

**Plain City Planning Commission**  
**Minutes of Meeting**  
**13 September 2007**

The Plain City Planning Commission convened in a meeting on Thursday, the 13<sup>th</sup> September 2007, in the Council Chambers of the Plain City Hall at 7:00 pm.

Present showed the following:

Chairwoman: Artie Pearce  
Vice Chairman: Buddy Sadler  
Members: Bob Spencer excused  
              Brandon Stokes  
              Jarod Maw  
Secretary: Kathy Hancock

Also present: Carl Miler, Ryan Taylor, Ken Owen, Todd Harris, Shawn Rackham, Joan Fox, Donald Fox, Thane Ellis, Judy Stokes, Chuck Stokes, Stan Smith, Shauna Smith, Jeff Hales, John Kubreki, Bob Lewis, Mike Flood, LaFray Kelley, and Robyn Lowther. Chairman Pearce conducted the meeting and Mr. Stokes gave the invocation.

Public Hearing – Universal Estates #2

**Mr. Sadler moved to convene in a public hearing for the Universal Estates #2 Subdivision. Seconded by Mr. Maw. Vote: Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Stokes all ayes. Motion carried.**

Mr. Todd Harris representing Universal Estates #2 explained what he is proposing. He is proposing a 21 lot subdivision on approximately 14.5 acres on North Plain City Road. The area is zoned RE-20 and the lots will be ½ acre or greater single family residents.

Mr. Chuck Stokes who represents Don Hanzlik has a few concerns. Mr. Hanzlik would like access to his property. Any fence lines that will be removed need to be replaced so the livestock doesn't get out. Mr. Harris mentioned that the storm drain and detention pond calculations include the Hanzlik property.

Mr. Stan Smith questioned whether the back half of his property is still in the county. He is concerned that this will be affected. It was mentioned this shouldn't change anything with his property.

**Mr. Sadler moved to close the public hearing and reconvene in a regular meeting. Seconded by Mr. Stokes. Vote: Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Stokes all ayes. Motion carried.**

Chairwoman Pearce explained to Mr. Harris that the commission wouldn't be granting approval tonight but the commission would like to discuss the subdivision. Mr. Harris mentioned he didn't receive the comments from the city engineer until last week. It was explained to Mr. Harris that his engineer was faxed the comments and that is the procedure. The commission and Mr. Harris reviewed the comments from Brad Jensen. Mr. Harris presented the commission with new plats that have been revised and mentioned that Brad Jensen has also received a copy. One concern is the easement for the detention pond. It is in the folder and Secretary Hancock will get a copy to Brad Jensen. Another concern is the sewer. Mr. Harris is willing to put in the sewer line, but didn't know if Plain City wants to design it. The closest sewer is approximately 3200 feet away by the Homestead subdivision. Mr. Harris needs to know if he has to include manholes in his plan. The commission thought he should show the feasibility of getting the sewer to the subdivision. The plans show the sewer at 4 feet deep that isn't deep enough and needs to be changed. Mr. Harris will try to have everything in for the November 8<sup>th</sup> meeting.

Motion – Set Public Hearing October 11<sup>th</sup>

**Mr. Maw moved to set a public hearing date for October 11, 2007 for the rezone petition for the Dennis Eden property located at 870 N 5100 W from A-1- to RE-15. Seconded by Mr. Sadler. Vote: Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Stokes all ayes. Motion carried.**

Motion Conditional Use Permit – Flag Lot

Mr. Shawn Rackham who is the realtor, representing Mr. Gullo, explained what Mr. Gullo is requesting. Mr. Gullo owns the property to the side of the Mark and Debbie Stanger home. It has a 30 foot stem with approximately 57,400 sq. ft. He is proposing a flag lot. Mr. Rackham read the requirements for a flag lot from the City Ordinance. The lot would have one single family resident. It is well over 125% sq ft. required for that zone. Mr. Gullo wants to get a conditional use permit and then sell the lot with the understanding that the new owner would put in all of the improvements. This would include the 20 foot pavement and 5 foot buffers on each side. The commission reviewed the plat for this area. The commission is concerned about the improvements being done, and would like them done before the lot is sold. The commission is also not sure this is the best place for a flag lot. The Archway Subdivision has a stub road coming towards this property. Mr. Rackham questioned what needs to be done to make this lot a buildable lot. The commission recommended he get in touch with the

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Carnahan family. The commission feels that a road can eventually be put in to access this property, and it isn't in the best interest of the city to grant a conditional use permit for a flag lot on this property. **Mr. Sadler moved to deny the conditional use permit for a flag lot for Mr. James Gullo. Seconded by Mr. Stokes. Vote: Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Stokes all ayes. Motion carried.**

Lot Line Adjustment – Ryan Taylor – 1796 N 4425 W

Chairwoman Pearce explained that the city can only give their approval, but can't make the neighbors agree to the lot line adjustment. Chairwoman Pearce asked Mr. Taylor if he has contacted the neighbors yet. Mr. Taylor explained that he wanted to make sure there wasn't anything else he needed to do before contacting the neighbors. Mr. Taylor explained that his grandfather owned this property and it wasn't until he started cleaning up the side of 4-mile that he found out he didn't own the property. He had it surveyed and the Poplar Subdivision boundary does extend to the west side of 4-mile. The lot line would include about 55 feet on the north end and go down to about 6 feet on the south end with 4 properties being affected from the Poplar Subdivision. Mr. Taylor asked about the easement to clean 4-mile. The commission wasn't aware if there is an easement. The commission explained that they could mention it fits the ordinance, but it is a civil matter and they can't grant it if the neighbors don't want it. Mr. Jeff Hales mentioned that this conflict came up when the Poplar Subdivision was done but an agreement was never made at the time. Mr. Wheat Taylor always maintained and farmed that side of the canal. There was a concern that illegal lots would be created. The plat was reviewed and it was found that the lots are big enough and no illegal lot will be created. Mr. Ryan Taylor mentioned that when this is resolved, he would like to put up a fence on the west side of the canal for safety concerns. By approving a lot line adjustment a new lot will not be created. **Mr. Stokes moved to allow Mr. Ryan Taylor a lot line adjustment in accordance with the Plain City Ordinances to continue with the east border of his property on 1900 North to extend to the west bank of the 4-mile drainage ditch. Seconded by Mr. Maw. Vote: Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Stokes all ayes. Motion carried.**

Diamond E Final

Final approval for Diamond E Estates has expired. Chairwoman Pearce discussed the subdivision with Brad Jensen, and he doesn't have any concerns. The ordinance doesn't allow an extension for final approval, so final will need to be re-granted. **Mr. Stokes moved to recommend final approval to the City Council for the Diamond E Estates Subdivision with the conditions on 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 need to face west and the temporary turnarounds need to be on 3225 W, 3300 W, and in lot 11 on 2675 N. It was also noted that these conditions have been met according to the revised plat. Seconded by Mr. Sadler. Vote: Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Stokes all ayes. Motion carried.**

Stillcreek Village Final phase 1C and 1D

Mr. Mike Flood explained what was approved at preliminary approval and what they would like to do. The development agreement is worded so it can be changed as needed. At the preliminary process and also in the development agreement, 83 patio homes, 144 townhouses, and 264 single-family homes will be allowed. Phase 1 originally included just single family residents now 1C and 1D will include 35 patio homes and 1E will include 15 single family homes. Mr. Flood explained that phase 2A was approved, but because of the culinary water concerns, they would like to get the patio homes started in phase 1 instead of phase 2. The road and cul-de-sac patterns will not change. The development agreement has been signed and recorded and can be changed as long as there aren't any substantial changes. The number of patio homes will stay the same as the allowed 83 in the development agreement, but the number of single family homes will be one less. There is still a concern with the fire flow. Mr. Flood explained the process that is being done to determine if it is adequate. This will be worked out with Bona Vista. If the fire flow isn't adequate, Mr. Flood will not request final from City Council until it is worked out. The fire marshall will still have to approve of the flow before approval can be granted. There was a comment from the commission that now the patio homes are bordered on two sides instead of the original one side. Mr. Flood stated that he has changed all of the streets to 60 feet with sidewalks on both sides. There may be a problem with amenities under the power line open space. Mr. Flood is trying to get the information concerning the open space. Right now the plan is to put a parking lot, tot area, trees, and public restrooms in the open space. These amenities may need to be moved someplace else close by, and the tree types may need to be changed. The power line corridor is only a portion of the open space. As soon as Mr. Flood finds out, he will get the information to Chairwoman Pearce. Mr. Flood also mentioned that they have changed the location of the design center and will use it as a clubhouse for the pool. The sewer was discussed. Mr. Flood mentioned that not all of the sewer would be going to North Plain City Road. Because the Homestead needs to use the Grouse Meadows lift station, only a portion of Stillcreek will use the lift station. About 200 homes will go to the west somehow; he believes along the trail. It was mentioned that the present sewer line is over capacity right now. The question is should more homes be approved when we are already over the limit. Mr. Maw explained what Mr. Essau discussed at the City Council. The City Council is evaluating the problem. **Mr. Maw recommended final approval to the City Council for the Still Creek Village PRUD phases 1C**

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and 1 D, based on the letter from Brad Jensen dated 23 August 2007, especially items 3 and 4 as stated in the letter dealing with the culinary water flow. Seconded by Chairwoman Pearce. Vote: Mr. Maw, Chairwoman Pearce, and Mr. Stokes all ayes, and Mr. Sadler nay. Mr. Sadler explained his nay vote. He has no problem with the subdivision; his biggest concern is the sewer. He feels the City needs to work out the sewer problem first. **Motion carried.** The commission discussed the sewer issue. The majority of the commission feels it isn't Mr. Flood's concern and it shouldn't hold up his approval.

Approval of the Minutes – 9 August and 23 August 2007

Mr. Sadler moved to approve the minutes of 9 August 2007, as written and 23 August 2007, as corrected, corrections being minor. Seconded by Mr. Stokes. Vote: Mr. Maw, Chairwoman Pearce, Mr. Sadler, and Mr. Stokes all ayes. **Motion carried.**

Report from City Council- Maw

Mr. Maw reported that Dr. Essau, who is responsible for the Logan Sewer System, discussed sewer extension possibilities, an AARP representative would like the seniors to be aware of the driver safety meeting, someone wants an ATV permit ordinance, the Karras property rezone was approved, vacating the easement in Big Cottonwood was discussed, Dennis Wilcox was approved to live in his trailer until his house is re-constructed, bills were approved, the walking paths were discussed, the sound system was discussed, a RAMP audit is being done, and an appraisal is being done for the old elementary school.

Schedule for Attending the City Council Meeting

Pearce	Sadler	Spencer	Stokes	Maw	
	Oct 4	Oct 18	Nov 1	Nov 15	Dec 6

Mr. Sadler moved to adjourn at 9:15 pm. Seconded by Mr. Stokes. Vote: Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Stokes all ayes. **Motion Carried.**

