

Plain City Planning Commission
Minutes of Meeting
10 January 2008

The Plain City Planning Commission convened in a meeting on Thursday, the 10th January 2008, 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
Alternate: Robert Seager
Staff: Kathy Hancock

Also present: Councilmember Beth Koford, Carl Miller, Matt Swain, Dave Barnes, Penny Barnes, Erla Peterson, Janet Malmgren, Debbie Robinson, Miles Robinson, Bryce Taylor, Andrea Taylor, Brad Simons, Kent Buie, and Dallas Taylor. Chairman Pearce conducted the meeting and Mr. Sadler gave the invocation.

Set Public Hearing - Feb. 14th - Skeen Subdivision – approx. 2280 N 3600 W – 3 lots

Mr. Maw recused himself and explained that the LDS church wants lot 1. The property is all under 1 tax id number. **Mr. Stokes moved to set a public hearing for the 14th of February 2008, for the Skeen Subdivision for 3 lots located at approximately 2280 N 3600 W. Seconded by Mr. Sadler. Vote: Mr. Seager, Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Stokes all ayes. Motion carried.**

Public Hearing – Rezone Petition – 2600 N 3100 W – LH Perry Inc. LLC. Re-15 to C-2 – approx. 16 acres

Chairwoman Pearce explained that the property is currently zoned RE-15 not A-1 like the petition states. The petition is to rezone it to C-2 for commercial. **Mr. Maw moved to convene in a public hearing for the Rezone Petition – 2600 N 3100 W – LH Perry Inc. LLC – RE-15 to C-2. Seconded by Mr. Stokes. Vote: Mr. Seager, Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Stokes all ayes. Motion carried.**

Mr. Matt Swain from LH Perry Inc. explained that the petition is for rezone for a retail shopping center. It is still in the preliminary stages and they don't have tenants at this time. They feel this is a great community and it would benefit the city. They have submitted a conceptual drawing of what they would eventually propose. They want something similar to Acres Market in North Ogden.

Mrs. Erla Peterson lives across the street. She is concerned about the busy street because of its access to the Freeway. She asked if the street would be widened. The commission explained that it is a state road and UDOT would have to make that decision, and it may be widened like it is in Farr West eventually. Mrs. Peterson isn't against something like Acres across the street, but she would be against apartment buildings.

Mr. Dave Barnes who lives on the south side of 2600 N. He asked about accesses. The conceptual shows an entrance across the street from his house. The neighbors won't want lights shining into their houses. Mr. Swain mentioned that this is just a conceptual and can change, but the accesses would be about 600 feet apart. The commission explained that a site plan would have to be approved when the center is ready to be done, and the streetlights would have to comply with the dark sky ordinance.

Mr. Jeff Hales mentioned the property is currently zoned Re-15. The commission mentioned that has already been addressed. Mr. Hales also mentioned that he is in favor of what Mr. Swain wants to do and the site plan can be adjusted so the neighbors aren't as affected.

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

Public Hearing – Taylor Subdivision – 2436 N 4350 W – 2 lots

Mr. Stokes moved to convene in a public hearing for the Taylor Subdivision located at 2436 N 4350 W – 2 lots. Seconded by Mr. Maw. Vote: Mr. Seager, Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Stokes all ayes. Motion carried. There were no comments. **Mr. Stokes moved to reconvene in a regular meeting. Seconded by Mr. Maw. Vote: Mr. Seager, Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Stokes all ayes. Motion carried.**

Preliminary/ Final Approval – Taylor Subdivision – 2 lots – 2436 N 4350 W

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Mr. Bryce Taylor explained that the existing home is on lot 1 and the new home would be on lot 2. Both lots will be split evenly and fit in the R-1-11 zone. The letter from Brad Jensen dated January 3, 2008, mentions three things. The lot two address is given; lot one will stay the same. The shed shown on both lots will be moved or demolished. A deferral agreement will need to be signed for both lots. There is presently curb, gutter, and sidewalk on 2425 N., but not on 4350 W. Both lots will be included in the deferral agreement, but it looks like only lot 1 will be affected. Secondary water will be required. The comments from Pineview indicate it is available but a bigger line may be needed to service both lots. There was concern with making sure that improvements get done with deferral agreements. **Mr. Maw moved to grant preliminary approval and recommend final to the city council for the Taylor Subdivision located at 2436 N 4350 W with the stipulations detailed on the letter from Brad Jensen dated January 3, 2008. Seconded by Mr. Sadler. Vote: Mr. Seager, Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Stokes all ayes. Motion carried.**

Motion – Rezone Petition – 2600 N 3100 W – LH Perry Inc. LLC. Re-15 to C-2 – approx. 16 acres

Mr. Maw moved to recommend the rezone petition to the City Council for the LH Perry Inc. LLC located at 2600 N 3100 W from RE-15 to C-2. Seconded by Mr. Stokes. There is concern with rezoning the property C-2 and not having anything in writing that states this property will be a retail shopping center. Anything that is allowed in C-2 could be put on this property. That may not be what the city wants. The commission discussed the issue. The commission would like to see a retail shopping center similar to Acres at this location. Mr. Maw withdrew his motion and Mr. Stokes withdrew the second. **Mr. Maw moved to recommend the rezone petition to the City Council for the LH Perry Inc. LLC based upon the correspondence received which details what they plan on doing on this property and the memo from the planners dated January 1, 2008. Seconded by Chairwoman Pearce.** There was still concern that this would guarantee that a retail shopping center would be put at this location. Someone else could buy this property and put something else on it. **Vote: Mr. Seager, Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Stokes all ayes. Motion carried.**

Preliminary Approval Extension – Rivercrossing Subdivision – 79 lots – approx. 4900 W 1500 N

The commission discussed lot 15. There was some concern that the open space wasn't suppose to go with lot 15. Mr. Buie mentioned that because it is so small there wasn't anything else that could be done with it. It was noted that notes 8 and 10 don't coincide with each other. A field fence around surrounding agricultural property is required and the plat shows a 6 foot fence. A 6 foot chain link fence will be required around the canal. The commission thought both trail accesses were removed instead of just one. Secretary Hancock read the motion from the prior preliminary approval on January 25, 2007. **Mr. Stokes moved to grant an extension to the preliminary approval for Rivercrossing Subdivision, noting the removal of the two pathways specifically between lots 76 and 77 and bordering lots 55 and 60. Seconded by Mr. Maw. Vote: Mr. Seager, Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Stokes all ayes. Motion carried.**

Brad Simons – 4 Mile Parkway discussion

Mr. Brad Simons explained what is going on with 4-mile Parkway. He has only purchased about 10 acres of the Kilts property. The new buyer of the rest of the Kilts property has signed an agreement to continue to honor the development agreement for this subdivision. The only difference is the open space will be separate. The open space for 4-mile Parkway has been moved to the south end. There is enough space for restrooms and a parking lot. The entry into the subdivision has been changed to 68 feet wide because of the round about and so homeowners will use the main street instead of side streets a through other subdivisions. There are also 5 lineal acres of open space not shown on the drawings for open space or trails. This can also be moved off site and developed as the city directs. A wetland delineation has been done and there are 1.6 acres of wetlands on the property. Most of it is in the Marriott-Slaterville side, but a small amount is under the power lines. A geo-tech study has also been done. A ditch restoration and pond study has been completed. The pond will have to be drained every two years to keep enticing the natural animals and vegetation, but there will be enough of a stream that it won't completely dry up. Since the city will own the ponds they will have to drain them. The drain design is similar to a reverse irrigation system. Bubbles will be also be created to keep the natural vegetation and attract ducks. There was comment that North Ogden is having problems with there duck population in their park. Mr. Simons can put something in the covenants and signs saying don't feed the ducks. The trails have been widened. Mr. Simons has met with Central Weber sewer and most of the homes will use Central Weber Sewer; only the front lots will be Plain City Sewer. Mr. Simons explained the changes to the Homeowners Association document, CC&Rs, and the Development Agreement changes. On the homeowners association documents Hawkeye will keep and manage it until all of the lots have been built on and then contract it out for 10 years to a management firm. Mr. Simons would like to change the frontage setback requirement from 30 feet to 25 feet on houses that have a side entry garage so the homeowners have a bigger back yard than front yard. He has also added in the CC&Rs that \$800 will be collected upon closing to secure the public improvements. More rules have been added for storm water. A disclaimer has been added for the native wildlife because of the ducks. The disclaimer also releases Plain City from any liability. There is also a sewer disclaimer as requested by Central Weber Sewer concerning smells etc. Plain City, the Homeowners Association and the Developer are mentioned in all of the disclaimers. He has changed the development

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agreement to show the percentage of brick required on a house to 30% per the ordinance, there is a table showing ownership on page 3, if the HOA fails the city has the right to take it over. The commission discussed piping 4 mile creek. The county would have to approve this. Mr. Simons will go talk to the county before coming to the March meeting. Since there is water on this property, Mr. Simons would like land drains for all of the homes and use the water for the ponds. Brad Jensen doesn't want the city to have to take care of or own the land drains if the Homeowners Association fails. Mr. Simons is working with Pineview and Central Weber to have a line run through this property so that Pineview can use the cleaned sewer water from Central Weber. The Taylors are keeping their water shares to use for later so the ponds don't dry up. Mr. Simons is planning on coming to the work meeting in February to discuss house plans and any other information. Coming in for preliminary approval in March.

Approval of the Minutes – 13 December 2007

Mr. Sadler moved to approve the minutes of 13 December 2007, as corrected, corrections being to change what Mr. Sadler stated under the Conditional Use Permit for the Dean Porter Kennel line 7, to “Mr. Sadler mentioned the county animal ordinance from memory.” Seconded by Mr. Maw. Vote: Mr. Seager, Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Stokes all ayes. Motion carried.

Report from City Council - Pearce

The Council approved development agreements for 5 or more lots, business licenses and warrants approved, the Council assignments were given. Chairwoman Pearce welcomed Beth Koford. She is now over the Planning Commission.

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>
	Apr 3	Feb 7	Feb 21	Jan 17	Mar 6
Mar 20	Apr 17	May 1	May 15	Jun 5	June 19
Jul 17	Aug 7	Aug 21	Sept 4	Sept 18	Oct 2
Oct 16	Nov 6	Nov 20	Dec 4	Dec 18	

Mr. Stokes moved to adjourn at 9:10 pm. Seconded by Chairwoman Pearce. Vote: Mr. Seager, Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Stokes all ayes. Motion carried.

