

Plain City Planning Commission
Minutes of Meeting
14 February 2008

The Plain City Planning Commission convened in a meeting on Thursday, the 14th February 2008, in the Council Chambers of the Plain City Hall at 7:00 p.m.

Present showed the following:

Chairwoman: Artie Pearce

Vice Chairman: Brandon Stokes Members:
Bob Spencer (arrived at 7:20 p.m.)
Buddy Sadler (arrived at 7:05 p.m.)
Jarod Maw

Alternate: Robert Seager

Staff: Kathy Hancock

Also present: Councilmembers Beth Koford and LaFray Kelley, Rick Pilarezyk, Dennis Brown, Libby Brown, Owen Brinkerhoff, David Skeen, and Rich Skeen. Chairman Pearce conducted the meeting and Mr. Maw gave the invocation.

Public Hearing – Skeen Subdivision – approx. 2280 N 3600 W – 1 lot - 3 parcels

Mr. Maw recused himself because of professional affiliation with this property. **Mr. Stokes moved to go into a public hearing for the Skeen Subdivision. Seconded by Mr. Seager. Vote: Mr. Seager, Chairwoman Pearce, and Mr. Stokes all ayes. Motion carried.** Mr. Maw explained that the subdivision is located at 2200 N 3600 W and the LDS church is interested in a meeting house on lot 1. As far as he knows, there isn't anything planned for the other parcels at this time; he represents the church. There were no public comments. **Mr. Seager moved to reconvene in a regular meeting. Seconded by Mr. Stokes. Vote: Mr. Seager, Chairwoman Pearce, and Mr. Stokes all ayes. Motion carried.**

Preliminary/ Final Approval – Skeen Subdivision – approx. 2280 N 3600 W – 1 lot - 3 parcels

The plat shows 1 lot and 3 parcels. Mr. Sadler arrived. Mr. Maw explained that the church is interested in the northern most part for a 1700-sq. ft. building and almost 300 parking spaces. There will be less sod and more planting material around the church. The letter from Brad Jensen mentions a note stating that building permits won't be issued without city approval. No one was present from the Skeen family. The concern is this is a subdivision not just dealing with a lot for the church. There was a question as to whether the property on the eastside of 3600 W is under two separate tax id numbers. There is a parcel C on the westside of 3600 W. A comment was made that the right of way needs to be dedicated with deferral agreement for the improvements. In front of lot 1, the right of way would be dedicated and the improvements put in. Mr. Maw mentioned that the right of way has been confirmed and will be changed on the plat. Both of the main entrances for the church would be on 3600 W.

Mr. David Skeen arrived and explained that they are only dividing one lot for the church the rest of the property is not being subdivided. The commission explained that this is a subdivision because 1 lot is being divided off of another piece; it becomes a 2 lot subdivision. There was a question as to whether parcels A and B are being separated. Mr. Skeen mentioned the County made them dedicate 26 feet for 2200 N when the subdivision on 2200 N came in about 1997 or 1998. There was a concern that the right of way on 2200 N and 3600 W needs to be taken care of now for safety issues. Mr. Skeen mentioned that he saved the city money by having the county put in the walking path. Mr. Spencer arrived. Mr. Skeen also mentioned that there is a problem with 3600 W. There is a lawsuit in the process because the street is too far to the east and they own property on the westside. That is why Parcel C is on the plat. The ordinance requires a 60 or 66 foot right of way and 3600 W and 2200 N are not that wide now. The ordinance doesn't distinguish between subdivisions. Most of the commission felt that the right of way easement should be dedicated now. The improvements could be done later. Mr. David Skeen mentioned that they are not subdividing Parcel A and B at this time and are not planning on building on those lots without subdividing. The commission feels that the right of ways would have to be dedicated and improved if it is subdivided in the future, why not have them dedicated now. Mr. David Skeen mentioned he has discussed this with Mayor Jenkins, Chad Costley and Brent White and they said it was just a 1-lot subdivision and that was all. They didn't mention anything about dedicating right of ways. It was mentioned that the ordinance has to be followed and it is a subdivision. Mr. David Skeen is concerned that there is a ditch on 2200 North that would have to be piped if the right of way is dedicated. The ditch would have to be piped, maintained like it is now, and the water flow couldn't be impeded.

The commission reviewed the plat and it shows one tax id number for the whole piece of property. Mr. David Skeen mentioned they aren't interested in anything but the church. They are not going to dedicate anything on 3600 W because the road isn't where it is suppose to be. They won't be subdividing anything until his mom Anna Jean Skeen dies. The commission is concerned that a building permit could be issued for Parcel A & B and the road wouldn't be dedicated and the improvements put in. The commission was concerned that this should be tabled until the issue with the street can be worked out. Mr. David Skeen stated that they won't change their mind and it won't do any good to table it. Mr. Skeen stated that the

Plain City Planning Commission
Minutes of Meeting
14 February 2008

school shouldn't have been approved by the city because part of it is on his property. Mr. Rich Skeen arrived and told the commission that this has been discussed with Mayor Jenkins, Chad Costley and Brent White and they only want to divide lot 1 off. Mr. Rich Skeen mentioned that the discussion with the Mayor and City Councilmen wasn't done in the back room, but was done in a City Council meeting. The back room discussion was on the sidewalks and safety issues to save the city money. The commission decided to have a note on the plat with what Brad Jensen recommends in his letter that building permits won't be issued on any of the property without approval from the City. **Mr. Stokes moved to grant preliminary approval and recommend final approval to the City Council for the Skeen Subdivision for a 2 lot subdivision with lot 1 being 412 feet wide extending in front of the school and the remainder of the parcel being one lot, with the road way of 3600 W being a 66 foot wide easement extending along the entire corridor of lot 1 and the other parcel will have to be subdivided in the future, and prior to any issuing of building permits the city will insure that there are required improvements for both lot 1 and the remainder parcel and approved by the city. Seconded by Mr. Spencer. Vote: Mr. Seager, Chairwoman Pearce, Mr. Spencer, and Mr. Stokes all ayes and Mr. Sadler nay.**

Motion – Lot Line Adjustment - Owen Brinkerhoff – 3242 W 1975 N

Mr. Sadler excused himself because Mr. Brinkerhoff is a cousin. Mr. Brinkerhoff explained that he wants to separate the house from the other property. There are two tax id numbers. One would go with parcel A and the house; the other would go with parcel B and the remainder of the property. He plans on farming the remainder parcel. **Mr. Maw moved to approve the lot line adjustment for Owen Brinkerhoff for the property located at 3242 W 1975 N. Seconded by Mr. Spencer. Vote: Mr. Maw, Mr. Sadler, Chairwoman Pearce, Mr. Spencer, and Mr. Stokes all ayes. Motion carried.**

Motion – Set Public Hearing – March 13th – Rezone – Dennis and Libby Brown – 1957 N 5100 W – A-1 to RE-20

The commission explained to Mr. Rick Pilarezyk that they needed a conceptual drawing showing existing buildings and setbacks. Mr. Sadler returned. All fences and ditches need to be shown. The commission needs to know what he is planning on doing with the property. Mr. and Mrs. Brown stated there are no fences or ditches it is just a flat 10 acres with a home on it. They want to sell 2 lots and have enough property for a future right of way to subdivide later. **Mr. Spencer moved to set a public hearing for March 13th for the Dennis and Libby Brown property at 1957 N 5100 W, from an A-1 to a RE-20 zone. Vote: Mr. Maw, Mr. Sadler, Chairwoman Pearce, Mr. Spencer, and Mr. Stokes all ayes. Motion carried.**

Motion – Amendment to Subdivision Ordinance concerning – Minor Subdivision

Mr. Spencer moved to table the amendments to the Subdivision Ordinance. Seconded by Mr. Sadler. Vote: Mr. Maw, Mr. Sadler, Chairwoman Pearce, Mr. Spencer, and Mr. Stokes all ayes. Motion carried.

Motion – Amendment to Zoning Ordinance concerning – Rezoning Process & Site Plan Review C-2 & C-3

The commission decided to remove the time limit for the rezone process. **Mr. Sadler moved to recommend the amendments to the Zoning Ordinance with the changes as discussed. Seconded by Mr. Stokes. Vote: Mr. Maw, Mr. Sadler, Chairwoman Pearce, Mr. Spencer, and Mr. Stokes all ayes. Motion carried.**

Approval of the Minutes – 24 January 2008

Mr. Sadler moved to approve the minutes of 24 January 2008, as written. Seconded by Mr. Stokes. Vote: Mr. Maw, Mr. Sadler, Chairwoman Pearce, Mr. Spencer, and Mr. Stokes all ayes. Motion carried.

Report from City Council - Stokes

Stokes reported that a public hearing was held for the LH Perry Rezone and it was approved with the commission working with them on a development agreement, a public hearing was set for March 5th for the Megahan property, there was a request for use of the Senior Center for a democratic caucus, tabled final acceptance for Grouse Meadows because there were too many concerns, authorized a bid for insulation on the parks building, approved the appeals process and the commission will hear land use variances, discussed the sale of the city owned property, discussed what needs to be done with the sewer ponds, and paid the bills and approved business licenses.

Mr. Frank Phillips would like clarification on to how many parking stalls will be required for the church. There will be chairs that hook together instead of pews. Mr. Maw thought that state code goes by the square footage of the building if pews aren't used. An occupancy sign will also be required.

Four Mile Parkway will be discussed at the work meeting on February 28th and is requesting preliminary approval on March 13th. Chairwoman Pearce has asked the Attorney and Planners to be here on the 28th to discuss the Development Agreement. If there aren't any problems with the agreement it could be approved on February 28th.

**Plain City Planning Commission
Minutes of Meeting
14 February 2008**

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	Mar 20			
Mar 6	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. Spencer moved to adjourn at 8:40 p.m. Seconded by Stokes. Vote: Mr. Maw, Mr. Sadler, Chairwoman Pearce, Mr. Spencer, and Mr. Stokes all ayes. Motion carried.

NOT OFFICIAL DOCUMENT