

**PLAIN CITY PLANNING COMMISSION  
MINUTES OF MEETING  
8 MARCH 2007**

The Plain City Planning Commission convened in a meeting on Thursday, the 8<sup>th</sup> March 2007, in the Council Chambers of the Plain City Hall at 7:00 p.m. Present showed the following: Chairwoman Artie Pearce excused, Vice Chairman Buddy Sadler, Members: Bob Spencer excused, Al Drummond, Brandon Stokes, and alternate Jarod Maw and Secretary Kathy Hancock. Also present: Mayor Jay Jenkins, Dave Harrington, Kathy Denslow, LeeAnn Semrow, Terry Wilson, Byron Krenek, Jacob Brimhall, Charlotte Brimhall, Warren Burbank, Glen Wade, Gary Stuart, Ken Jackson, Mike McCurdy, John Reeve, Don Hurford, Jeff Hales, Sarah Brown, Carl Miller, Kathy Johnson, Craig Johnson, Cody Johnson, Elaine Winegar, Lisa Glenn, JD Casperson, Celeste Canning, Michelle Smith, Chuck Smith, Leslye Johnson, Craig Johnson, John Dunkley, Kathy Dunkley, John Janson, Robert Stark, Dan Burden, and Chaos Jerney. Vice Chairman Sadler conducted the meeting and Mr. Drummond gave the invocation.

Public Hearing – Parkvale Subdivision PRUD – March 8, 2007

**Mr. Drummond moved to convene in a public hearing for the Parkvale Subdivision PRUD. Seconded by Mr. Stokes. Vote: Mr. Drummond, Mr. Sadler, Mr. Stokes, and Mr. Maw voted aye. Motion carried.** Mr. Sadler opened it up to the public limiting comments it to one time with 2-3 minutes each.

Mr. Byron Krenek, who is developing this property, explained what they are proposing in their 181-lot subdivision. It will include sidewalk, curb, storm drains, a fishing pond, landscaping of the front yards, and a 4.5-acre riding arena. Mr. Krenek also explained that he is discussing with Mayor Jenkins about donating some property to Plain City to make an equestrian center. Mr. Krenek is willing to design something with a concession stand. The homes will be stucco with no siding, ranging from \$260,000-\$370,000 with three single level home designs with 1,600 to 2,000 sq. ft. and one 2 level with 2,200 sq. ft.. They will switch things around to create several different home designs.

Glen Wade who is not resident of Plain City, but grew up in Warren and his family has farmed for 100 year to the west of this property, has a few concerns. He feels that people should be able to do what they want with their land, but the drainage needs to be looked at. It can be drained to the west or the north. One option is on the north along the railroad trail under an irrigation ditch and into someone else's property. Elevations would have to be shot. The other one is through his property along the old Salt Creek, but it ends. A drainpipe would have to be put in along the road. There is also an irrigation ditch for the pastures across the road and it is in front of the houses on 2700 N. There is a drain ditch on the extreme north that drains to the south into the slough. The ditches will have to be maintained. Mr. Wade would like to see a detention basin to deal with the storm water as per the Storm Water 2 requirement requiring water remain on their own property. He is also concerned with the utilities such as culinary water pipe size and fire code restrictions with 181 homes. He would like consideration given to upsizing of the pipes to service his property. He would also like a secure fence along the west side of this property. He keeps two bulls in his property and doesn't want kids in there.

Sarah Brown who lives at 2846 N 5250 W in Plain City has quite a few concerns. The only access to this subdivision is 5100 West. Right now there are already 21 homes that access from that road and it isn't in good shape. She is concerned with adding 181 more homes. She is concerned with the safety with fire or emergency access. Since the last time she mentioned safety issues the school bus has been in an accident because of the limited sight. Now the children have to walk further through the construction because the bus can't go as far. She is also concerned about the water pressure with adding that many more homes. She would like to see the storm drain for the 21 homes not just skipping over them. If the new homes storm drain is higher it will make their drainage problems worse. She doesn't want her sump pump running 24/7 year round.

Craig Johnson who lives at 2824 N 5250 W, has a major concern if this subdivision is approved. Many years ago there was a fire down there and they had a hard time getting equipment to fight the fire. If there is a fire or a natural disaster that blocks 5100 W than 200 families are trapped. He feels that for the city to approve this subdivision without a second access is ridiculous. He feels the city would be sued to the point of no recovery if this happens. There is no water pressure now to service the existing subdivision with 181 more homes it will even be worse. The new roads that are tying into the existing roads that are below wet plain and are wider with curb and gutter. He mentioned that a utility worker was hit by a school bus in the intersection of 5100 W and 2700 N. He is concerned with 200 homes with an average of 2.5 cars per house using one road for access. The bicyclists use 2150 North for riding and safety needs to be looked at.

John Dunkley has a couple of pieces of property in the existing subdivision. They would like to have utilities and road access to their property. He was told to work that out with the developer. He feels that people should be able to subdivide their property. Change isn't always easy to accept.

Lisa Glenn who lives at 2810 N 5100 W asked why none of the surrounding property owners were offered the land. The water table is high. There was flooding about 8-10 years ago. She was told there would never be more homes. She would like to keep the country atmosphere and not have all the homes.

**PLAIN CITY PLANNING COMMISSION  
MINUTES OF MEETING  
8 MARCH 2007**

Elaine Winegar who lives at 5190 W 2700 N mentioned that they never had the intent to sell. They never said there wouldn't be any more homes.

Terry Wilson who lives at 1720 N 4700 W owns property west of this subdivision would like the option to hook onto the existing utilities. He was told to work this out with the developer.

Charlotte Brimhall who lives at 5172 W 2750 N is concerned about the roads and another access for safety. She would like the city to consider another access to this subdivision.

**Mr. Stokes moved to go out of the public hearing into the regular meeting. Seconded by Mr. Maw. Vote: Mr. Drummond, Mr. Sadler, Mr. Stokes, and Mr. Maw voted aye. Motion carried.**

CUP Approval – Parkvale PRUD Subdivision

Mr. John Janson the City Planner mentioned he has reviewed the development agreement and the plat and has several comments. He is confused; the developer needs to know if this is a subdivision or a PRUD. It doesn't appear that the PRUD ordinance requirements have been followed or met. There are ten items that need to be submitted with the conditional use permit for a PRUD. The density and open space need to be explained. Whether the open space is private or public. The arena is a new item and it may need to be compensated for with less than 20% open space. The PRUD ordinance doesn't allow for that though. The PRUD text can be changed to allow this. The trail system needs to be explained as to whether there is parking for public use, who maintains, etc. There is a canal to the north and a trail system might work there. The planners are also very concerned about the access. They feel a second access is needed or the amount of homes limited until there is one. The four house plans seemed to fit the ordinance, but would like to see in writing the kinds of materials to be used. There hasn't been any landscaping plans submitted. There is a big issue with the water table and the streets and lot design needs to be addressed. The existing 2700 N may have to be widened. The General Plan needs to address major roads to serve this development. The entrance features need to be designed such as signs. Streetlights will need to be addressed. A draft financial plan needs to be submitted for the Homeowners Association and with details concerning the riding arena and park. Will they be donated to the city? The Homeowners Association will own the park, but the arena will be donated to the city. The language in the development agreement needs to be fixed. One section in the development agreement that doesn't work is building permits being issued when the fire code is complied with. There are more issues that have to be completed like roads, sewer, storm water, etc. Mr. Janson feels that more information is needed before this can be approved. The ordinance does require a flat 20% density for open space. After looking at this area on Google it looks like it is wetlands. A delineation study needs to be done. The commission wasn't aware if one has been done.

All of the city ordinances need to be met. There is a concern that the fire district is still appealing the annexation and it may be proceeding to 2<sup>nd</sup> District Court. This may need to be mentioned in the agreement. In the letter from Brad Jensen one of the main issues is the water pressure. A study needs to be done for the fire flow. The city hasn't received a letter for secondary water. Mr. Krenek gave Secretary Hancock one from Mt. View Irrigation. There is no plans showing where the drainage is going. One issue is the conditional use permit. Not all of the information has been received yet. Mr. Maw is concerned with the riding arena. According to the Building Code the bathrooms need to have 1 stall per 75 males and 1 for 40 females. The parking, lighting, and access need to be addressed. There are two walkways to the rail trail that are 20 feet wide. That is wide enough for a SUV or 4-wheeler to access.

Mr. Krenek mentioned that all of the items on the letter from Brad Jensen have been addressed. On the culinary water issue, a meeting was held with Brad Jensen, Paul Hodson from Bona Vista Water, and the superintendent to solve this issue. It was resolved with a solution and design for adequate fire flow for a 3,500-sq. ft. home. This was done since the letter from Brad Jensen was written. The commission doesn't have any new information from Brad Jensen on this. Mr. John Reeves mentioned he was caught off guard with the PRUD and wasn't able to get all of the information in. He was under the impression they were doing a Cluster Subdivision and never had intended on doing a PRUD. The Council was in agreement to waive the 25 lots the Cluster Ordinance requires when it was rezoned ½ acre. The council said they liked the size of lots and would remove the 25-lot requirement to allow this subdivision. Mr. Sadler asked the Mayor if it was in the motion. The Mayor stated that it wasn't in the motion but the desire was there to allow it because of the benefits of the Cluster Ordinance. There is a temporary access off of the old rail roadbed. There is a master plan for road on the trail bed.

The commission mentioned there are still issues on the letter from Brad Jensen. They may have been worked out, but without being able to contact Mr. Jensen it is not known. The developer's attorney, John Reeves, mentioned that the items have been taken care of and next time a commission member will be invited to the meetings. The other issue is Cluster vs PRUD. Neither ordinance allows what they are doing. The whole application could be changed to request a Cluster Subdivision. The Cluster Ordinance was reviewed the lot size and quantity would have to be changed. A text change would be required for the

**PLAIN CITY PLANNING COMMISSION  
MINUTES OF MEETING  
8 MARCH 2007**

25 lots, but other adjustments would also have to be made. Mr. Sadler asked the Mayor which ordinance he would like to see changed to allow this subdivision. The Mayor would rather go with the PRUD since it is more detailed. It was asked if the ordinance change could be recommended tonight, but it is not on the agenda to do so. It was decided the PRUD ordinance would be the best way to go but all of the information hasn't been submitted. Mr. Krenek mentioned the storm drains would go to the north and south. A letter from the landowner allowing this will need to be received.

Mr. Krenek's attorney, Celeste Canning, would like in writing everything the commission would like her client to do. She would like this information by Monday of next week. Her client was under the impression from the city attorney and the Commission Chairwoman that everything had been received. Now things keep changing. She stated that Mrs. Pearce requested that her client go to a PRUD. Now there are problems with that. It was mentioned that Mrs. Pearce was trying to help Mr. Krenek meet the ordinances and it fits better in the PRUD than the Cluster Ordinance. Mr. Sadler told Ms. Canning that the ordinances spell out what needs to be done. Ms. Canning mentioned that they would hand deliver the information to the Commission in the future so they get things on time. Mr. Sadler explained that the planners didn't get the information until later and weren't able to get the information to the commission sooner. Ms. Canning explained that the ordinances and the city officials are not in accordance with each other. Ms. Canning mentioned this has been pending for a year. The commission explained that nothing has been done in a motion yet, this is the first time the subdivision has officially come before the commission. All of the other meetings regarding this subdivision were discussion only as a courtesy because this parcel was not yet annexed into the city. The commission does like the concept, but it has to meet the ordinances. The commission does like the amenities he is proposing for the city. If Mr. Krenek wants, he can bring it in as a straight RE-20 subdivision. Ms. Canning requested a copy of the minutes and requested to be on the next agenda.

Mr. John Janson would like to see the items on his letter addressed in a written form. The developer can decide if he wants to do a PRUD or a regular subdivision. The way the ordinance currently states 20% open space is required. It doesn't give any leeway for amenities. The PRUD ordinance will have to be amended to allow this. The other issue is can 5100 W handle this. It was suggested that the rail trail could be used as an emergency access. It would have to be maintained and dedicated for that purpose. This is a safety issue that needs to be addressed. The fire code limits the number of homes allowed without a second access. There are 21 homes already accessing this road. The fire department will need to review this. There are 2-3 existing fire hydrants in the existing subdivision. **Mr. Drummond moved to table the Conditional Use Permit for the Parkvale Subdivision PRUD until it is addressed whether it is a PRUD and the developer has the opportunity to prove it, the PRUD ordinance is amended or followed, information as per the Public Works Standards, the City Engineer, and City Attorney are clarified with the developer so he can proceed, all approval issues with 5100 W being the only access and is adequate are addressed, and all the items on the letters from Brad Jensen dated February 21, 2007 and the planners John Janson and Steve Pastorik dated March 3, 2007 are addressed, and the developer addresses these issues and resubmits his request. Seconded by Maw. Vote: Mr. Drummond, Mr. Sadler, Mr. Stokes, and Mr. Maw voted aye.** It was suggested that it be added that 5100 West is a safety issue. **Drummond amended his motion to include that 5100 W is a safety issue. Seconded by Stokes. Vote: Mr. Drummond, Mr. Sadler, Mr. Stokes, and Mr. Maw voted aye. Motion carried.**

Preliminary Approval – Parkvale PRUD Subdivision

It was mentioned that this might need to be tabled since the Conditional Use Permit was not granted. **Mr. Stokes moved to table preliminary approval to the Parkvale Subdivision until the Conditional Use Permit is approved. Seconded by Mr. Drummond. Vote: Mr. Drummond, Mr. Sadler, Mr. Stokes, and Mr. Maw voted aye. Motion Carried.**

Motion – CUP - & Site Plan – Sales Office – Stillcreek Village Subdivision – approx. 3300 W N PC RD

Mr. Dan Burton representing Hawkins Development explained that they would like to build a sales and design center in the open space off of North Plain City Road. Once the sales design center is no longer needed than they would like to convert it into a maintenance shop for the Homeowners Association to maintain the pavilion etc. The door would be replaced with a garage door. One person will be in the center at a time and will take clients out to the homes as needed. There will be a computer station, design materials etc. in the center. They would rather do this than keep moving the office from home to home. With moving from home to home there are 2 homes required and they work out of the garage and convert it back to a garage when done. There was a shed on the property that they tried to save but it wasn't possible. The existing shed is about 24-ft. X12 ft. The center will be about a 1,200-sq. ft. single level building out of stucco. There is a concern with doing a Conditional Use Permit that it stays with the property. Another concern is the home next to it. The commission looked through the ordinances but couldn't see where it would fit. There is an allowance for model homes for businesses. Mr. Burton mentioned that once the design center is no longer needed it could be torn down as per the development agreement and the landscaping put back on the property. There was a concern with a storage facility affecting the people on North Plain City Road but not a benefit to them. It is designed to look like a house. They don't expect a lot of people at once at the center. Another issue is the handicap parking is shown on the front page but not the other plan. The other plan shows a sidewalk. A

**PLAIN CITY PLANNING COMMISSION  
MINUTES OF MEETING  
8 MARCH 2007**

handicap ramp would also be required along with the 4-ft strip alongside the handicap parking. The commission discussed trees and size. A fence would be required on the side by the neighbor. Lighting that turns off at night might be required along with hours of operation. Mr. Burton mentioned that they usually close by 6 or 7 p.m. The commission would like a letter from Brad Jensen with issues that need to be addressed. Mr. Burton mentioned landscaping and fencing are addressed with the Development Agreement. A public hearing may need to be held to get the input from the neighbors. The developer would like to get the center done since the first home will be done in May and it will take at least 3 months to build the center. **Mr. Maw moved to table the Conditional Use Permit for Sales Office and Design Center in Stillcreek Village PRUD pending review comments from the City Engineer. Seconded by Mr. Drummond.** It was noted the commission would like Brad Jensen to receive a copy so he can give comments back. **Vote: Mr. Drummond, Mr. Sadler, Mr. Stokes, and Mr. Maw voted aye. Motion carried.**

Preliminary – Homestead – approx. 3319 W N PC RD

Mr. Tom Miller who represents the Homestead Subdivision and the commission discussed the letter from Brad Jensen dated February 8, 2007. The issues on the letter have been addressed. The 20-foot easement should be a 10-foot easement. The ditch on the property on the south end will be abandoned. A fence will be required around the surrounding property with a field fence. There may have to be a temporary turnaround on the end of 3300 W on the south end. Only lot 6 will be affected. All of the utilities have been received. A geo-tech study will need to be done if they want basements. **Mr. Drummond moved to grant preliminary approval for the Homestead Subdivision, subject to the items on the letter from Brad Jensen dated February 8, 2007 and meet all of the City Ordinances including fencing. Seconded by Mr. Stokes. Vote: Mr. Sadler, Mr. Maw, Mr. Drummond, and Mr. Stokes voted aye. Mr. Drummond amended his motion to include a temporary turnaround at the end of 3300 W on the south end needs to be determined. Seconded by Mr. Stokes. Vote: Mr. Sadler, Mr. Maw, Mr. Drummond, and Mr. Stokes voted aye. Motion carried.**

Final Approval – Diamond E Subdivision – approx. 3200 W 2600 N – 44 lots

The commission and Mr. Jeff Hales reviewed the items on the letter from Brad Jensen dated February 21, 2007. There are a lot of items, but they are mostly engineering issues. Item one, a letter was received from UDOT. Item two, subdivisions over 30 lots have to be phased. Mr. Hales asked why it was mentioned now and not at preliminary. It was an oversight. Mr. Hales mentioned that if he has to phase he would have everything on the main roads in phase 1 and everything else in phase 2. The Mayor suggested granting approval for phase 1 and phase 2 tonight since that is how they are doing it. Item three, notes need to be added to the construction drawings. Item four, the sewer line that runs along lot 27 will need to be shown how it connects onto Plain City sewer. Item five, the temporary turnaround was going to be in the power companies land now it will be on lot 11. Item six, the pedestrian ramps need to be shown on the intersections. Item seven, the calculations for the lift station pumps and discharge need to be submitted. Item eight, the location of the lift station and the stand-by-generator need to be changed per the redlined check prints. Item nine, deals with the city participating in upgrading the size of the sewer lift station to handle future growth. A pioneering agreement could be done. Item 10, the size of the detention pond and the calculations are on the drawings. Item 11, the plans should show the removal of the sediment and oils from the storm water. Item 12, the pipe for the storm drain needs to be per the Public Works Standards. Item 13, it will need to be noted on the plat that the detention basin can't be altered or changed. Item 14, the final improvement drawings should be submitted to Bona Vista and the secondary water provider for review. A letter has been received from Bona Vista Water. Item 15, a fence will be required around the canal with a 6-foot chain link fence. A fence will also be required around all agricultural property with a field fence. Mr. Hales mentioned he has an agreement with the neighbors to put up a chain link fence. Item 16, the temporary turnarounds need to be shown on the plat. Lots 1, 10, & 33 will be restricted until the temporary turnarounds are in. Mr. Hales would like to build on the lots. The commission and Mr. Hales discussed the temporary turnarounds. Mr. Hales will have lots 1, 33, 34, and 44 be phase 2. Lots 3 and 4 need to have driveways facing the east. Item 17, streetlights will be required per the ordinance. **Mr. Stokes moved to recommend final approval to the City Council for the Diamond E Ranch Subdivision with the conditions of the letter from Brad Jensen dated February 21, 2007, fencing per the ordinance around the irrigation canal and the surrounding property, phasing with two phases the 2<sup>nd</sup> phase to include lots 1, 33, 34, and 44, the driveway access for lots 3 and 4 face west and the temporary turnaround be on 3225 W and 3300 W and also in lot 11 on 2675 N. Seconded by Mr. Maw. Vote: Mr. Sadler, Mr. Maw, Mr. Drummond, and Mr. Stokes voted aye. Motion carried.** The commission adjourned for 5 minutes at 10:15 p.m. to 10:20 p.m.

Final Approval – Archway approx. 2900 W 1975 N – 12 lots

The commission and Mr. Jeff Hales reviewed the letter from Brad Jensen dated February 21, 2007. Item one, notes 1 and 2 need to be revised on the plat. Item two, lots 10, 11, and 12 will require in house septic tank pumps. The sewer is so shallow it will only be about 3 ½ feet deep and by the time laterals are in only 2 ft deep. Mr. Hales mentioned they would have 20 gallon holding tanks in the basements. Item three, the curb, gutter and sidewalk needs to connect to the existing in 4-Mile Subdivision. Item four, the temporary turnaround needs to be per the redlined check prints. The bubble in the road was discussed. It is designed to be temporary. It isn't designed without asphalt so when the road goes through it goes back to the

**PLAIN CITY PLANNING COMMISSION  
MINUTES OF MEETING  
8 MARCH 2007**

owners. It needs to be noted who is going to pay for it. It could be contingent upon following the check print. Item five, the signature block needs to be revised. Item six, addresses per checkprint. Item seven, streetlights need to be as per the ordinance.

**Mr. Drummond moved to recommend final approval to the City Council for the Archway Subdivision contingent upon the letter from Brad Jensen dated February 21, 2007, in particular item 4 needs to be addressed and corrected per the red-lined check print and city agreement to eliminate the bubble at some time. Seconded by Mr. Stokes. Vote: Mr. Drummond, Mr. Sadler, Mr. Stokes, and Mr. Maw voted aye.**

Approval of the Minutes – January 25, February 8, and February 22 2007

**Mr. Stokes moved to approve the minutes of January 25, 2007 as written. Seconded by Mr. Drummond. Vote: Mr. Sadler, Mr. Maw, Mr. Drummond, and Mr. Stokes voted aye. Motion carried.** Mr. Maw noted he voted but was not in attendance at that meeting. **Mr. Drummond moved to approve the minutes of February 8, 2007 as written. Seconded by Mr. Maw. Vote: Mr. Sadler, Mr. Maw, Mr. Drummond, and Mr. Stokes voted aye. Motion carried.** Mr. Stokes noted he voted but was not at that meeting. **Mr. Drummond moved to approve the minutes of February 22, 2007 as written. Seconded Mr. Maw. Vote: Mr. Sadler, Mr. Maw, Mr. Drummond, and Mr. Stokes voted aye. Motion carried.** Mr. Sadler noted that he voted but was not in attendance at that meeting.

Report from City Council- Stokes

Mr. Stokes reported that at the work meeting on the General Plan they discussed roads, more commercial along 1975 N, and having the Legacy Highway further west. At the regular meeting, they discussed money for sidewalks by the new elementary, a condition to make the lot south of the Lions Club Park buildable, approved warrants and licenses, and discussed a pioneering agreement with Tom Gledhill from Plain City Meadows.

Schedule for Attending the City Council Meeting

Pearce	Sadler	Spencer	Drummond	Stokes	Maw
Apr 5	Apr 19	May 3	May 17	Jun 7	Jun 21
Jul 5	Jul 19	Aug 3	Aug 16	Sept 6	Sept 20
Oct 4	Oct 18	Nov 1	Nov 15	Dec 6	

**Mr. Drummond moved to adjourn at 10:45 p.m. Seconded by Mr. Stokes. Vote: Mr. Sadler, Mr. Maw, Mr. Drummond, and Mr. Stokes voted aye. Motion carried.**