

**PLAIN CITY PLANNING COMMISSION
MINUTES OF MEETING
11 JANUARY 2007**

The Plain City Planning Commission convened in a meeting on Thursday, the 11th January 2007, 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, Members: Gary Jackson, Bob Spencer, Al Drummond, and Alternate Brandon Stokes, and Secretary Kathy Hancock. Also present: Councilman Darwin Smith, Don Hurford, Gary Nielsen, Anna Broderius, Ron Broderius, Byron Krenek, Thomas Miller, Warren Burbank, Drew Moyes, Mike Flood, Todd Moyes, Rosalie Hurd, Casey Nielsen, JD Casperson, Jeff Hales, Elaine Winegar, Wendell Winegar, Carl Miller, Sarah Brown, Kraig Brown, Bruce Higley, Michael McCurdy and Paul Hurd. Chairwoman Pearce conducted the meeting and Mr. Spencer gave the invocation.

Public Hearing

Mr. Jackson moved to convene in a public hearing for the Simpson Subdivision and the Rezone Petition. Seconded by Mr. Drummond. Vote: Mrs. Pearce, Mr. Drummond, Mr. Jackson, Mr. Sadler, Mr. Spencer voted aye. The motion carried.

Simpson Subdivision – 1988 N 4600 W – 2 lots:

Mr. Gary Nielsen would like to split a lot off. There is enough frontage for both lots. There were no other comments.

Rezone Petition – Approx. - 5100 E 2800 N – approx. 198 acres from A-1 to RE15

Mrs. Pearce explained that this property was annexed in as an A-1 zone they would like to request a RE-15 zone, which is a 1/3-acre. Mr. Byron Krenek explained where the rezone is being requested. He is purchasing Donald Hurford's property and this includes the Wendell Winegar property on both sides of 5100 West including a piece that goes to 2500 North. He has presented the first part of a subdivision to the commission but this would include the other phases.

Mrs. Sarah Brown who lives at 2846 N 5250 W in what used to be unincorporated Plain City asked what being annexed in will do for them. She was told lower taxes. She also asked how this rezone would affect their property. She was told that her property would still stay the same but the lots around her would be 1/3 acres. Mrs. Brown is concerned about the access to this subdivision. Right now there is only one access and that is adding more problems. She is concerned about safety for emergency vehicles and natural disasters. She mentioned that construction that has already been under way in that area. The school bus has not been able to drop the children off at their bus stop because of the construction. Her son was almost hit by a backhoe after getting off the bus since the workers are there before and after school. The road has been torn up and she doesn't want any more inconveniences and is concerned about safety. Even her milkman won't deliver milk. Another concern is the drainage issue. The water table is high and the existing houses have crawl spaces with sump pumps. Most of the drainage ditches have been filled in and there is no place for the water to drain. She has talked to other neighbors and they have the same concerns.

Mr. Craig Johnson who lives at 2824 N 5250 W has lived here 13 years. He is delighted about being in the city. He doesn't mind the development as long as it is done in a controlled manor that is presently being done. It was mentioned that now that it is in the city it would fall under the City Ordinances.

Mr. JD Casperson who lives at 2845 N 5550 W understood that when it was annexed in it would be at the same zone now it is being rezoned to 1/3 acre lots. He isn't against developing would just like to see bigger lot sizes and openness. He would like to see it stay at 1-acre lot sizes. He has spoke with 4 other neighbors and they all have the same concern. He had a problem and he had to complain 8 times before it finally got fixed.

Mrs. Rosalie Hurd who lives at 2545 N 4575 W has lived in Plain City most of her life and is concerned about this large of a section of land being developed all at once. She would like to know how many homes and what amenities there will be like sidewalk, parks, etc. What the plan is for the wetlands on the property.

Mr. Wendell Winegar mentioned that when the subdivision was put in the drainage was working. Now that new people have moved in they have filled in the ditches. He also mentioned that when they were approached about putting the sewer line along their property it was talked about allowing an RE-15 zone in that area. He also mentioned the amenities of trails and a pond. There will be three roads accessing this property. After having many complains he had the put asphalt on the road himself.

Mrs. Elaine Winegar also mentioned that three roads would come into the subdivision. She mentioned the roads have been a mess because of the annexation delay with the city. It was ready to go last February. The drainage is bad because people who have bought the property have filled in the drainage ditches. The part by Rosalie Hurd won't be developed until later. The subdivision will include curb, gutter, sidewalk, riding arena, and a fishing pond.

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Mr. Kraig Brown who lives on 5250 W is concerned about the drainage problems. His ditch hasn't been filled in and he is still having drainage problems because there is no outlet for the drainage. Another concern is access in and out of the subdivision. The only access to this area is 5100 W. With the construction he has had a hard time getting a car through. He feels there have been a lot of short cuts taken and doesn't want to see anymore.

Mr. Gary Nielsen who lives in Warren has property west of this proposed subdivision. He is concerned that 2500 North will become a major thoroughfare. He mentioned that 4500 W is not even an existing street. He feels it should stay 1 acre since everything around it is. He would rather see it rezoned a little at a time instead of all at once. Do in just little area and not all of it. He also mentioned there is an irrigation company ditch by 2500 N and 4500 W.

Mr. JD Casperson asked for a location of the drainage culverts but also mentioned they are higher than the drainage area. Wendell Winegar explained where the drains are. Two of the culverts have been filled in. They were put in according to the County requirements. The County is supposed to have records.

Mr. Gary Nielsen mentioned that if the property is rezoned it will now fall under the Plain City Ordinances instead of the County. The County is less restrictive.

Mr. Carl Miller who lives at 1606 N 4700 W is concerned that the General Plan shows it ½ acre or bigger in that area. He feels it should stay 1 acres since that area is that way now.

Scott Moyes who lives at 4475 W 2575 N east of this property is concerned about wetlands. The Army Corp of Engineers told him this was wetlands. The commission explained that studies would have to be done before approval could be granted on this property. The subdivision would have to go through the approval process.

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

Preliminary/Final Approval – Simpson Subdivision 1988 N 4600 W – 2 lots

Mrs. Pearce mentioned that she had talked to Brad Jensen and he didn't see any problems with this subdivision. A deferral agreement does need to be signed for both lots. The garage will be moved onto the new lot. It was suggested having the deferral agreement noted that the developer is responsible for it. It was noted that the engineer needs to look into having it recorded on the deed. **Mr. Sadler moved to grant preliminary approval and recommended final approval to the City Council for the Simpson Run Subdivision contingent upon the letter from Brad Jensen dated 4 January 2007, and deferral agreement signed and a note is recorded on the plat and title stating their ½ deeded portion. Seconded by Jackson. Motion carried.**

Motion Rezone petition – 5100 W 2800 N – 198 Acres A-1- to RE-15

The commission discussed what property is to be rezoned. It will include 5100 W to the rail trail on the south, the existing homes along 2700 N. The rezone if for 198 acres including phase 1. It was mentioned that this would be spot zoning to some degree. There is one parcel that extends to 2500 North. The Johnson and Singleton property is not included. There was a comment concerning the equestrian park and 1/3 acre lots that don't allow horses. It would be more suited as Re-20 zone. It was also mentioned that the request doesn't match the General Plan, which shows acre lots for this area. This area is being considered as sensitive land use and ½ acre or larger in the proposed General Plan. The smaller lots don't work well in a sensitive land area. It was also mentioned that with the city landfill in that area it would be more conducive to larger lot sizes for the health, welfare, and safety of the residents. The commission read the letter from the former Mayor dated October 2006. After reading the letter there is nothing stating would rezone to 1/3 acre. **Mr. Jackson moved to recommend to the City Council to deny the rezoning request for Re-15. Seconded by Drummond. Motion carried.** It was mentioned that the City Council would have the final say. Mr. Winegar mentioned that the agreement with Mayor Willie is they wouldn't ask for ¼ acre zone. . will be final decision. Understanding with Mayor Willie not go down to ¼ acre lots that are approved by city. When Byron bought project. What would accept, is it in city code can't go down to 1/3 acre lots. Don't have ¼ acre zone. Have R-1-11 zone agreed not to go and let him go through least consider is RE-20. Can't pass anything that is not on application. According to GP which told to abide by is RE-20 in that area to RE40. Process same as doing tonight.

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

Talk to Brad today. Engineer got a copy of it. Item Engineer should have given copy. Lot 21 is not build able. Conforms with everything except fence. Lot 18 and 10 need to have meets setback with 30 feet in back 40 in front. Setbacks in back don't know if meet. Asphalt widening nothing is shown telling him what he is going to do. Haven't stepped forward stepped back. Have a letter from Stillcreek. Needs to know money has been deposited and if city approves subdivision water can go

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through if subdivision goes through. Brad Jensen made comment knows engineer, Paid to re engineer pipe for the storm drain. Gave memo to go over with the Engineer follow normal preliminary plat. Call and get questions answered from Engineer.

Final Approval – Phase 1C Stillcreek Village Motion – approx. 3100 W N Plain City Road -35 lots

In Mr. Millers in defense, just received letter from Engineer. If get to developers engineer sooner, his case would be nice. Temporary turnaround needs to be shown on plat. Geotech study testing was done at different levels and identified lowest floor elevations, it wasn't noted on one in September. When go to build it is noted can't set basements any lower than that. Item three noted boundary change. Thinks miss drawn. On phase 1B that was shown because sewer going through. It will be fixed if not. Only concerns for Brad was turnaround and finished floor elevations. Landscaping development for landscaping Small section in section three 100 foot detention basin in phase 3 it will be similar to what was submitted in Phase 1 A \$ 1B. So much building going on around. Might need to restrict until road goes through. 164 and 163 need temporary turnaround 149. 144 needs to not face the main road. Need to put a note on the plat showing no access all along the road. Mr. Sadler moved to recommend final approval to the City Council for Phase 1 C STCV!CPRUD following notes of engineer and additional restriction lot 163, 164 need to be on the developed road if road into England Meadows isn't through unless temporary turnaround or one lot is used for temporary turnaround u 163 164 face whispering meadow drive faces on unless temporary turnaround is provided, and lot 149 until that road goes through a non-buildable lot, and lot 144 and 143 need to be restricted that they face larkspur lane. Seconded by Drummond.

Final Approval – Mt West Meadows Phase 2 – approx. 285 W 2075 N – 60 lots

Has talked to Brad Jensen item 2, temporary turnarounds on 2175 and 2075 N. Those three streets dead ending to east thin that road will be in that this will. Phase 2 the streets he is addressing phase 4 of Miya takes in that whole street. This is all on Farr West side so wouldn't be aware of it. It will blend in. 2175 N emergency access for Farr West Drive. It will be 2nd access for this phase as well. Stem comes all way when develops it will have to be done there too. It is preliminary done in Farr West, now in for Final Phase 4 which will be street clear until there. This street will all be in Farr West. The lots can border the street. Would have 30 30 setbacks. Safer made build there and not on main road. Simply because they are service by PC so better off to be in PC. Safety issue with school make everything on road go the other way. The road would be safer other way. The street from Miya will be bonded and put in at the same time. This phase is already preliminary approved with Farr West City. In precess don't have preliminary contingent upon the rezone. As soon as rezoned than preliminary will be done. Drummond excused for 8:53-8:54 to . Do road with conjunction with phase 2 this will than be another access. It will be hard surface road base. Tom from Farr West will make it be paved. When school goes in, they won't have to pave it can do a pioneer agreement so when done could be reimbursed. With that many houses want to make it paved with number of homes, request a second access. There is an emergency access to 1900 North. At the same time will have a paved access going out to 2700 North If approve agree than no occupancy permits until road goes through. Would really like to connect to 2200 North. There is a detention basin area and it works as own. It is bigger than what will be when fully developed behind arena. It will have to be developed with 3rd phase. Within pipe self detention area. On phase 4 Miyas are they talked to about canal. Heard rumors that Farr West will make you pipe it. Haven't heard one word. Drew Moyes mentioned that Farr West has been asked to look at piping the canal. This doesn't even touch it. Markos East will have to be done, it hasn't got that far yet. If make do that if follows line. Jackson concerned about canal, and see Drew's here. Think if wait until address Markos property take care of at that time. Markos goes through the whole thing. It will be addressed when Markos is addressed. This is the second phase of Markos East that is in the PC side. It goes down and laps around. It is without 5 feet so a 6' chain link fence, so if pipe than don't need fence. Didn't know Farr West has asked engineer to look at piping it. Haven't voted on it but have asked what is required as far as pipe size. Attorney thinks Farr West will require to pipe it. It is 6 feet above the natural land level. Need to bring in dirt to shore up this side of it. It isn't very stable and Irrigation Company has asked the dirt to be brought back and shore it up because the canal cement is deteriorating. Budget money to replace cement, but it would be nice to protect it. Randy says three years ago. If pipe whole thing than charge Pineview or any secondary water system for pipe. Get together and work out with irrigation company. Will put in temps until road goes through. Road base thickness needs to be addressed. Always put 12" and plans must have shown 8" but will put 12". Rest bond issue and mylars. Have letter from Bona Vista has plan. Get developer face lots way want. Phase rest and consider having face other way on more quiet streets in PC. Have ability to do that. Gary concern plat given phase 2 east side doesn't show curb and gutter sidewalk, Like to see deferral agreement curb, gutter and sidewalk in case on Plain City Side. Putting it that street fully improved and dedicated street. All shows street along but doesn't show curb, gutter, and sidewalk on this side. Need to do deferral in case happens to be on PC side than if not no harm no fowl. Make sure gets done. Assume street not going in, Brad Jensen just says temporary turnaround would require deferral agreement. It will some day. If does on Farr West no big deal. If lots in Plain City. Can restrict building on those lots until that road is improved. Rather just have deferral agreement. If they do it later it is inconvenience. Easier put in or not put houses in until it is. Taking word but just in case in PC want curb, gutter, and sidewalk. Rather restrict lots and say non-buildable until that street is in. Still want to make sure covered for curb, gutter, and sidewalk. Lots that face 2700 North no building permits issued until street improved. If add curb and gutter required if roadway is not contiguous and totally on Farr West side. If part of sidewalk or curb and gutter needs to be done as part of this

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subdivision. Restrict lots until curb, gutter, streets improved. Just want note not on plat. Just note for city for Diane. **Mr. Jackson moved to recommend final approval to the Mt. West Meadows Phase 2 to the City Council with the conditions on the letter from Brad Jensen dated January 4, 2007, and with conditions that restrict building on lot 85, 84, 66, 65, and 47 unit 2700 West is improved with curb, gutter and sidewalk to be in city and not on lots, need to work out details with the Canal Company on shoring up the canal, those same lots all driveways on 2075 N 2150 N and 2175 N to be on the plat. No occupancy on any lots attained until there is another dedicated paved access. Seconded by Sadler. Motion carried.**

Preliminary Approval – River Crossing – approx. 4925 W 1500 N – 80 lots

Brad Jensen talked about #6. Detention pond can be done away with and the slough can be used. With steep sides need to make a little safer and not so steep. Designated wetlands. Have Brad check on since wetlands go all of the way to the top. Lot 19 is not a build able lot. That will turn to green. Will have to renumber the lots and eliminate that one. Easily done if put a road through to the east. It is way over 1200 feet. A good place is across from that little cul-de-sac. A water line needs to come down from 5100 West and a lift station. Have an RE-15 zone and could slip another lot in somewhere. All the other concepts have to shift again. To create a better subdivision would like that done. If alright with you will look at at final. One less 20,000 sq. ft. lot and one smaller. No longer than 1200 feet. Maximum length is 1200 feet. So need to put a road in. Discussed moving the road 1300 North moving to the north. May have a problem with second section. Will work if both sides meet the 1200 ft. block minimum. Best way is to leave main road going east and west there. Connectivity to south. Probably have to do that at one point. See both go through. Need at least one or on another one. Would like to move it down to the west. Since have other property south. If do one south than will force west stub road. Gary think two stub roads would be best. Buddy point out does have stub roads require temporary turnarounds or restricted lots. Need at least one stub road going south and one to the east. **Mr. Jackson moved to grant preliminarily approval to the River Crossing subdivision contingent upon stub road going east off adjacent to 1375 stub road 4925 West to south boundary and 4975 West, lot 19 eliminated and made into green space, fencing according to public works standards for agriculture property and contingent upon Brad Jensen January 4, 2007 letter. Seconded by Spencer.** Sadler get with Brad and talk about slopes and see if flexibility for wetlands. Might not hurt to get corps or Attorneys opinion. Jackson, Spencer, aye. Pearce, Drummond, Sadler nay. Don't think need secondary access to south. Sadler thinks one road sufficient on 1925 maybe subject to ask Brad. Mr. Drummond moved to grant preliminary approval to the River Crossing. Seconded by Sadler. Jackson suggested tabling until get reading from Brad. Seconded withdrawn. Pearce Seconded motion. Jackson not unlike MT. West and have put not only two but three to 2700 North. Sadler Gary right. Drummond and Pearce aye. Sadler, Spencer, Jackson nay. Sadler motioned to table the River Crossing Subdivision until get further information from the Engineer. Seconded by Jackson. Jackson, Spencer, Sadler aye, Pearce, and Drummond Nay. Motion carried.

Approval of the Minutes – December 14, 2007

Minor changes noted. **Mr. Spencer moved to approve the minutes of December 14, 2007, as corrected. Seconded by Mr. Jackson. Vote: Mrs. Pearce, Mr. Jackson, Mrs. Spencer, Mr. Drummond and Mr. Sadler voted aye. The motion carried.**

Report from City Council- Pearce

Pearce didn't have anything to report. The commission discussed deferral agreements. There is a concern that they are not getting recorded with the plats. It was mentioned making all subdivisions put in curb, gutter, and sidewalk. Think in best interest of city either all lots have curb, gutter, and sidewalk or have a deferral agreement if not done at the time. Drummond agreed. It needs to be recorded. If anyone builds a new home they would have the same restrictions as subdivisions. Need to change ordinance and recommend to City Council to do that.

England Meadows gave preliminary and final on phase 1 can build up to 29 without secondary access. Farr West has an issue and City Council if developer doesn't take care of it. Only access is through Remuda and roads can't handle big trucks. When they make sharp turns they are digging up pavement. Concern same thing is going to happen here. They will block off access road if developer doesn't have another access to bring in big trucks. Somehow need to make developer aware of it. Has plans to go to 4000 North and has plans to go north. Maybe this will increase his need to do that.

Schedule for Attending the City Council Meeting

Pearce	Sadler	Spencer	Drummond	Stokes	
			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	

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Mr. Spencer moved to adjourn at 10:05 p.m. Seconded by Mr. Drummond. Vote: Mrs. Pearce, Mr. Sadler, Mr. Jackson, Mr. Drummond, and Mr. Spencer voted aye. Motion carried.

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