

**PLAIN CITY PLANNING COMMISSION
MINUTES OF MEETING
12 APRIL 2007**

The Plain City Planning Commission convened in a meeting on Thursday, the 12th April 2007, in the Council Chambers of the Plain City Hall at 7:00 p.m. Present showed the following: Chairwoman Artie Pearce, Vice Chairman Buddy Sadler, Members: Bob Spencer, Al Drummond, Brandon Stokes excused, and alternate Jarod Maw and Secretary Kathy Hancock. Also present: City Attorney Brandon Richards, City Engineer Brad Jensen, City Planner Steve Pastorik, Byron Krenek, John Reeves, Don Hurford, Amber Harsin, Chuck Harsin, Charles Harsin, Brad Simons, Steve Bond, Carl Miller, Celeste Canning, Glenn Taylor, Diane Taylor, Ryan Taylor, Nathan Stigers, Luke Balster, Mike Flood, Chad Hill, DeAnn Weese, Gary Parkin, Mark Weese, and Kim Morse. Chairwoman Pearce conducted the meeting and gave the invocation.

Public Hearing – Amendment to the Subdivision Ordinance concerning PRUDs

Mr. Spencer moved to convene in a public hearing for the amendment to the Subdivision Ordinance concerning PRUDs. Seconded by Mr. Drummond. Vote: Mr. Drummond, Mrs. Pearce, Mr. Sadler, Mr. Spencer, and Mr. Maw voted aye. Motion carried. Chairwoman Pearce explained the proposed changes to the ordinance under section 11-6-4A add, “unless the maximum density otherwise allowable is not requested.” after PRUDs. Add “The twenty percent (20%) open space requirement may be reduced when the maximum density otherwise allowable is not requested, and an exceptional amenity or amenities of City-wide benefit are included in, or in conjunction with, the project” after dwelling units. Under section 11-6-4B removing “and from the base density of 3.2 units per acre to a maximum of 5.7 units per acre in the R-1-11 zone.”

There were no comments. **Mr. Drummond moved to go out of the public hearing and into the regular meeting. Seconded by Mr. Salder. Vote: Mr. Drummond, Mrs. Pearce, Mr. Sadler, Mr. Spencer, and Mr. Maw voted aye. Motion carried.**

Motion Amendment to the Subdivision Ordinance concerning PRUDs

Mr. Spencer moved to recommend the amendment to the Subdivision Ordinance concerning PRUDs as proposed to the City Council. Seconded by Mr. Maw. Vote: Mr. Drummond, Mrs. Pearce, Mr. Sadler, Mr. Spencer, and Mr. Maw voted aye. Motion carried.

Motion CUP & Development Agreement – Parkvale On the Trail PRUD – 181 lots

Chairwoman Pearce wanted it known on the record that this property being discussed was annexed in as part of the annexation. The Fire District has taken the Board of Commission’s decision to court and something could change. City Attorney Brandon Richards explained that it is going to court to make sure the decision wasn’t arbitrary and capricious.

The commission reviewed the letter from the planners dated March 31, 2007. There is still a concern with the second access and water pressure for fire hydrants. The planners want to make sure the city can afford to maintain all of the open space. Another concern is the soil quality. The city needs to make sure grass and the type of trees they are proposing will grow. The trails need to be connected by means other than sidewalks. The sidewalks should be 5 feet instead of 4 feet. The problem is the public work standard only allows 4-feet. The planners recommend the city look at changing that. The light poles are fairly far apart and that may have to be addressed depending upon the coverage and wattage. An independent architect should do a soil study for the soil condition. If 2700 North is to be dedicated a collector to the west should be discussed. Under the Development Agreement it was unclear where the chip and seal would apply. The drainage was discussed and it is in the process of being worked out with the city and developer engineers.

It was noted that the planners recommend approval subject to their letter, issues discussed in the meeting, the engineer and attorney comments, and any other issues. Concerning the Development Agreement, it was mentioned that there was a meeting with the City Engineer, City Attorney, a commissioner, a councilman, the developer, partner and their attorney, and everything that was mentioned to be in the agreement has been done. The only thing that hasn’t been done is the open space by Winegars is supposed to be a junior soccer field. Celeste Canning mentioned that is still pending upon whether it will fit or not. They have changed the pond to a basketball court, volley ball court, a bowery with restrooms, and tot lot. They are proposing a trail with 8 foot of asphalt. There is a concern that it doesn’t go anywhere. There will be a burm around the parks. The arena will have a sprinkling system, lights, concession stand, fence, bathroom at each end, trees, announcer’s booth and bleachers. There was a discussion about parking. The parking will be on the south side where the 4 lots were and details will be submitted for final. Mr. Reeve has met with Mr. Marriott Hall and he likes the idea of having two accesses off of the trail. They will be about 8 feet by 200 feet with asphalt. Bollards may be needed to keep out motorized vehicles. It was mentioned that before occupancy is allowed all of the amenities would need to be done in that phase first. The developer would like to have occupancy for phase 1 and amenities done before occupancy for Phase 2. The arena will be done in phase 3 and an escrow will be set up. The agreements with the other private landowners need to be worked out. A committee needs to be put together for the arena.

**PLAIN CITY PLANNING COMMISSION
MINUTES OF MEETING
12 APRIL 2007**

Ms. Celeste Canning commented on the concerns. The pipe size for the culinary water was discussed. Mr. Jensen thought they were going with a 14" pipe and the plans still show a 9" pipe. They will do what Bona Vista requires. Ms. Canning feels the City Council should address whether the city can handle the parks or not. A landscape architect has determined that the type of trees proposed will grow in that environment. The city standards allow 4-foot sidewalks and so that is what they will put in. They know the lighting ordinance is currently under consideration and are willing to follow it. The chip and seal will be for the whole project and will be addressed in the development agreement. The development agreement will also include restrictions for not allowing motorized vehicles on the trails. They will also propose a way to allow horses and strollers, but not motorized vehicles on the trails. There may be a need for parking by the trail access. The developer is planning on having the arena parking used for trail access parking. This will need to be looked at. Mr. Pastorik mentioned that the lot with the entrance sign will need to maintain it and it will need to be put in the covenants and development agreement. There may have to be a wider trail entrance by the arena. There is also a gate on 5100 W that will have to be addressed. Mr. Krenek thinks Mr. Jackson will work with him to get access to the trail. The restrooms, lights, and arena were discussed. The arena lights need to be looked at to make sure they radiate enough light, the restrooms need to allow for the least amount of vandalism, and the drainage for the arena needs to be worked out. Another concern is the type of trees being proposed. A committee needs to be put together to determine if the trees are adequate and not susceptible to bores, etc. There is not enough water pressure so that will need to be worked out before occupancy. There was a concern that this needs to be done before building permits issued. These conditions and items need to be addressed before final approval is granted. Another condition is the amendment to the PRUD ordinance has to be approved before they can proceed forward. It was decided that the type of trees was addressed on the plat but not in the development agreement. The fencing will be 6' chain link fence with slats throughout the project. It was determined that vinyl wouldn't be appropriate with horses. **Mr. Maw moved to grant a conditional use permit to Parkvale On the Trail PRUD based on the comments received from the City Engineer, City Attorney, and Planners, with the conditions that the arena drainage and grading be addressed and reviewed by a committee, access to the trails and lighting be addressed by final approval, and the letter from Bona Vista dated April 12, 2007, subject to the ordinance change, and the development agreement includes tree types to be decided by a review committee. Seconded by Mr. Spencer. Vote: Mr. Drummond, Mrs. Pearce, Mr. Sadler, Mr. Spencer, and Mr. Maw voted aye. Motion carried.**

Preliminary Approval – Parkvale On the Trail PRUD Subdivision

The commission reviewed the letter from Brad Jensen dated April 2, 2007. Item one concerning Bona Vista Water is being worked out and a letter received from Bona Vista dated April 12, 2007. Item two a preliminary layout needs to be shown for the secondary water system from Mt. View Irrigation Company. Mr. Krenek mentioned that they would use the old 6" Bona Vista line to service secondary water to this subdivision. This will be resolved before final is granted. Item three, the information concerning the storm water detention needs to be submitted. Mr. Jensen has discussed this with the engineers, but hasn't seen the information yet. It was mentioned that the City Council wants the detention pond being owned and maintained by the adjacent property owner. The developer is planning on working with Mr. Glen Hall on having the detention basin in the slough in his property because it is wetlands. It will have to be to City standards and for a 100-year storm. Final can't be granted until all of the issues are resolved. The ditch along the west side of 5100 W was discussed. It will be part of the riding arena and will have to be piped if 5100 W is improved. The city may have to improve the frontage. The developer asked about putting in only half of the road. Mr. Jensen mentioned they could do half and than 12 feet of asphalt on the city side. Curb and gutter doesn't need to be put on the other side. There was a discussion as to who owns the road and the developer is working on that. It will be worked out before final. Item four the frontage by Winegars needs to be identified as open space. Item five, hydrants need to be located per the fire department. Item six, the streetlights need to be located per the ordinance. Item seven an electronic copy needs to be received by the city engineer. There was a question to whether a wetland study has been done. It is the developer's responsibility to identify wetlands to meet Federal compliance. A soil analysis or soil report has been done. If there are wetlands, the subdivision will have to be changed. **Mr. Spencer moved to grant preliminary approval to the Parkvale on the Trail PRUD at approximately 2700 N 5100 W about 181 lots, contingent upon the letter from Brad Jensen dated April 2, 2007, a field fence around the agricultural property specific to the ordinance, and a wetland delineation study is done. Seconded by Drummond.** There was a discussion concerning a secondary access to this subdivision. The fire code requires that they have two accesses onto a dedicated street. It is a city problem not the developers. There was a concern that with the access and water flow a cap should be put on how many homes could be built. **Vote: Mr. Maw, Mr. Drummond, Mr. Spencer, Mrs. Pearce all ayes, and Mr. Sadler nay.**

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

Mr. Mike Flood mentioned that they would like to have a design center and sales office with the intent to use it as a maintenance shop after they are done building homes. Usually they put the sales offices in model homes. Since this will be such a big subdivision with mixed homes, they would like to have a design center – sales office not in a home. Phase 2 will have town homes and patio homes. This building would allow for one stop for all types of homes. Once the building is complete they would like to keep the building and use it for a maintenance building for the Homeowners Association. It would

**PLAIN CITY PLANNING COMMISSION
MINUTES OF MEETING
12 APRIL 2007**

also be used as a meeting place for the Homeowners Association committees. This subdivision will be about a 6-7 year build out because they are purchasing the property over the next 5 year period. They have not done one like this because they haven't had a subdivision that will be done over this long of a period of time. They will start by appointment only until the building starts picking up and then there would be one full time employee in the center. They will put in more trees than required. There will be a privacy fence around this property. Since they are proposing to have it at the entrance they want it to look really nice. The plans have been given to the building inspector, but a conditional use permit needs to be received before building can begin. It was mentioned that according to the development agreement the open space will be community open space. This building will take away from the open space. The development agreement also mentions buildings for community use. This will impact the neighbors on the North Plain City Road. It would be better to have it on the inside of the subdivision instead of on North Plain City Road. A buffer may be needed between the home and the center. There is a proposed path leading to the subdivision from the center so there will be less impact on the neighbors. Brad Jensen will need to approve a land drain along the back of the property. Mr. Flood mentioned that the drainage will not go onto North Plain City Road. There will be curb and gutter around the parking lot with the handicap ramp cut out. **Mr. Spencer moved to grant a Conditional Use Permit for the site plan design center in the Stillcreek Village PRUD Subdivision located at approximately 3300 W North Plain City Road with the conditions of items 1 to 4 are met on the letter from Brad Jensen dated April 3, 2007. Seconded by Mr. Maw. Mr. Spencer amended the motion to include the building to be made permanent and used as a maintenance shop after the subdivision building is complete. Seconded by Mr. Maw. Vote: Mrs. Pearce, Mr. Spencer, Mr. Drummond, and Mr. Maw all ayes, and Mr. Sadler nay.**

Motion – CUP 4-Mile Parkway PRUD – approx 2900 W 1900 N – 376 units

Chairwoman Pearce mentioned that in the past we have had a public hearing for PRUDs. After talking to the city attorney he recommends we do since we have set a precedence. The commission and Mr. Brad Simons discussed the 4-Mile Parkway PRUD. Mr. Simons mentioned that the property to the west has been purchased and included in the subdivision. The commission requested parking and at least one tot lot be provided for the power line corridor park. They will move things around to provide parking for the soccer fields. Mr. Simons also mentioned that even though the 80-foot of corridor road has been taken off of the General Plan they have still left it available if it does ever come up again. The trails were discussed. The city would like them public, but Mr. Simons mentioned that the public is welcome to use them until the Homeowners Association determines otherwise since they will be paying for the maintenance of them. It could be put in the development agreement this way. Another option is to have the city take over the liability and the Homeowners Association maintains it. The developer will set up the Homeowners Association with money put aside per lot. The escrow does include facilities and infrastructure, tot lots, and gazebos. The architectural standards for the homes were discussed. A soil analysis will need to be done to determine if basements will be allowed and what will grow in the soil. A chain link fence with vinyl coating was suggested. Mr. Simons would rather just do a chain link fence without the coating if chain link is required. He showed the commission a fence similar to vinyl that holds up longer that he would rather use. A development agreement will be done. Mr. Simons needs to meet with someone from the city to determine what the city wants private and public. It can be worked out so it is private and the Homeowners Association maintains it until the city is ready to take it over to make it public. Another change is the LDS Church has asked for a stub road into their property. An adjacent property owner has also asked that they provide access so their property isn't landlocked. They are doing a traffic study and may need to add another access into the subdivision. A wetland study has been done on the Kilts property but not on the Taylor property. There may be a little bit of wetlands in the Taylor property. The trails through the wetlands will be wooden. On the preliminary plat the trails will be widened showing 6' of road base and concrete since they don't feel asphalt trails hold up. There will be grass on both sides of the concrete for runners. The setback changes will be made. The architectural building plans will be revised. The types of trees being looked at are Flowering Pears. They would like to do a perimeter fence in regular chain link. The fence around the open space they propose a 3-4 foot rock-looking fence with rod iron around the top. The grading and drainage will be discussed at preliminary and streetlights will be done according to the ordinance. Mrs. Pearce was excused for two minutes. The Marriott-Slaterville section was discussed. The commission was under the impression they were only allowed 1 lot per acre. Our ordinance doesn't allow for RV storage but that is in the Marriott-Slaterville section. There was a discussion as to putting a road through from the Marriott-Slaterville side, but two bridges would be required - one for the 4-mile and one for the Warren Canal. If it can't be approved with Marriott-Slaterville it will remain as farmland. An inner city agreement will need to be done. The power line corridor was discussed. Pacific Corp may add a tower on the west side of the corridor. The 4-mile creek was discussed and the banks will be raised and cleaned. There won't be steep slopes. Mark Kilts and Glenn Taylor have been the water users of 4-mile and both of their properties are included in this subdivision. It will need to be either piped or fenced depending on where it lies in the subdivision. An environmental firm is working on determining how much water will need to drain for basements. That will be submitted for preliminary. They are looking at a complete land drain system that will drain into the creek. Around the RV storage they are looking at a 6' fence. The 6,000-8,000 sq. ft. lots are for the patio homes. The commission and Mr. Simons looked at the trail access and more may need to be added. There will be a bridge over the creek for the trails. **Mr. Sadler moved to table the Conditional Use Permit and set a public hearing for May 10th for the 4-Mile Parkway Conditional Use Permit and PRUD. Seconded by Mr. Drummond. Vote:**

**PLAIN CITY PLANNING COMMISSION
MINUTES OF MEETING
12 APRIL 2007**

Mr. Drummond, Mrs. Pearce, Mr. Sadler, Mr. Spencer, and Mr. Maw voted aye. Motion carried. The commission took a five-minute break from 9:40 p.m. to 9:45 p.m. Mr. Sadler returned a minute later.

Discussion – David Brough – Noise Ordinance

Mr. Brough was not present but the commission discussed the issue with the concerned neighbors. The neighbors explained that there haven't been any other complaints from the neighbors. Mr. Brough has complained since he moved in two years ago. One of the neighbors was asked to keep their dog quiet and it was asleep at the time. He has also complained about the high school band, school lights, and has harassed the neighbors. Chairwoman Pearce explained that there is a nuisance ordinance in place and Mr. Brough would have to file a complaint. Mr. Brough was put on the agenda because he requested it.

Approval of the Minutes – March 22 2007

Mr. Drummond moved to approve the minutes of March 22, 2007 as written. Seconded by Mrs. Pearce. Vote: Mr. Sadler, Mr. Maw, Mr. Drummond, and Mr. Spencer voted aye. Motion carried.

Report from City Council- Pearce

The fee was waived for AYSO to use the Senior Center, Terry Thompson presented the crime analysis and it has gone up with the building, Rivercrossing received final approval for Phase 1A and 1B, AJ Robson phases 1 and 2 received final acceptance, the City Council would like detention basins to go with the adjacent property, they are looking at adding onto the sewer ponds to accommodate South Willard, no discussion on the sidewalks, fire department shingles were discussed, and a new fire truck was discussed. Chairwoman Pearce explained the PRUD ordinance change and Parkvale with the Council.

Schedule for Attending the City Council Meeting

<u>Pearce</u>	<u>Sadler</u>	<u>Spencer</u>	<u>Drummond</u>	<u>Stokes</u>	<u>Maw</u>
		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 10:05 p.m. Seconded by Mr. Maw. Vote: Mr. Sadler, Mr. Maw, Mr. Drummond, and Mr. Spencer voted aye. Motion carried.