

Plain City Planning Commission
Minutes of Meeting
14 June 2007

The Plain City Planning Commission convened in a meeting on Thursday, the 14th June 2007, in the Council Chambers of the Plain City Hall at 7:05 p.m.

Present showed the following:

Chairwoman: Artie Pearce excused

Vice Chairman: Buddy Sadler

Members: Bob Spencer excused

Al Drummond

Brandon Stokes

Alternate: Jarod Maw arrived at 9:05 p.m.

Secretary: Kathy Hancock

Also present: Mayor Jay Jenkins, Harry Malan, Brad Simons, Kara Malan, Ron Malan, Monica Combe, Paula Saunders, Shirley Stimpson, Cozette Stimpson, Jack Stimpson, Kathy Brown, Sherie Marsh, Dan Binkerd, Julie Binkerd, Troy Stephens, Tony Campbell, Bonnie Campbell, Julie Reese, Craig Call, Jonathan Call, Rick Bennit, Lorna Bennit, Norm Sant, Peggy Sant, Dan Johnson, Kris Johnson, Susan Howell, Reid Newey, Sue Newey, Dave Hulme, Jeanne Udink, Lance Bingham, Todd Baumann, Kelly Parke, Florene Parke, Boyd Parke, Jan Larsen, Rebecca Montgomery, Gary Parkin, Carl Miller, Kate Drake, Eric Drake, Gordon Carlin, Ryan Taylor, LaFray Kelley, Luke Balster, Gordon Nozaki, Sherilyn Elliott, Scott Elliott, Carrie Cassity, Travis Cassity, John Stenberg, Treydn Stenberg, Blair Himelright, Mike Bastian, R L Johnson, Judy Johnson, Shane Farrell, Troy Facer, Tasha Facer, Lisa Cox, Neil Cox, Burke Stone, Rebecca Smalley, Alexis Meyer, Lorna Meyer, Alan Karras, and Shelley Branz.. Vice Chairman Sadler conducted the meeting and Mr. Stokes gave the invocation.

Public Hearing – Stone House Subdivision and Taylor and Warren properties rezone

Mr. Drummond moved to convene in a public hearing for the Stone House Subdivision and the rezone petition of the Glenn and Diane Taylor and Emmett Warren LLC Property located at approximately 3000 W 1975 N. Seconded by Mr. Stokes. Vote: Mr. Drummond, Vice Chairman Sadler, and Mr. Stokes voted aye. Motion carried.

Stone House Subdivision

Craig Call explained what he wants to do. He presented pictures of his historic home, originally the Skeen Richardson home built in 1882 of rock. He wants to divide the property into 3 lots. He mentioned that the neighbors have requested that he change the name to the Rock House Subdivision if Plain City doesn't have a problem with the change.

Taylor and Warren Property – Rezone

Boyd Parke who lives at 2996 W 1900 N mentioned that when he was on the commission in 1979, a master plan was done and it says that open space along water ways is supposed to be preserved as open space. It designates the area by 4-mile creek and salt creek as sensitive areas. A soil conservation study was done in those areas and it was determined that houses shouldn't be built in that area because it is unstable for foundations and concrete.

Monica Combe who lives at 3352 W 1700 N was at the meeting on Monday night. It came to her attention that there is only two accesses to this property. One is through the Plain View Subdivision, where there are 83 new homes that will be using 3375 W and already 33 homes that use it. The road is not designed for that much traffic. There are no turn lanes. The mail boxes are also on this road. The children will now be walkers and will be walking and crossing on this road. There are some safety concerns that need to be looked at. She would like to propose that the commission ask the developer to put in more accesses. The developer has an easement on the west side of the property lines. By adding the road on the easement it will take the cars off of 3375 W since it can't handle that much traffic.

Dan Johnson who lives at 2025 N 3900 W was recently invited to the Mayor's dinner. The majority of the people there don't want ¼ acre lots. A major concern is the park under the power lines. Where will the restroom be? Has this been approved already? The commission mentioned it hasn't been approved.

Kelly Parke who lives at 3393 W 1700 N, he would like to see more accesses. He would like to see more stub streets. It will be too late later so require them now. He is concerned about the park under the power line. Nothing will be allowed under the power lines like goal posts or anything of that nature. There will need to be some kind of restroom facility. He mentioned that field trip the commission took to the property. He asked if the commission looked at the west end of the property it has 6-foot cattails. There are more cattails on the other side of 4-mile creek. He doesn't understand how this can be parks. He feels the city is getting smaller parks for nothing in return.

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Kate Drake who lives at 1807 N 3375 W mentioned that with all of the kids playing soccer in the parks there will be more traffic on 3375 W than those who live there. She feels another access to the parks and the subdivision is needed. There are 73 kids who play in this neighborhood everyday.

Brad Simons clarified that Monday night he mentioned he would look at doing an access along the 80 foot corridor along the power lines. The wetlands will need to be addressed in order to do that. It is also right on the curve in 1900 N so that is another factor. If it can be done they will do it. He also mentioned that the property is surrounded by RE-20 and the General Plan shows RE-20 in this area.

Sheri Elliott who lives at 2107 N 3900 W doesn't want tiny size houses.

Florene Parke who lives at 2996 W 1900 N read from the PRUD ordinance. She is concerned that this is in an environmentally sensitive area. She also doesn't feel this is compatible and congruous with the adjacent land development. Everything around there is ½ acre lots. To be compatible, it should all be ½ acre lots. Smaller lots will change the standard of living in Plain City. The water table is high. If this property is built on it will have to have more than grading and pumps, and the ponds can't be used for fishing because it will have to have a fence around it for safety. We need to stick to ½ acre lots because it is a way of life and has been for years.

Rebecca Montgomery who lives at 1884 N 3375 W mentioned the developer has made promises which is great, but if it passes we need to make sure there are requirements. Vice Chairman Sadler asked the public to keep the applause and noise down.

Dan Binkerd who lives at 3353 W 1775 N mentioned that it is the residents building and part of the public comments to applaud. He realizes there needs to be rules but the commission should consider the applause as comments. It isn't fair to suppress what people have to say. He feels that if the houses are built in wetlands it is foolish. The residents don't want PRUDs but ½ acre lots. He doesn't feel the Council and Mayor are listening to the residents concerning ½ acre lots. He would like to see this put on the ballot in November.

Rick Bennit who lives at 2079 N 3700 W has been in twice before. He wanted to move his house 10 feet closer to the road and was told he had to follow the ordinance. He feels like the developer should have to also. He wants the ordinance enforced. It says ½ acre zone so it should stay ½ acre zone. The rules can't be enforced part of the time; they need to be enforced all of the time.

Lance Bingham who lives at 1753 N 3375 W has a big concern about the traffic. He doesn't feel 3375 W can handle the traffic. The developer says he has a traffic study stating the majority of the traffic will be on the new access. Those west of the power lines will use 3375 W because it is a straight shot. There is no crossing and the kids will be riding bikes and walking to school. The idea of putting parks under the power lines worries him. He won't allow his kids to play under them; it isn't safe.

Jeanne Udink who lives at 1939 N 3375 moved in one year ago and likes the ½ acre with more open space. Her plans had to be redone because of the 40-foot setback and the size of the lot. She can't see making changes and is opposed to the way it is designed.

Gordon Carlin who lives at 1705 N 3375 W feels that the resident's voices need to be heard. This is not what the residents want. The kids will climb the power lines. It has been dry the last few years. In Warren where he grew up, the low areas had wetland grasses. If this is going to be developed 3375 W can't handle the traffic.

Norm Sant who lives at 1651 N 3450 W has been here 9 months. He has been a Mayor and he knows what the rules are. He wants the commission to listen to the concerns and discuss them with the developer and come up with a plan that will be reasonable and address the concerns. He knows what will happen if this is rushed through.

Lisa Cox who lives at 2041 N 3900 W has been to a few Council Meetings and every time the room is full of different people in opposition of subdivisions. There are other residents that oppose this subdivision not just those neighbors who are here tonight.

Ryan Taylor who has bought a house on 1900 N and his family is developing this property mentioned that they don't want to develop but haven't found another option. He has lived here for 40 years and enjoys the neighbors and their views. They interviewed developers, even in the area, and most of them wanted to buy the Taylors out and develop the way they wanted to. They went to Salt Lake to look for a different developer. This developer asked what they wanted. The family has asked for

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water features, landscaping and walking trails. They asked the developer to make the wetlands wildlife habitats. The family is paying for the additional amenities. He has farmed this land for 40 years and knows it better than anyone. No one will be impacted by traffic more than himself, his mother, and Rochelle Taylor. He is willing to discuss positive issues with the residents. There have been two information meetings. The lot sizes have been changed and a second access is being looked into. He asked the residents to make it positive and give ideas that will be a benefit.

Gary Parkin who lives at 3323 W 1700 N and lives on the dead end in Plain View will be affected by the traffic. He has been to the meetings and some of the concerns were ½ acre lots, access, and water concerns. The developer has tried to address these issues. He was going to have 9 new houses around him now there will be 5. The development is going to happen; he recommends working with the developer. The issues need to be addressed in the right way.

Troy Stephen who lives at 1685 N 2850 W thanked Ryan Taylor for the saying what had been said. He isn't concerned about the open space as much as the number of houses. No one will tell him why that number of houses. Planning was done in the 40's and 50's for PRUDs now they find they aren't working. Lots need to stay as they are. He wants to know why such a high number of houses.

Jack Stimpson who lives at 2130 N 4650 W sat in a lot of meetings and has heard lots of views. He asked if anyone knows this property. It is 20 feet lower than 1900 N. The water goes south and west. There is a lot of water in this area. He will have to go north to get to sewer and have pumps to push it. With that kind of density of population we are asking for problems. The pumping stations go down and there will be raw sewage in the development. He is against rezoning or changing the zone to a high-density area. It is creating a ghetto.

Rob Malan who lives at 1817 N 2850 W is concerned with the sewer system not being able to handle 350 more homes. He has a sump pump and it isn't in the sewer like he has been accused. Plain City needs to stick with ½ acre lots.

Burke Stone who lives at 3326 W 1775 N is not against the subdivision it will be in his backyard. He knows that they can do amazing things with water. In the last meeting Chairwoman Pearce said elderly people want smaller lots, but our generation drew an ordinance with ½ acre lots. He knows the subdivision is coming, but the city code shouldn't be changed to allow 6,000 sq. ft. lots. He isn't against the ordinance he is against changing the zoning laws.

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

Stone House Subdivisions – Preliminary/Final

Vice Chairman Sadler mentioned that the engineer doesn't have any concerns. The commission mentioned that he needs to maintain and keep the water on his own property. **Mr. Drummond moved to grant preliminary approval. Seconded by Mr. Stokes. Vote: Mr. Drummond, Vice Chairman Sadler, and Mr. Stokes voted aye. Motion carried. Mr. Stokes moved to recommend final approval to the City Council for the Stone House Subdivision contingent upon the letter from Brad Jensen dated April 23, 2007. Seconded by Mr. Stokes. Vote: Mr. Drummond, Vice Chairman Sadler, and Mr. Stokes voted aye. Motion carried.**

Motion – 4-Mile Parkway Rezone

Vice Chairman Sadler mentioned that the petition is requesting rezone from A-1 to RE-20 – ½ acre lots. The General Plan recommends ½ acre lots in this area. Mr. Drummond mentioned that most of the comments tonight were not dealing with the rezone but the subdivision. The public hearing tonight was just for the rezone. He knows there is a concern with sewer, water, and safety and they need to be addressed. He will do everything to make sure it is developed appropriately. It is in the General Plan and the other items will be addressed at a later time. The surrounding area is zoned RE-20 along with part of this development. It is conducive to Re-20 zone. It was mentioned the General Plan was updated about 2 months ago. **Mr. Drummond moved to recommend to the City Council the rezone petition for the Glenn and Diane Taylor and Emmett Warren LLC from an A-1 to RE-20 zone. Seconded by Mr. Stokes. Vote: Mr. Drummond, Vice Chairman Sadler, and Mr. Stokes voted aye. Motion carried.** Vice Chairman Sadler mentioned that if the residents are concerned about the decision tonight the City Council has the final say.

Conditional Use Permit for Four Mile Parkway PRUD

Vice Chairman Sadler mentioned that Chairwoman Pearce put the Conditional Use Permit on the agenda, but he feels it is premature. He would like to see what the property is zoned. Mr. Simons mentioned that it was tabled at the last meeting for the Conditional Use Permit and Preliminary Approval until the meeting tonight. Mr. Simons has made several changes with

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consideration to the comments the residents have made. The commission discussed the comments from the City Engineer. One major issue is the drain system. The engineer understands that the city will take over the drain system after the subdivision has been complete for one year. If the Homeowners Association does control the drain system, what will happen if the Homeowners Association fails? Part of the sewer will go to Central Weber sewer if not all. The length of cul-de-sacs and streets are longer than the ordinance allows. There was a comment that most of the concerns deal with preliminary not a conditional use permit. It was also commented that most of the issues should be resolved before conditional use is approved. Information needs to be received on the water ways. The water needs to move fast enough to not be stagnate, but also safely so kids don't get hurt. More discussion is needed on the parks. The City Council wants the parks public and not private. Mr. Simons would like to get a park committee together to help design the parks. Detailed landscaping plans need to be submitted. The first time this was presented there weren't any 6,000 sq. ft. lots. Those lots are for the senior area at 50 and older. Instead of a gated area, it will be separated by streets. It was suggested meeting with the city engineer, public works, the commission chair and vice chair and Mayor to work out some of the concerns. The commission mentioned that 2" caliber trees are required according to the ordinance. Mr. Simons mentioned that CC&Rs will require the land owners to replace the trees if they die. The ordinance seems to be being followed. The density is below what is allowed. The senior housing is bordered by a little bit bigger lots and not ½ acre lots. There are still about 350 houses but there is a lot of acreage. Mr. Stokes figured that with an RE-15 zone there could be about 477 homes. The houses need to have at least 30% brick or masonry on the front and the ordinance followed. Some of the house plans show more garage in front than allowed. That will have to be looked at. Mr. Simons stated that the houses will be designed to city ordinance. The sideyards have been increased per the recommendation from the commission. The Mayor wants all of the parks to be owned by the city. There is a question as to whether the city can handle it. It was suggested having the parks maintained by the Homeowners Association and allow public access. The concern is the residents in this subdivision won't like paying for other to use the parks. The Mayor mentioned the additional cost is worth the amenities to the city. There was a question about the intercity agreement between Marriott-Slaterville and Plain City. Nothing has been done yet. There are some concerns because Marriott-Slaterville doesn't have property taxes and Plain City does and our ordinances are different than Marriott-Slaterville. Mr. Simons mentioned that property is not part of the petition to Plain City and can be either removed from the plats or worked out later. **Mr. Stokes moved to recommend the conditional use permit for the Glenn and Diane Taylor and Emmett Warren LLC property to be used as a PRUD under the PRUD ordinance, the preliminary being engineered and plat plans that illustrate what is to be done in the subdivision, and water movement issues are addressed with the flows of the river to be provided for preliminary. Seconded by Mr. Drummond.** Mr. Simons asked the commission to add that he will look into putting another access road in if it is possible through the wetlands. Vice Chairman Sadler mentioned that since there are only three present all three had to be in favor of the motion to pass. **Mr. Stokes moved to amend his motion that the developer will look into adding an additional secondary access on the west of the power line corridor. Seconded by Mr. Drummond. Vote: Mr. Drummond and Mr. Stokes aye, and Vice Chairman Sadler nay.** Vice Chairman Sadler didn't think the vote passed. There was a question as to whether the vote passed or not. Mr. Stokes was asked to look in the ordinance and report later if it passed. Vice Chairman Sadler mentioned that right now the vote didn't pass unless until there is clarification as to what is a majority vote. The commission took a five minute break from 8:45 p.m. to 8:50 p.m.

Final Approval – River Crossing Subdivision Phase 1 C & D

Mr. Buie mentioned that since preliminary he has shifted the lots sizes a little bit to provide stub streets etc. Vice Chairman Sadler mentioned that Brad Jensen didn't have too many concerns on his letter. The sewer may need to be upsized but that is an engineering issue. Mr. Buie would like to work that out with the engineers to figure out what the future growth will be. Brad Jensen would like to see a 10" pipe. If phases C & D are done together a temporary turnaround won't be needed at the end of phase C. Lighting will need to be done according to the ordinance. Fencing will be required around undeveloped property and along the east side of the emergency access. The fence will be put on the west side of the ditch on the east and the cement ditch on the west will no longer be needed. The commission asked that the trail between lots 406 and 407 be removed. The lot numbers need to be changed. That would make the trail to be removed between lots 76 and 77. Mr. Alan Karras was present and asked that the stub road be moved to the west end instead of the east end on the south of the subdivision. The commission and Mr. Buie decided to leave it on the west side. Mr. Maw arrived. Two lots will need to be restricted with temporary turnarounds. **Mr. Drummond moved to recommend final approval to the City Council for River Crossing phase 1 C and 1 D subject to letter from Brad Jensen dated May 31, 2007, with allowing clarification on item six with the engineers as to what the pipe size is, lots 72 and 79 be restricted with temporary turnarounds until the road is extended, the emergency access is extended the full extent of the property as it is completed. Seconded by Mr. Stokes. Vote: Mr. Drummond, Vice Chairman Sadler, Mr. Maw, and Mr. Stokes voted aye. Motion carried.**

Preliminary England Meadows

Mr. Alan Karras mentioned that preliminary and final approval has expired for the England Meadows subdivision. The commission reviewed the comments from Brad Jensen dated May 31, 2007. There are 4 issues. Another letter has been

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received tonight that states these items have been completed or being worked out. The Hawkins development on the south will move their road to match up with England Meadows. That way the Hawkins development won't be putting a road through the park. They have an emergency access through the Harbertson property. The emergency access will be 20 feet like required. They will also connect onto the Hawkins development for another access. Not having the heavy machinery going through Farr West was discussed. Mr. Karras mentioned he can't control other company's workers. The sewer line size was discussed. It will need to be decided how many homes will be connected to it. That will have to be worked out with the engineer. In a meeting with Brad Jensen 4,000 homes were mentioned, now they are thinking about 2,400 homes. It will need to be worked out with the engineers. It was mentioned a traffic study hasn't been received for this area yet. Mr. Karras mentioned that Hawkins on North Plain City Road and not this subdivision. They are more in Remuda in Farr West. Once Hawkins gets 30 homes they will also need another access. They may use the Harbertson access. The subdivisions will need to work that out. The development agreement still needs to be signed, but will work for the parks. Hawkins Development was suppose to send a letter stating that they would move their road to connect onto England Meadows, but no letter has been received. **Mr. Maw moved to grant preliminary approval to the England Meadows PRUD based on the letter from Brad Jensen dated June 13, 2007 and the items discussed. Seconded by Mr. Stokes.** It was mentioned to Mr. Karras that the undeveloped property will have to be fenced unless the neighbors agree the fence is adequate. There will need to be a 6 foot chain link fence along the ditch. **Vote: Mr. Maw, Mr. Drummond, Vice Chairman Sadler, and Mr. Stokes all ayes. Motion carried.**

Approval of the Minutes – 10 May & 24 May 2007

Mr. Drummond moved to approve the minutes of May 10, 2007 as written and postpone approval of the minutes of May 24, 2007 until the next meeting. Seconded by Stokes. Vote: Vice Chairman Sadler, Mr. Stokes, Mr. Drummond, and Mr. Maw voted aye. Motion carried.

Report from City Council-Stokes

Mr. Stokes reported that the Mayor was absent but they set a public hearing for the Taylor Warren rezone for July 5th, passed the resolution for RAMP funding, a bid was awarded for concrete pads around the parks and for bleachers, they discussed a new sound system for the Council Chambers and it will be on the next agenda, there were comments on the response to the Brown fire, a tractor for the dump was discussed, and the final budget will be on the next agenda. Mr. Maw and Mr. Drummond noted that they will not be at the next meeting on June 28th.

Schedule for Attending the City Council Meeting

Pearce	Sadler	Spencer	Drummond	Stokes	Maw
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 9:45 p.m. Seconded by Mr. Stokes. Vote: Vice Chairman Sadler, Mr. Stokes, Mr. Drummond, and Mr. Maw voted aye. Motion carried.