

Plain City Planning Commission
Minutes of Meeting
11 October 2007

The Plain City Planning Commission convened in a meeting on Thursday, the 11th October 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
 Brandon Stokes excused
 Jarod Maw
Alternate: Robert Seager
Secretary: Kathy Hancock

Also present: Mayor Jay Jenkins, Councilman Darwin Smith, Carl Miller, Dennis Eden, and Michael Naumu. Chairman Pearce conducted the meeting and gave the invocation. Chairwoman Pearce welcomed Robert Seager as the alternate.

Public Hearing – Rezone Petition – Dennis Eden Property – 870 N 5100 W – 29.64 acres A-1 to RE-15

Mr. Sadler moved to convene in a public hearing for the Rezone Petition – Dennis Eden Property – 870 N 5100 W – 29.64 acres from an A-1 to RE-15 zone. Seconded by Mr. Spencer. Vote: Mr. Seager, Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Spencer all ayes. Motion carried.

Chairwoman Pearce mentioned that Ed Kinley is no longer petitioning for a rezone, but Mr. Dennis Eden still wants to continue with the rezone process. Mr. Eden mentioned he is still trying to sell his property. He has someone who is interested in the property. He feels the next step is to develop and having the property zoned RE-15 will help.

Chairwoman Pearce mentioned that Mr. Austin Platt has sent a letter expressing his concerns. There is no access to the Eden property except through the Platt property. Another access will have to be obtained through the Karras, Hodson or Favero property. There is only an easement to Mr. Eden's home not the back property. Mr. Platt explained the history of this property. It floods about every 10-15 years. Because of one survey coming from the north and one survey coming from the south there is a gap on paper. Mr. Platt is concerned about a development causing damage to his fences, livestock, etc. He mentioned there would be expenses for sidewalks, to divert flood waters, sewer problems, etc.

Mr. Eden answered some of the questions posed by Mr. Platt. First of all Mr. Platt lives in Idaho and just owns property here. The property hasn't been flooded since about 82. With the pumps that they have now, there shouldn't be any problems with flooding. It flooded because the Great Salt Lake was high and it backed up the Weber River. He has a variance with the Corp of Engineers for the flood zone so there won't be any problems. He is looking at connecting onto the development next to his property. Any time new homes are built vandalism happens, it is life and not his concern. Mr. Platt's property is open fields with no structures on it. There are challenges now with the sewer.

It was mentioned that it was great Mr. Platt sent a letter in, but it would have been better if he was here in person. There are a few concerns like the gap and the easement are big concerns. **Mr. Spencer moved to close the public hearing and reconvene in a regular meeting. Seconded by Mr. Maw. Vote: Mr. Seager, Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Spencer all ayes. Motion carried.**

Motion - Rezone Petition – Dennis Eden Property – 870 N 5100 W – 29.64 acres A-1 to RE-15

The commission questioned when the development for this property would be coming in. Mr. Eden thinks within the year as he has had offers on the property. Some of the commission feels this is just the rezoning process others feel that the proposed development needs to be addressed. The Karras property and the River Crossing Subdivision are in this area and zoned RE-15. The General Plan shows this zone in that area. The gap issue will have to be resolved with a survey. Mr. Eden stated that if it does exist it is no more than an acre of property. The problem is the river channel moves. Mr. Eden mentioned that the County says it doesn't exist and they don't tax it and the gap property is not being proposed for rezone. The easement will be discussed at the development stage. When the City Planner was at the last meeting, he advised not approving any rezoning until the commission knows what is to be done with the property. The rezone stage is where things can be worked out that can't be worked out later. This is especially the case if a PRUD might be proposed on the property. There is also a concern with culinary water in this area. Some of the commission members would like to see what is being proposed on this property. With the river by the property there is concern it would be coming in as a PRUD. It has come to a commission member's attention that Mr. Karras who borders this property would like to come in with a PRUD. If the commission had more information regarding a development they could make a better decision. Mr. Eden stated that he isn't trying to develop right now just wants a rezone so he can sell the property as RE-15 instead of A-1. **Mr. Sadler moved to table the rezone petition for the Dennis Eden property located at approximately 870 N 5100 W approximately 29.64 acres from an A-1 to RE-15**

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zone. To be tabled until further information is received for a time period up to six months and at the end of the time period to be put back on the agenda. There was a question as to whether a time period is needed. If Mr. Eden gets a plat showing a proposal for the property, it could be put back on the agenda any time. It was mentioned it fits the General Plan and he isn't developing at this time. Mayor Jenkins stated that it fits the General Plan and the commission didn't need to review the development plans at this time. That can be done when they are presented to the commission. Mr. Sadler explained to Mayor Jenkins that the planner advises the commission not to address the rezone unless the commission knows what the plans are for the property. Later on in the development stage it is harder to control things that can be brought up at the rezone process. It was also noted that if this is denied instead of tabled it can proceed onto the City Council for their decision. Mr. Sadler mentioned that he feels that by tabling it, it doesn't have the negative connotation it would as being denied. Mr. Maw mentioned that if this is to be a PRUD the first step with the development agreement is lost if it is approved without further knowledge of what is to be done with the property. Mr. Seager is concerned about the gap, flood area, and the access to this property. He would like to see how those will be worked out before rezoning the property. **Seconded by Mr. Maw. Vote: Chairwoman Pearce and Spencer voted nay, Mr. Maw, Mr. Sadler, and Mr. Seager voted aye. Motion carried.** Mr. Eden was told that he could bring in a proposed development plan and he can be put back on the agenda at any time. Chairwoman Pearce explained that the General Plan is in favor of RE-15 in this location and there is RE-15 in this location so it is favorable for an RE-15 zone. It was also mentioned that the concerns Mr. Platt has will be addressed at the development stage and not the rezone stage.

Motion – Set Public Hearing November 8th - Parks, Trails, and Open Space Master Plan

The commission won't be holding a public hearing. The City Council will hold a public hearing, but would like the commission members present.

Preliminary/Final – Kim and Julie Johnson Subdivision – 4408 W 1500 N – 2 lots – 1 acre

This subdivision will stay tabled until some road issues can be worked out.

Motion – Amendment to the Subdivision Ordinance concerning the PRUD Ordinance

The commission reviewed the changes to the draft copy and discussed the changes. The planner was at the last meeting and made the changes. **Mr. Maw moved to recommend to the City Council the draft copy of the amendment to the Subdivision Ordinance. Seconded by Mr. Sadler. Vote: Mr. Seager, Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Spencer all ayes. Motion carried.**

Approval of the Minutes – 27 September 2007

Mr. Maw moved to approve the minutes of 27 September 2007, as written. Seconded by Mr. Seager. Vote: Mr. Maw, Chairwoman Pearce, Mr. Sadler, Mr. Spencer, and Mr. Seager all ayes. Motion carried. Chairwoman Pearce, Mr. Seager, and Mr. Spencer noted they weren't present but voted.

Report from City Council-Sadler

The streetlighting ordinance was approved with the wattage 75 or higher and the pole 14 feet or higher at the discretion of the City Engineer, amendment to the Big Cottonwood road was approved, they denied a transportation sales tax increase, reappointed Judge Beesely, appointed Robert Seager as the commission alternate, discussed having green waste cans and running another truck to haul the green waste to the dump, and it was mentioned the commission needs to make sure everything is done with subdivisions before they go to City Council.

It was mentioned that the commission has been receiving calls concerning the dog kennel. They have been telling them to attend the commission meeting on November 8th. There is a Legacy highway meeting at Fremont High School on Thursday, October 25 from 5-7 p.m. and the commission should plan on attending this before their next meeting.

Schedule for Attending the City Council Meeting

<u>Pearce</u>	<u>Sadler</u>	<u>Spencer</u>	<u>Stokes</u>	<u>Maw</u>	<u>Seager</u>
			Nov 1	Nov 15	Dec 6

Mr. Sadler moved to adjourn at 8:30 pm. Seconded by Mr. Spencer. Vote: Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Seager all ayes. Motion Carried.