

Plain City Planning Commission
Minutes of Meeting
11 September 2008

The Plain City Planning Commission convened in a meeting on Thursday, the 11th of September 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 (arrived at 7:15 p.m.)
Buddy Sadler
Jarod Maw
Alternate: Robert Seager
Staff: Kathy Hancock

Also present: Susanne Palmer, Jeff Hales, Jon Bradford, Charra Bradford, Craig Call, Janine Call, Ken Owen, Sara Hurd, Karen Stone, Carol Campbell, Kent Hurd, Dean Hurd, Sheila Taylor, Jerry Bradford, Jean Bradford, Sharon Skeen, Archie Skeen, Cindi Redd, Todd Harris, Marilyn Grondel, Kris Talbut, Chris Hadley, and Kathy Hadley. Chairwoman Pearce conducted the meeting and Mr. Maw gave the invocation.

Public Comments

Chairwoman Pearce mentioned that she would like no more than 3 spokespersons concerning the old elementary school. Each will be allowed 5 minutes and one time only to speak. Then Mr. Sadeghi will have time to address the comments if he so chooses. Then the commission will talk to him and his partner.

Susanne Palmer, who lives at 2474 4525 W, mentioned the historical value of the Plain City Elementary school property. It is in the historical zone. The park is the gathering place for the community and the school has been included in that along with the parking lot and lawn. She doesn't want to see a business bringing traffic into that area. It is a quiet neighborhood. She is upset that the School Board didn't give an opportunity to say what happens to that property. She would have liked to have had more time.

Charra Bradford, who lives at 2480 W 4350 W, mentioned that this area means a great deal to her family. They have built a house on land owned by her husband's grandfather. Mr. Spencer arrived. On Tuesday night they had a public meeting to discuss the property as it will affect their lives. She would like more time to work out something that will benefit the community. The School Board was contacted and mentioned there wasn't a buyer and then just after that it was sold on the 1st of July. She feels the School District wasn't fair with the city. She lives on the east side and doesn't want to see it rezoned commercial.

Craig Call, who lives at 2424 N 4500 W, one block west of the elementary school, mentioned it is hard to comment on concerns before the proposal is heard. He has lived here for 15 years, and knows things are changing with all of the homes being built. The public has used this area since 1859. There is no legal responsibility to change the zone. It is a historical building that has been changed, but there are historical homes in the neighborhood. He would like to see a balance of what happens in this area. There were 70 people at the meeting on Tuesday night willing to work with the city with the General Plan and mixed use for the area. The residents would like to be involved and informed on what goes on in that area. The General Plan is inline with what the residents would like to see in that area.

Vahid Sadeghi- Concerning Old Elementary Property

Mr. Vahid Sadeghi introduced himself. He has been here for 25 years and lives in North Ogden. He is excited to see the community involved and compassionate about the property. He fell in love with the building and put in a bid and was the highest bidder. He was told by the District that Plain City had no interest in buying the building. He would like to explore all option for this property. He is willing to work with the City and residents. He would like input on what the citizens and commission want to see happen with the building. He feels the school is in good shape and doesn't want to tear it down. Chairwoman Pearce suggested a committee of citizens, a commission member and a City Council member. Mr. Sadeghi is in favor of something like that. The commission doesn't want to see it boarded up, but put to good use that will benefit the community. The commission is concerned about rezoning the property. The General Plan doesn't show it rezoned. A Charter School has been talked about. Mr. Sadeghi has no intended use at this time. A library would be a good use of the building. It was explained that the City was interested in the School, but the price was over a million and the City didn't feel they could do that. They were never asked for a lower price. The City thought they were working with someone from the District. The citizens feel they were cheated. Mr. Sadeghi would be willing to sell part of the 48,000 sq. ft. building to the City. There were comments that if a business is brought in there are egress and safety codes that would have to be followed. Mr. Sadeghi would like input. Chairwoman Pearce mentioned the different rumors concerning if the property has been bought and it is a done deal. Mr. Sadeghi mentioned it will be a done deal on Monday as he is planning on paying for it. He is purchasing the 48,000 sq. ft.

**Plain City Planning Commission
Minutes of Meeting
11 September 2008**

building on just over 3 acres. He couldn't pass up the price for such a nice building. There were comments given that it should be something the citizens can use such as a Library or Recreation Center. Mr. Sadeghi is willing to let the residents use the Library as a Library, the gym and cafeteria as a gathering place. The commission and residents don't want to see the building demolished as it is part of the Plain City history. It was mentioned the Mr. Sadeghi has purchased a building and not going to just let the residents use it. He needs to make a profit. It could still be used by the community if it is a recreation center or swimming pool. Mr. Sadeghi left his information with Kathy so residents could let him know they are interested in being on the committee.

Motion - Conditional Use Permit – Karen Stone – 2732 W 1800 N – Dog Kennel

The commission discussed what they learned on the fieldtrip. Chairwoman Pearce mentioned she had Kathy send out the minutes from the other kennels that have been approved in the last 2 years. The commission is concerned about being consistent and that will help them. She mentioned that two of the approved dog kennels are for outdoor and one is for indoor dogs. For the indoor dog nothing but a curfew was required. There was a concern that the commission has learned a lot since then and needs to require more. With the other two outdoor dog kennels, mow strip and slats in the fence or a vinyl fence were required. The commission discussed requiring lattice around the fence so little fingers don't go through the fence. If the back property is developed, children could put their fingers in the back fence because the slats are further apart. They weren't sure who was liable if they approve a permit. The commission did feel that a minimum of a mow strip should be required. Ms. Stone mentioned that she is trying to heavily plant bushes all the way around the fence. She doesn't want the glare from the white fence hurting her sensitive eyes. There was a comment that the lattice should still be required all the way around the fence and that a dog run of at least 50 sq. ft. should be required even if it won't be used. Ms. Stone mentioned that the Airedale is not outside without her and she won't ever use the dog run. The concern is the commission needs to be consistent. Ms. Campbell, a sister to Ms. Stone, asked if dog kennels have been required in the past. The commission explained that in the two outdoor ones they have, but they feel all of the kennels should have outdoor kennels to be consistent. Ms. Stone mentioned that in the winter she wouldn't be able to even take the dog out to the kennel because of the weather. Ms. Stone mentioned that she has 3 Pugs (2-6 year olds and 1-7 year old.), an English Bulldog (almost 3 years old), and an Airedale that has arthritis and has had a stroke. The mow strip needs to be no more than 2-3 inches below the bottom run of the fence and include under the gate. It was discussed using the deck as a dog run. It is big enough, has a railing, and a gate could be installed to keep the dogs in. Animal control needs to inspect as needed. **Mr. Maw moved to approve the conditional use permit for a dog kennel for Karen Stone at 2732 W 1800 N contingent upon the following: the kennel license be terminated with the termination of two dogs or 36 months whichever comes first, no additional dogs be added to the property, inspections by animal control be carried out a minimum of two times per year, released upon the sale of property to another owner, curfew for the dogs is established at 9 p.m. at night, a tight lattice is placed along the existing vinyl fence up to a 4 foot height, a mow strip be placed around the existing fence including the gate allowing a 2-3 inch gap between the bottom rail, and a minimum of one dog run 50 sq. ft. be constructed with 4 ft. minimum standard railing. Mr. Spencer seconded the motion. Vote: Mr. Seager, Mr. Sadler, Mr. Maw, and Mr. Spencer all ayes and Chairwoman Pearce nay. Motion carried.** Chairwoman Pearce opposed it because she feels a dog kennel is not needed and it is over and above what needs to be done.

Discussion/Motion Lot Line Adjustment – Steve & Gayle Lund – 2996 N 4200 W

Mr. Steve Lund explained that he is trying have the neighbors driveway in their property instead of in the Lunds. It has been this way for at least 20 years. The buildings meet the setback requirements. It is cleaning up the property line. **Mr. Spencer moved to grant lot line adjustment to Steve and Gayle Lund at 2996 N 4200 W. Mr. Seager seconded the motion. Vote: Mr. Seager, Mr. Sadler, Mr. Maw, Chairwoman Pearce and Mr. Spencer all ayes. Motion carried.**

Discussion – Flag Lot – Steve & Gayle Lund – 2996 N 4200 W

The commission explained that the City doesn't encourage flag lots and in this case they would be creating one because the property has to be subdivided. The commission can't create a flag lot. The flag lot ordinance is before the City Council right now and they are considering taking out the flag lot ordinance.

Diamond E Ranch – approx. 3200 W 2600 N – 40 lots

Chairwoman Pearce explained that Diamond E started years ago and they are coming in for final again. Nothing has been done, and the final would be good for 6 months. Mr. Hales explained that the sewer would be going into the main of Pheasant Brook and into the main in the street. The storm drain goes into an existing storm drain through the England Subdivision and into the street. The pipe may need to be upscaled to 15 inches. Mr. Hales explained that he doesn't want to get the lots recorded at this time. **Mr. Spencer moved to recommend final approval to the City Council for the Diamond E Ranch Subdivision located at approximately 3200 W 2600 N for 40 lots with the conditions on the letter from Brad Jensen dated September 3, 2008. Vote: Mr. Seager, Mr. Sadler, Mr. Maw, Chairwoman Pearce and Mr. Spencer all ayes. Motion carried.**

**Plain City Planning Commission
Minutes of Meeting
11 September 2008**

Universal Estates 2 – 2815 N Plain City Rd. - 21 lots

A new plan was given to the commission tonight. Brad Jensen received it on Wednesday. A new letter has been received from Brad Jensen with 6 items. The geotech report still needs to be done. Basements won't be allowed until it is done. The agreement details need to be discussed with the city for the detention pond. Mr. Harris mentioned that the generator lift station building will be dedicated to the city with maintenance free landscaping. Mr. Harris mentioned that he submitted the details to Brad Jensen thinking Brad Jensen would give them to the city. It was explained that items need to be turned into the city and the city can get them to Brad Jensen. Lots 14 and 15 will have the detention pond for storm water in their yards and will be responsible to maintain them. If in the future the detention pond is abandoned the property will be deeded over to the lot owners. It is in the CC&Rs that there will be a Homeowners Association for maintenance. There will be a fee collected of \$1,000 per year. According to the letter received from Mayor Papageorge of Farr West, Farr West will do the maintenance of the ditch as long as the pipe isn't bigger than 8 inches. Mr. Harris mentioned he discussed the underground detention ponds with his engineer and he said it would be too costly for a subdivision. They are usually used for commercial property. The detention pond only has a 3 foot slope so it isn't that steep. If the 20 feet of property is added it won't be as steep. The extra property will either be used as an easement or for the detention pond. He has considered having it used as a riding arena around the subdivision because the property will be horse property. It is in the CC&Rs that the homeowners will decide. If the riding arena isn't wanted it will probably go with the detention pond. The commission looked at the new plats. Lots 1 and 2 have not changed. The outbuildings aren't shown on the new plat. Mr. Ken Owen explained that the metal building can be moved. The commission needs a letter stating that. The street names need to be changed to only numbers. A copy of the water quality report needs to be submitted. Lot 23 needs to gain a couple of inches to meet the 100 foot frontage. The details for the detention pond need to be submitted to be reviewed by the Attorney. Lots that need to face the main street need to be restricted. **Mr. Maw moved to table final approval for Universal Estates #2 until the September 25th meeting. Mr. Sadler seconded the motion. Vote: Mr. Seager, Mr. Maw, Mr. Sadler, Chairwoman Pearce, and Mr. Spencer all ayes. Motion carried.**

Approval of minutes – 28 August 2008

Mr. Spencer moved to table the approval of the minutes of 28 August 2008 as written. Chairwoman Pearce seconded the motion. Vote: Mr. Seager, Mr. Sadler, Mr. Maw, Chairwoman Pearce, and Mr. Spencer all ayes. Motion carried.

Commission Comments

The commission discussed the old elementary school. Mr. Rex Cragun asked if the City was ever contacted about purchasing the school. PC discussed the old elementary school. The commission explained what happened.

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 6	Nov 20 Dec 4	Dec 18	Oct 16	Oct 2

Mr. Maw moved to adjourn at 9:25 pm. Mr. Spencer seconded the motion. Vote: Mr. Seager, Mr. Maw, Mr. Sadler, Mr. Stokes, and Chairwoman Pearce all ayes. Motion carried.

Planning Commission Chair

Planning Commission Secretary