

**PLAIN CITY PLANNING COMMISSION
MINUTES OF MEETING
14 DECEMBER 2006**

The Plain City Planning Commission convened in a meeting on Thursday, the 14th December 2006, in the Council Chambers of the Plain City Hall at 7:05 p.m. Present showed the following: Chairwoman Artie Pearce, Vice Chairman Buddy Sadler arrived at 7:10 pm, Members: Gary Jackson, Bob Spencer arrived at 7:15 pm, Al Drummond, and Alternate Brandon Stokes, and Secretary Kathy Hancock. Also present: Councilman Darwin Smith, Troy LaFleur, Floyd LaFleur, Kathleen LaFleur, Lee Ficarra, Kelly Ficarra, Bryon Krenek and wife, Alan Stokes, Sherrie Hodson, Ron Bone, Wendell Winegar, Elaine Winegar, Steve Pilot, Carrie Pilot, Jeff Rigley, Kari Rigley, Gary Nielsen, Jean Fenn, Matt Wimmer, Bill Van Hulten, Bob Lewis, and Carl Miller. Chairwoman Pearce conducted the meeting and Mr. Jackson gave the invocation.

Public Hearing – Mustang Run Subdivision – 1988 N 4600 W – 2 lots:

Mr. Drummond moved to convene in a public hearing for the Mustang Run Subdivision. Seconded by Mr. Jackson. Vote: Mrs. Pearce, Mr. Drummond, Mr. Jackson, Mr. Stokes voted aye. The motion carried.

Lee Ficarra who lives on 4500 West, mentioned that lot one will be in his back yard. He doesn't want a 40' X100' septic, fly ridden pit, 15 feet from his house. Sadler arrived. These retention ponds are breeding grounds for disease and ecoli. When this property was used for a garden his basement would flood. He knows everyone has rights but he wants to keep his rights also. He is concerned about his property value.

Kelly Ficarra doesn't want this affecting the community and wants it worked out for the best interest of everyone.

Ron Bone who also lives on 4500 West is concerned with the breeze blowing the smell from the horses towards his property and those along 4500 West. He feels he should be protected from that. He is also concerned with lowering his property value.

Pearce read a letter from Christensens voicing their concerns. They would like the Commission to postpone their decision on this until a study can be done on the impact of the neighbors.

Jean Fenn, lives on 1975 and this property is behind her home. She doesn't mind the houses but doesn't want a road way. The problem with the road is Christensen's house will have a road on three sides.

Alan Stokes lives at 4520 W 1975 N and this property is also behind his home. He doesn't want to see a road way on both sides of him. He hopes a compromise can be made for everyone in the community.

Mr. Sadler moved to reconvene in a regular meeting. Seconded by Mr. Jackson. Vote: Mrs. Pearce, Mr. Drummond, Mr. Stokes, Mr. Jackson, and Mr. Sadler voted aye. The motion carried. Mr. Spencer arrived.

Conditional Use Permit – Mustang Run Subdivision 1988 N 4600 W – 2 lots

With a flag lot, a 20 foot wide asphalt driveway with a 5 foot landscape buffer on both sides would be required. Since the stems will be bigger than 20 feet extra landscaping might be required. Mr. Troy LaFleur mentioned that he had lot 1 changed to 100 feet of frontage. He talked to Don Weston about the fire hydrant. Mr. Weston is requiring a hydrant in the right of way on a corner of either entrance.

In the packet there was a second option. This option included a road to the Stake Center. It would have a small lot 1 on the east and a larger lot two on the west of the road. It was discussed that since the road isn't 60 feet it may still require flag lots. There is a concern that Christensens would have roads on three sides of them. Mayor Jenkins explained why the road is designed where it is. He explained that when Joyce Wassom owned the property he talked to them about putting a road through to the Stake Center for safety reasons. The LDS Church was approached and they were happy the way it is. After a study was done, the church is now open to an access. The property was sold to Mr. Troy LaFleur and he was never told about the road. Mr. LaFleur is open to a road and the Mayor had the City Engineer draw it up. With the road designed where it is it will work with the parking lot and still allow for two building lots. The Mayor did mention that the decision is ultimately Mr. LaFleur's. The Mayor also mentioned that not everyone will be happy no matter what the outcome will be. There will not be a 40' X100' retention pond on lot 1. Each lot would have to handle their own storm water run off. If the City does go with the road, it would be about 24 feet of an asphalt road with an additional 6-8 feet of asphalt for pedestrians. There would not be any curb, gutter or sidewalk. The City feels that way the snow plow can remove the snow. It would be a very low use public road. There is a concern with high school kids using it, but it won't be a thoroughfare. A fire hydrant would still be required with the road. There is a concern that by putting the road in, the City is going against the ordinance having a road on three sides of a home and two roads close together. The Mayor mentioned that the roads are within the ordinance limit. Mr. LaFleur mentioned he would like to pursue the flag lots since the City Council still has to work out the costs etc. for the road. It was mentioned that the conditions can be set contingent upon the road not going through. There was a discussion as to if the road goes through since it will be creating two lots it would still have to be subdivided. No one was sure.

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Landscaping of the buffers was discussed. Mr. LaFleur doesn't want to get too specific because he isn't sure what kind of trees he will be putting along the buffer. He also mentioned he will be putting in more than 5 feet on each side since the stems are wider than 30 feet. The commission would like something more than just trees and rock, but the main thing is no weeds or an eye sore for Fenns and Stokes. The commission will require trees, bushes, and grass landscaping of the buffers. It was mentioned that the lot owners should maintain the buffer for their driveways. The concern is who will maintain it if the road goes through. The commission would like to see a 50-foot radius turnaround at the end of each stem. Mr. LaFleur mentioned he talked to Don Weston and he would be alright with a hammerhead turnaround. The hammerhead turnaround is also approved in the fire code and the City has adopted the fire code. Mr. LaFleur mentioned that he bought this property to put horses on, but if he has to put in two 50 foot radius turnarounds it will eliminate the horse property. In the subdivision next door, there are six homes that use a 50 foot radius turnaround and he feels it is over kill for two houses. There is a 6-foot chain link fence on the west side of the subdivision. The commission would like a privacy fence behind Stokes and Fenns. The commission discussed requiring a vinyl fence. It was mentioned that horses can destroy vinyl fences. It was decided that some kind of privacy fence would be required behind Stokes and Fenns and along the east side of the subdivision that it could be a 5 foot chain link fence with slats.

The commission explained that since Mr. LaFleur is the developer, he will be required to put in the fence and put in the improvements to the lots before they are sold. Streetlights were discussed, but since the high school is across the street and always lit up it was determined they wouldn't be necessary. There was also a discussion for the property between the hammerhead turnaround and the Fenns and Stokes property. It was determined that asphalt or landscaping will be required between the fence and the turnaround. A deferral agreement for both lots will be required for curb, gutter, and sidewalk. Mr. LaFleur mentioned that there is Pineview water with the property. Letters from Pineview and Bona Vista Water need to be received. **Mr. Jackson moved to grant a conditional use permit for the two flag lots for Troy LaFleur with the conditions on the letter from Brad Jensen dated 6 December 2006, the stems of the flag lots to have 20 feet of pavement with a 120 foot paved hammerhead turnaround at the end as described in the fire code appendix D for both stems, with a minimum of 5 feet landscaping of trees, shrubs, and grass on both sides of both stems, a privacy fence that could be a 5 foot chainlink fence with privacy slats behind Stokes and on the east of lot 1, a deferral agreement signed for curb, gutter, and sidewalk, the thickness of the asphalt and roadbase to be determined by the city engineer along with a detention or retention ponds, the developer is responsible for all of the improvements and has to take the utilities to the back of the stem on both lots, and either asphalt or grass landscaping or equivalent to the property line behind Fenns and Stokes. Seconded by Mr. Sadler. Vote: Mrs. Pearce aye, Mr. Jackson aye, Mr. Drummond aye, Mr. Sadler aye, and Mr. Spencer nay. Motion carried.**

Preliminary/Final Approval - Mustang Run Subdivision 1988 N 4600 W – 2 lots

Mr. Jackson moved to grant preliminary approval and recommended final approval to the City Council for the Mustang Run Subdivision. Motion died for lack of second.

Mr. Jackson moved to grant preliminary approval and recommended final approval to the City Council for the two flag lot Mustang Run Subdivision contingent that the road doesn't go through and if the road goes through to the church parking lot than the approval is null and void. Seconded by Mr. Drummond. Vote: Mr. Jackson, Mr. Sadler, Mr. Drummond, Mrs. Pearce, all voted aye, and Mr. Spencer voted nay. Motion carried. Later in the meeting Mr. Sadler mentioned that he reconsidered and changed his vote to nay.

Preliminary Approval – Homestead Subdivision 3319 W N Plain City Rd. - 21 lots

No one present.

Motion – Lot Line Adjustment – William Van Hulten – Approx. 2800 N 4000 W

Mr. Van Hulten mentioned that he is asking for a lot line adjustment for his and the Hodson property so that the lots with the homes are 1/3 acre lots. It would clean up the lot lines. **Mr. Drummond moved to approve the lot line adjustment for the Van Hulten and Hodson property as presented. Seconded by Mr. Spencer. Vote: Mrs. Pearce, Mr. Jackson, Mr. Drummond, Mr. Spencer, and Mr. Sadler voted aye. Motion carried.**

Set Public Hearing – Simpson Subdivision – approx. 4280 W 2350 N – 2 lots – Jan 11th

Mr. Gary Nielsen mentioned that they would like to create a building lot for their son. **Mr. Jackson moved to set a public hearing for the Simpson Subdivision on January 11, 2007. Seconded by Mr. Sadler. Vote: Mrs. Pearce, Mr. Jackson, Mr. Drummond, Mr. Spencer, and Mr. Sadler voted aye. Motion carried.** The commission recommended that Mr. Nielsen get a letter from Pineview for secondary water.

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Set Public Hearing – Rezone Petition – Byron Krenek – approx. 5100 W 2800 N – 151 acres from A1 to Re-15 – Jan 11th
Mr. Byron Krenek is requesting a rezone for his property that was just approved for annexation from an A-1 zone to a RE-15 zone. The commission was reviewing the plats and Mr. Krenek explained that 2600 North has been changed to 2700 North. Bona Vista is requiring an 8 inch line instead of the 6 inch. He will get a letter from Mt View Irrigation with intent to serve, use the fishing pond water, or use the water along the trail line for secondary water. He is also requesting rezoning of the property for the second phase of this subdivision. It was mentioned that this will need to be included on the subdivision plat for preliminary. Mr. Sadler questioned whether the rezone can be done without first changing the General Plan. Chairman Pearce mentioned that since the new General Plan shows this area as RE-20 or less she doesn't think so. Mr. Sadler mentioned that the new General Plan hasn't been approved yet with that zoning. **Mr. Jackson moved to set a public hearing date for the Parkvale Subdivision LLC and the Winegar property for rezone from A-1 to Re-15 on January 11, 2007.** The commission suggested that Mr. Krenek have a plat drawn up with all of the property included. **Seconded by Mrs. Pearce. Vote: Mrs. Pearce, Mr. Drummond, Mr. Spencer, and Mr. Jackson, voted aye, and Mr. Sadler voted nay. Motion carried.**

Approval of the Minutes – October 26, 2006 and November 9, 2006
Minor changes were noted. **Mr. Drummond moved to approve the minutes of October 26 2006, as corrected. Seconded by Mr. Spencer. Vote: Mrs. Pearce, Mr. Jackson, Mrs. Spencer, Mr. Drummond and Mr. Sadler voted aye. The motion carried.** Minor changes were noted. **Mr. Jackson moved to approve the minutes of November 9, 2006, as corrected. Seconded by Mr. Drummond. Vote: Mrs. Pearce, Mr. Jackson, Mr. Drummond, Mr. Spencer, and Mr. Sadler voted aye. The motion carried.** Spencer and Drummond noted that they were not present but voted aye. Mr. Jackson mentioned that items discussed are not being carried out like the width of 3600 West being discussed with Brad Jensen.

Motion – Cancel December 28, 2006 meeting
Mr. Sadler moved to cancel the December 28, 2006 meeting because of Christmas. Seconded by Mr. Drummond. Vote: Mrs. Pearce, Mr. Sadler, Mr. Jackson, Mr. Drummond, and Mr. Spencer voted aye. Motion carried. Mr. Sadler mentioned he would like to reconsider his vote for the Mustang Run Subdivision and change it to nay. Chairman Pearce mentioned the Mr. Krenek has an attorney and the subdivision needs to continue to keep moving along.

Motion – Schedule Special General Plan Meeting – Jan 10, 2006
Chairman Pearce mentioned that Cindy Gooch wanted to meet this month but she recommended meeting on January 10th at 7 p.m. for a special meeting to go over the General Plan. The City Council will be invited and Councilmembers Smith and Higley are planning on attending. **Mr. Spencer moved to set a special meeting to discuss the General Plan at 7 p.m. on January 10th, with the City Council. Seconded by Mr. Sadler. Vote: Mrs. Pearce, Mr. Jackson, Mrs. Spencer, Mr. Drummond and Mr. Sadler voted aye. The motion carried.**

Discussion – Mixed zone
Because of the lateness of the meeting it was recommended discussing this on the work meeting in February. It was also mentioned discussing charging subdivisions to be on the work meeting agenda at the work meeting in February.

Report from City Council- Drummond
The City Council approved Phase 3 of Big Cottonwood Estates, approved the annexation process except the islands and peninsulas because they have to be done different, Parkvale did a quick presentation, discussed the LaFleur property and approved checking into the road, Tiffany Bluffs and Plain City Meadows were conditionally accepted, Plain View and River Run were finally accepted, canceled the December 21st meeting, approved business licenses and warrants, discussed property that is annexed into Plain City and hooked onto the sewer and later decides to reannex back into Warren, and approved co-sharing with a grant for a fire truck.

Schedule for Attending the City Council Meeting

Pearce	Sadler	Jackson	Spencer	Drummond	Stokes
Jan 4	Jan 18	Feb 1	Feb 15	Mar 1	Mar 15
Apr 5	Apr 19	May 3	May 17	Jun 7	Jun 21
Jul 5	Jul 19	Aug 3	Aug 16	Sep 6	Sep 20
Oct 4	Oct 18	Nov 1	Nov 15	Dec 6	

Mr. Spencer moved to adjourn at 9:45 p.m. Seconded by Mr. Jackson. Vote: Mrs. Pearce, Mr. Sadler, Mr. Jackson, Mr. Drummond, and Mr. Spencer voted aye. Motion carried.