like to see the General Plan followed, and is not in the General Plan. **Steve Diamond** lives on 2200 North not next door to this subdivision. He was on the City Council and Planning Commission when the Robson Subdivision was brought in. It was decided then, that area should remain 1/2-acre lots. Once it is rezoned another developer can come in and change the plans with smaller lots. **Kelly Parke** lives in the Plain View Subdivision. She doesn't see a good reason for the rezone except that the people who own the property will make more money and the City will make more money through building permits. She doesn't feel that anywhere should be zoned ¼ acre so we can reserve the atmosphere in Plain City. **Blake Cottle** is a grandson of the Cottles. He feels it is a good reason to allow smaller lots for those who don't want bigger lots to take care of. **Lynn Cottle** made it clear they aren't subdividing for the money. When he was on the Council years ago, he raised his hand against smaller lots. He has since changed his mind, since some bigger lots are not being maintained. He would like to see smaller lots for those who want them. **Gene Johnson** likes not only the 100-ft. frontages, but having 100-ft. behind the house also. He doesn't want houses right up to his back fence. If people can't take care of bigger yards, they shouldn't buy them. **Pat Charlesworth** moved from Huntsville 3 years ago. Huntsville was going to control the building too. He moved here because it is one of the last areas where there is space to move. There are very few areas still considered rural along the Wasatch Front. It needs to stay ½ acre lots. He feels that it is a money issue. **Scott Van Orden** respects the Cottles, but has a problem with smaller lots. Zoning is the only way to protect the city from developers not following the ordinances. **Jason Call** lives in AJ Robson. He is a friend of the Cottles and has lived in Plain City his whole life. His concern is that once an area is rezoned ¼ acre, precedence is set. Wayne Cottle fought against rezoning to smaller lots because it was ruining Plain City, now that it is Cottles turn he would like to see it stay ½ acres.

River Crossing Subdivision

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**Mark Lowther** lives on 1500 North and the River Crossing Subdivision will border his property on two sides. He pumps water out of the canal and uses a diesel tractor. The property owners won't be happy when he waters at 3 a.m. He wants to be a good neighbor and doesn't want the police called. He presented photos of the canal and his property. **Zanna Child** of Child Brothers Farm borders the River Crossing Subdivision. She doesn't object to the subdivision, but would like to see a fence put up so there is no liability, crops aren't destroyed, and lawn clippings aren't thrown over the fence for the Childs to clean up.

Laurence Cove Subdivision

**Dan Murray** is representing Joyce Jenkins Wassom, who owns a residence on 4500 West with a couple of acres off of 1975 North. The subdivision would have the existing home on 4500 West and 4 new lots with a cul-de-sac off of 1975 North. They would like a deferral agreement for curb, gutter, and sidewalk until the infrastructure is done along 1975 North. **Lee Ficarra's** property abuts this subdivision. He is concerned about the sewer system. He doesn't want the sewer system failing and backing up in homes.

**Jackson moved to close the public hearing and reconvene in a regular meeting. Seconded by Drummond. Motion carried.**

Motion – Blake Cottle Rezone Petition – Re-20 to R-1-11 – Approx. 3525 W 1975 N:

The lot sizes were discussed. Nicole Cottle mentioned there would be a few around the slough that are around 13,000 sq. ft., the majority at 16,000 sq. ft., and some bigger size lots. Pearce mentioned that she has researched the ordinances. The General Plan talks about neighborhoods, preservation, and keeping them alike as much as possible. Pearce feels that it should remain RE-20. Jackson mentioned that all of the public comments were against the rezone except the developers. He would also like to see it remain Re-20. **Jackson moved to recommend to the City Council denial of the rezone petition for the Cottle property from RE-20 to R-1-11 zone. Seconded by Drummond. Motion carried.**

River Crossing Subdivision – Kent Buie – Approx. 4973 W. 1500 N. – 80 lots:

Kent Buie mentioned that he talked to Brad Jensen this morning and addressed Mr. Lowther's concern. The commission and Kent Buie reviewed the letter from Brad Jensen dated April 6, 2006. Item 1, a traffic study needs to be done. The study is being done and a preliminary draft is available. The final should be in next week. The preliminary suggests making a deceleration lane on both sides of the subdivision. The eastside isn't a problem and he is working on purchasing the land on the westside. There was a question as to what point additional access will be required. There is an existing dirt road on the eastside, which will be an all weathered road for emergency access. Item 2, because of the existing River Run Subdivision stub road Brad recommends a stub road on the eastside north of the canal. Item 3, the west half of the entry isn't owned by the developer for a deceleration lane. Kent Buie is in the process of trying to purchase it. If he doesn't acquire it he will have to make other arrangements. Item 4, the emergency access will be maintained by a Homeowners Association. Item 5, before any improvements on the canal are done they need to be approved by the Canal Company. Kent Buie hasn't done engineering on this yet. Item 6, the wetland study has been done, received, and wont affect anything since there is open space around the canal and slough. Item 7, intent to serve letters need to be received from the utilities. The city has received Bona Vista's letter, and Kent Buie stated that Brad Jensen has received the rest. All of the letters need to be faxed into the city. Secondary water will be provided by Mt. View Irrigation and a letter needs to be received. Item 8, the fire department hasn't responded concerning the fire hydrant locations yet. Item 9, the fire flows have been done and Brad Jensen has received the information, but the city also needs to receive a copy. Item 10, a geotech study is being done, and a preliminary report has been received. It basically says the property is suitable for construction. Item 11, a plan has been sent to the lighting consultants. Item 12, a detailed storm drain report needs to be received. Item 13, lot 19 is non-conforming, and they will hold it for future development. Item 14, the lift station needs to be on city property so that lots will have to be reduced. Field fencing will be required around all agricultural property. All irrigation ditches need to be shown and either piped or fenced if they are within 5 feet of the subdivision. There is a drain ditch along the Child property and an easement may be required. A 15" pipe should be able to handle the drain ditch. The canal will need to be fenced. The open space and trail system was discussed. The developer would like to have a compacted road base trail instead of paved. Childs mentioned possible springs. Kent Buie thought they would be in the open space area. Jackson is concerned about

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the block length; he calculates it at roughly 3700 feet. Another stub road to the east may be needed at about 1375 North to connect onto River Run. Brad Jensen hasn't commented on the Development Agreement, but Ken Bradshaw has and the issues have been addressed. The commission would like to see a stub road to the property on the south for future connectivity. Kent Buie mentioned it will mess up the mix of lots, but he will look into it. The utility letters, traffic study, geotech study, and a detailed storm study need to be received. The deceleration lane on the westside and the drainage ditch issue by the Child property need to be worked out. **Jackson moved to table the River Crossing Subdivision, and allow it on the next meeting if all of the issues are taken care of and there are no more than two issues on the letter from Brad Jensen, City Engineer. Seconded by Drummond. Motion carried.**

Laurence Cove Subdivision – Dan Murray – Approx. 4550 W 1975 N:

The commission and Dan Murray reviewed the letter from Brad Jensen dated April 6, 2006. Item 1, drainage for the rear of the lots needs to be addressed. Item 2, there are two fingers by the existing house that need to be shown on the plat. They may be deeded to the nearby property owners. Item 3, curb and gutter will not be required in front of Stokes. Item 4, fire hydrants need to be installed as per the fire department. Item 5, the streetlight consultants have received a copy of the plat. Item 6, Pineveiw needs to be contacted for secondary water, or another option needs to be presented. Item 7, utilities letters need to be received. Dan Murray mentioned there might be a discrepancy in the legal description. Items 1, 2, 6, & 7 need to be addressed. **Drummond moved to table the Laurence Cove Subdivision until some issues are resolved and put them on the work session May 25. Seconded by Jackson. Motion carried.**

Klomp Subdivision – Jason Klomp – 2 Lots:

The property is located at approximately 3723 W North Plain City Road, just west of Glade Crowther's home. Pearce explained that instead of recording the subdivision it was quit deeded so final approval has expired. Jason Klomp mentioned he has made changes and turned the mylar in. This will be a ½ acre lot with the remaining Papageorge property as farmland. **Jackson moved to recommend final approval to the Klomp Subdivision. Seconded by Pearce.** Drummond mentioned that since this is new to him he would follow Jackson and Pearce's recommendation for a vote. **Motion carried.**

Set Public Hearing – Discussion - Fox Subdivision:

Pearce mentioned that there couldn't be a discussion, but a public hearing could be set. Jackson needs to step down but if Jackson steps down there won't be a quorum. **Drummond moved to set public hearing for the Fox Subdivision on June 22<sup>nd</sup>. Seconded by Pearce. Motion carried.**

Motion — Conditional Use Permit - Preliminary - England Meadows PRUD –179 units - approx. 3300 W 3500 N:

Steve Pastorik mentioned the memo he sent out with the highlighted items that need to be completed. The planners are recommending that the main trial system be 10 feet wide and the others 5 feet wide. A list of the trees that are going to be used along the park strip needs to be submitted before final approval. England Meadows is proposing 60 feet wide streets but only 32 feet of asphalt. The streets would all be public. It is suggested that since the City will own the streets they need to be according to the Public Works Standards. Brad Jensen will have to approve any changes. Maybe the main streets could be according to the standards and the smaller ones with 32 feet pavement. A phasing plan has been shown and with the open space in the phases. The development agreement shows the lot width as 75 feet. Steve recommends the width in the cul-de-sacs be measured at the radius. If basements are wanted a geo-tech study needs to be done. If basements are wanted the developer has to take the responsibility if there is flooding. The homes will be an average of 1,500-sq. ft. without basements. The commission and Paul Southwick reviewed the City Engineers letter dated March 6, 2006. Item 1, a wetland study is being done and will be turned into the Army Corp of Engineers. They don't expect any changes on the plat because of wetlands. Item 2, a single access to this development is showing through Farr West. They are looking at options for access through Hawkins, Harbertsons, and Glen Dickemore's property. If it goes through Harbertson's property it will go to 4000 North. The stub road to Bayview Estates will also remain on the plat. Item 3, the open space needs to be looked at so that not more than 50% is under the power lines. Item 4, the parks will be maintained by the city, and the Council is addressing impact fees for parks. It was mentioned that impact fees could be used for improvements but not maintenance of the parks. Special taxes per month could be added to pay

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for maintenance. Having the landscaping of the lots in the CC&Rs was discussed. Southwick doesn't want to spell out what the homeowners would have to do so that there could be a variety. The Development Agreement should include the 10 foot trail, street trees to be agreed upon, resolving the 32 foot verses 36 foot pavement, lots on the cul-de-sac measured at the setback, 1,500 sq. ft. homes, houses with garages that are flush with the setbacks, and masonry on the front and at least 30% on the sides. They are discussing with Hawkins and Randy Marriott taking the sewer line done an easement in along the trail system all the way to the sewer ponds. The pipe size will be big enough to accommodate more growth and there will be a pioneering agreement. Hawkins may have some sewer lines go to the lift station in Grouse Meadows for now. The big problem with a new pipeline is getting approval from the Division of Wildlife Services. The City may have to take over the trail system in the future anyway because Plain City will surround it. For final, a letter from Harbertson allowing access through his property and the sewer needs to be worked out. The roads between Hawkins and England Meadows need to be lined up. Restroom facilities in the park were mentioned. Paul Southwick didn't see a problem. The park amenities need to be discussed with Brent White and Brent Weston. **Jackson moved to approve the conditional use permit for England Meadows PRUD with the conditions of the items on Brad Jensen's letter dated March 6, and Steve and Johns memo with the eight conditions. Seconded by Drummond. Motion carried. Jackson moved to grant preliminary approval to the England Meadows PRUD on the conditions of Brad Jensen's letter and John and Steve's revised memo, fences where the development needs them, a safety fence in accordance with the Public Works Standards on the north boundary along the canal, and piping of the drainage ditch it is not abandoned, access to the subdivision as discussed, and adequate restroom facilities for the park. Seconded by Drummond. Motion carried.** Steve Pastorik suggested that the city look at roads especially the arterial ones. It was suggested having a meeting before final with the planners, developer, and engineer to solve some issues. Having a Development Agreement that just the ending is revised was also suggested.

Approval of the Minutes – 27 April 2006:

**Jackson moved to approve the minutes of 27 April 2006, as written. Seconded by Drummond. Motion carried.**

Report from City Council - Pearce:

Councilmember White mentioned the moratorium. There were three for and one against, the one against talked one of the others out of it. The Mayor commented that developers would go someplace else. The fire station addition was approved and Calvert's annexation was approved.

Schedule for attending City Council Meetings:

Jackson	Pearce	Sadler	Spencer	Balderree	Drummond
				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	

**Jackson moved to adjourn at 10:25 p.m. Seconded by Drummond. Motion Carried.**