

**Plain City Planning Commission**  
**Minutes of Meeting**  
**12 June 2008**

The Plain City Planning Commission convened in a meeting on Thursday, the 12<sup>th</sup> of June 2008, in the Council Chambers of the Plain City Hall at 7:00 pm.

Present showed the following:

Chairwoman: Artie Pearce  
Vice Chairman: Brandon Stokes (excused)  
Members: Bob Spencer (excused)  
Buddy Sadler (excused)  
Jarod Maw  
Alternate: Robert Seager  
Staff: Kathy Hancock

Also present: Council members: Beth Koford & LaFray Kelley, Michael Lobato, Debra Lobato, Frank Phillips, Tami Phillips, Bob Lewis, Mark Megahan, Alexes Megahan, David Phillips, Randy Hall, Carl Miller, Gordon Nozaki, and Dennis Brown. Chairwoman Pearce conducted the meeting and Mr. Maw gave the invocation.

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

**Mr. Seager moved to go into a public hearing for a Conditional Use Permit for Michael Lobato at 1410 N 4250 W for a dog kennel. Mr. Maw seconded the motion. Vote: Mr. Maw, Chairwoman Pearce, and Mr. Seager all ayes. Motion carried.** There were no public comments. Mr. Carl Miller asked how many dogs would be allowed. The commission explained that if the permit is approved conditions would be set including how many dogs would be allowed. Mr. Lobato explained they have two toy Poodles, a Chihuahua, a German Shepherd, and a Lab-Collie Mix. All 5 dogs are pets. Since the ordinance only allows 3 dogs they have applied for a conditional use permit to keep the other 2 dogs. Mr. Lobato presently has a chain link fenced kennel with cement. He had 2 dogs and she had 2 dogs when they got married and their son left 1 when he moved into an apartment. They have lived at this location for 2 ½ years. The dogs are not used for breeding purposes. **Mr. Maw moved to go out of the public hearing and into a regular meeting. Mr. Seager seconded the motion. Vote: Mr. Seager, Mr. Maw, and Chairwoman Pearce all ayes. Motion carried.**

**Motion - Conditional Use Permit – Michael Lobato – 1410 N 4250 W – Dog Kennel**

Because this is such a big issue at this time, Mr. Maw recommended that the motion is tabled until more of the commission can be present. **Mr. Maw moved to table the motion for a conditional use permit for Michael Lobato until the July 10th meeting, because this is such a hot topic at this time the feeling is that more commission member's opinions are needed. Mr. Seager seconded the motion. Vote: Mr. Seager, Mr. Maw, and Chairwoman Pearce all ayes. Motion carried.**

**Set Public Hearing – Dean Olsen Subdivision – approx. 1900 N 5100 W – 2 lots**

**Mr. Maw moved to set a public hearing on July 10<sup>th</sup> for the Dean Olsen Subdivision at approx. 1900 N 5100 W. Mr. Seager seconded the motion. Vote: Mr. Seager, Mr. Maw, and Chairwoman Pearce all ayes. Motion carried.**

**Motion – Lot Line Adjustment – Dennis & Libby Brown – 1957 N 5100 W**

The commission reviewed the plat for the lot line adjustment for the Dennis and Libby Brown property. The commission didn't see any concerns. **Mr. Maw moved to approve the lot line adjustment for the Dennis and Libby Brown property at 1957 N 5100 W. Mr. Seager seconded the motion. Vote: Mr. Seager, Mr. Maw, and Chairwoman Pearce all ayes. Motion carried.**

**Motion – Lot Line Adjustment – Jeff East/Cemetery – approx. 4400 W 1975 N**

The commission reviewed the plat for the East – Cemetery property. The lot line adjustment is needed so one piece of property can be used for the Cemetery. There are two tax id numbers so this isn't considered a subdivision. The Cemetery Board is trading the piece on Pioneer Road for this piece. This way the cemetery will all be together. **Mr. Seager moved to approve the lot line adjustment for the Jeff East and Cemetery property at 4400 W 1975 N. Mr. Maw seconded the motion. Vote: Mr. Seager, Mr. Maw, and Chairwoman Pearce all ayes. Motion carried.**

**Motion – Lot Line Adjustment – Mark Megahan/Liberty Bible Church – 3292 W 1975 N**

Pastor Frank Phillips explained that in order to meet the setback requirements for the Church they need a lot line adjustment. With the lot line adjustment the Megahan lot would still have 20,791 sq. ft. and would still meet the ½ acre requirement. The plat showed the metes and bounds. Pastor Phillips mentioned that Brad Jensen has received the plat. **Mr. Maw moved to approve the lot line adjustment for the Mark Megahan and Liberty Bible Church property based upon the drawings that were submitted from Landmark Surveying dated June 6, 2008. Mr. Seager seconded the motion. Vote: Mr. Seager, Mr. Maw, and Chairwoman Pearce all ayes. Motion carried.**

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**Site Plan – Liberty Bible Church – approx. 3292 W 1975 N**

The commission and Pastor Phillips reviewed the letter from Brad Jensen dated June 11, 2008. The County website doesn't show the back property annexed into the city yet. Kathy will check to see what has happened with the annexation. The county website may not have been updated since the annexation was recorded. The topography for the street needs to be shown. The sewer and topography information was submitted to Brad Jensen by an electronic copy today. The new plans show the sewer depth. Pastor Phillips thought Brad Jensen would email the new information to Kathy. Kathy checked her email and there wasn't an email. The secondary water needs to be approved by Pineview water. A deferral agreement needs to be signed for curb, gutter and sidewalk on the west side. The commission decided they would rather have the sidewalk installed on the west side by the Megahan property and a deferral agreement for the east side by the open field. The two parking stalls on the northeast of the parking lot need to be removed. The requirement for parking stalls will still be met if these two are removed. Street A needs to be changed to 3275 N. The future street should be 2025 N. The address for the church will be 3288 W 2025 N. The standards should be Plain City Standards and not APWA standards. A letter from Bona Vista Water needs to be received. The new lot line needs to be shown as approved prior. The street needs to be dedicated with a 1 year guarantee period before acceptance.

The park strip on the west side was discussed. The commission would like the park strip to have xeriscape. The xeriscape needs to include a weed barrier and rock or something similar so there isn't any maintenance. The Megahan's will be responsible for the maintenance on the west side. There is a concern that there will be standing water in the retention basin. There are only 23 parking stalls but there isn't any place for the water to go. Detention basins are normally for 100 year storms and retention is to hold the water until it evaporates. There isn't any storm drain in that area at this time. There is an existing ditch, but it is an irrigation ditch. It was suggested having it engineered so that the water could be pumped into gravel so there isn't standing water in the pond. Brad Jensen will have to approve the final drainage. A deferral agreement needs to be signed for the curb, gutter, and sidewalk on 1975 N in front of the Megahan property because there isn't any on 1975 N. at this time. All utilities will be stubbed to the end of Street A. A fence with slats will be required along the west side of the church property. The commission would like a 6-foot chain link fence with slats on the west and south side. The fence on the west side will only be required along the border of the church property. At the present time the church would like to use the Megahan property as a park area. There is an existing fence between the Megahans and the church, but there is a grassy area in between. Since the church is planning on buying the Megahan house when it is sold, the fence along the south side can be deferred. That way if the church doesn't buy the house then a fence will be required. Because of the access the two parking stalls on the northeast side need to be removed. A letter from Bona Vista Water needs to be received showing they will provide culinary water. The letter from Bona Vista needs to be received and the deferral agreement signed before the building permit should be issued. The existing topography needs to be addressed by Brad Jensen. **Mr. Maw moved to approve the site plan for the Liberty Bible Church at approx. 3292 W 1975 N contingent upon the sidewalk as discussed be installed on the westside instead of the east side of Street A, xeriscape be installed in the parking strip on the west side of Street A, the two eastern most stalls on the north side of the parking lot be removed, a minimum of a 6-foot chain link fence with slats be installed on the west side of the church property and a deferral agreement signed for the fence on the south side, the deferral agreement be signed and a solution to the retention pond with some kind of outlet be designed and satisfied before the building permit is issued, and all of the comments from the letter from Brad Jensen dated June 11, 2008 be satisfied. Mr. Seager seconded the motion. Vote: Mr. Seager, Mr. Maw, and Chairwoman Pearce all ayes. Motion carried.**

**Approval of minutes – 22 May 2008**

**Mr. Seager moved to approve the minutes of May 22, 2008 as written. Mr. Maw seconded the motion. Vote: Mr. Seager, Mr. Maw, and Chairwoman Pearce all ayes. Motion carried.**

**Report from City Council – Maw**

Mr. Parkins discussed the flag lot that was removed from the Four Mile Parkway plans, bids were received for re-roofing the old City Hall and new one and were deferred until next year, approved a sound system for the 4<sup>th</sup> of July with grant money, streets signs have to be replaced with a new reflection sign with grant money, a bid was received for the siding at the landfill building, pipe is being purchased for a water line to the Parkvale Subdivision, approved consulting for sewer treatment, discussed annexation of the Jackson and adjacent property to the north, the lift station at the Fox Subdivision will have asphalt soon, warrants approved, there will be an auction for the surplus items, community choir is in need of people, the circus is coming August 2<sup>nd</sup>, the dump hours will be extended, flags are being collected that need to be retired, and there is a public hearing on June 19<sup>th</sup> for recycling.

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Mr. Carl Miller attended the meeting for highway planning. He explained that Legacy is planned around the bluff. It is talked about going clear out around in the alkaline areas.

**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>
Jul 17	Aug 7	Aug 21	Sept 4	Sept 18	Oct 2
Oct 16	Nov 6	Nov 20	Dec 4	Dec 18	

**Mr. Maw moved to adjourn at 8:40 pm. Mr. Seager seconded the motion. Vote: Mr. Seager, Mr. Maw, and Chairwoman Pearce all ayes. Motion carried.**

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Planning Commission Chair

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Planning Commission Secretary

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