

Plain City Planning Commission
Minutes of Meeting
8 May 2008

The Plain City Planning Commission convened in a meeting on Thursday, the 8th of May 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
Buddy Sadler
Jarod Maw
Alternate: Robert Seager
Staff: Kathy Hancock

Also present: Council member Beth Koford, Shad Christensen, Morgan Christensen, Carolyn Judkins, Jason Judkins, Brent Judkins, Ananda Judkins, and Mark Montgomery. Chairwoman Pearce conducted the meeting and Mr. Seager gave the invocation.

Public Hearing –Shad Christensen Subdivision – 2 lot – 4216 W 2725 N

Mr. Stokes moved to go into a public hearing for the Shad Christensen Subdivision located at 4216 W 2725 N. Mr. Maw seconded the motion. Vote: Mr. Sadler, Mr. Maw, Chairwoman Pearce, Mr. Stokes, and Mr. Spencer all ayes. Motion carried. There were no public comments. **Mr. Spencer moved to move out of a public hearing and into a regular meeting. Mr. Stokes seconded the motion. Vote: Mr. Sadler, Mr. Maw, Chairwoman Pearce, Mr. Stokes, and Mr. Spencer all ayes. Motion carried.** The commission discussed the changes to the plat. The deferral agreement has been signed. Mr. Christensen is aware that he will be required to set his house back 37 feet from the property line instead of 30 feet. He will also be required to have a 30-foot rear yard setback. **Mr. Spencer moved to grant preliminary approval and recommend final approval to the City Council for the Shad Christensen Subdivision located at 4216 W 2725 N. Mr. Maw seconded the motion. Vote: Mr. Sadler, Mr. Maw, Chairwoman Pearce, Mr. Stokes, and Mr. Spencer all ayes. Motion carried.**

Final Approval – Winder Subdivision – 2275 N 4575 W – 2 lots

The commission received a new letter from Brad Jensen dated April 30th in the packets. There were no concerns. The deferral agreement has been signed. **Mr. Stokes moved to recommend final approval to the City Council for the Winder Subdivision located at 2275 N 4575 W. Mr. Maw seconded the motion. Vote: Mr. Sadler, Mr. Maw, Chairwoman Pearce, Mr. Stokes, and Mr. Spencer all ayes. Motion carried. Vote: Mr. Sadler, Mr. Maw, Chairwoman Pearce, Mr. Spencer, and Mr. Stokes all ayes. Motion carried.**

Discussion – Set Public Hearing – Conditional Use Permit – Michael Lobato – 1410 N 4250 W – Dog Kennel

Chairwoman Pearce mentioned that she had asked Betty Davis from Animal Control to be here tonight but since she wasn't able to, she sent a letter. Ms. Davis recommends that the acreage for dog kennels be increased to 1 acre minimum. There are a lot of dog kennels being requested and that brings more noise and complaints. Chairwoman Pearce asked the commission how they feel about dog kennels in RE-15 and RE-20 zones. The commission doesn't like the idea of having dog kennels allowed in the RE-15 zone. Some feel RE-20 is possible. The concern is the two zones are under the same ordinance, and it would have to be worked out so it is only allowed in the RE-20. There was a comment that 3-4 dogs could be allowed on ½ acre lots, and do away with kennels. The commission discussed only allowing dog kennels for business purposes. If it is going to be allowed only for businesses, than standards need to be set up for a dog kennel business. The purpose of the business would be for housing, breeding or grooming of dogs. If that isn't what they are doing, a Conditional Use Permit shouldn't be issued. The zoning ordinance will need to be changed to reflect the changes. The definition of a kennel needs to be put under the definition section. There was a concern that if it is only put under the RE-40 or A-1 zone it could create a bigger problem if the property around it is subdivided. Other cities have stricter kennel requirements.

There is a concern that the last Conditional Use Permit for a dog kennel hasn't received a business license yet. He hasn't followed all of the conditions yet either. There is a concern that if the conditions haven't been met, the amount of dogs requested shouldn't be allowed until the conditions have been met. Someone needs to enforce the conditions. If the zone is changed to acre it will solve a lot of the problems.

Mr. Lobato has submitted an application for a conditional use permit. The commission decided to set a public hearing for the conditional use permit and discuss kennels and catteries on the work meeting agenda. The commission would like Mr. Lobato to show where the existing house and neighboring houses are located. It looks like 2 dogs will be kept in the 6'X12' kennel and 3 dogs in the house. **Mr. Spencer moved to set a public hearing on June 12, 2008 for the Conditional Use Permit for**

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Mike Lobato at 1410 N 4250 W for a dog kennel. Mr. Stokes seconded the motion. Vote: Mr. Sadler, Mr. Maw, Chairwoman Pearce, Mr. Stokes, and Mr. Spencer all ayes. Motion carried.

Approval of minutes – 24 April 2008

Mr. Sadler moved to approve the minutes of April 24, 2008 as corrected, correction being to change “Mr. Maws vote to abstained under Lot Line Adjustment/Consolidation of parcels Ordinance motion, because he wasn’t here for most of the discussion”. Chairwoman Pearce seconded the motion. Vote: Mr. Sadler, Mr. Maw, Chairwoman Pearce, Mr. Stokes, and Mr. Spencer all ayes. Motion carried.

Report from City Council - Spencer

Mr. Spencer reported that Chairwoman Pearce gave the report from planning commission, the City Council upheld the appeal for the Conditional Use Permit for the Liberty Bible Church, adopted the preliminary budget with a lot of discussion, set a public hearing date for June 19th for recycling, Fremont Estates Phases 1 & 2 and Lewis Moyes received conditional final acceptance, paving part of 1500 N and 5100 W was approved, fees for the arena were discussed, a 25% matching grant was received for state roads, Courtney Hatch mentioned issues with Grouse Meadows, the community clean-up was poorly attended, surplus city equipment was discussed, and the shed is under construction at the landfill.

Chairwoman Pearce mentioned that the commission needs to look at whether the lot line adjustment ordinance needs to go in the subdivision or zoning ordinance. She couldn’t find anything in West Haven or Hooper for lot line adjustments. It was suggested getting the planners input on a lot line adjustment ordinance and where it should go.

Pastor Phillips with the Liberty Bible Church has been discussing the church with Brad Jensen. One option is to use 3 rooms in the Meghan house. The attorney is looking into this. Mr. Maw is concerned with code restrictions. Pastor Phillips would rather have a 60 foot road with 40 foot pavement and curb and gutter on the west side. The road would turn to the east to give enough room for the church. This might be on the work meeting agenda if everything is turned in and complete by then. The commission would like comments from Brad Jensen concerning storm drain before it is on the agenda.

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>
				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 8:20 p.m. Mr. Stokes seconded the motion. Vote: Mr. Sadler, Mr. Maw, Chairwoman Pearce, Mr. Stokes, and Mr. Spencer all ayes. Motion carried.