

Plain City Planning Commission
Minutes of Meeting
9 July 2009

The Plain City Planning Commission convened in a meeting on Thursday, the 9th of July 2009, 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)
Robert Seager
Jarod Maw (excused)
Alternate: Blake Neil
Staff: Kathy Hancock

Also present: Brad Simons, Diane Taylor, Trent Thayne, Kevin Kilts, Jacob Brown, Mike Thayne, Tom Henriod, Amber Bailey, and Wes Gordon. Chairwoman Pearce conducted the meeting, welcomed the Boy Scouts, and Mr. Neil gave the invocation.

Discussion – Four Mile Parkway – Brad Simons

Mr. Simon mentioned that the Taylor family wants to proceed. Several months ago he was under the impression that the Council and commission would have a combined meeting with him to discuss the concerns. Instead he has been told to come back to the commission. He is getting mixed messages and doesn't know where to proceed. He has preliminary approval and it is still valid. The next step is approving the development agreement and then getting final approval. The commission explained that the biggest concerns were the mechanical land drain system and another access road. The Council doesn't want a land drain system with a pump. They like the subdivision, but they don't like the pump. If it could gravity flow they wouldn't have a problem with it. One concern is the cost involved if the city was to take over. The Council doesn't want the responsibility. Mr. Simons mentioned he started out with a Homeowners Association (HOA) but changed it to a Special Improvement District (SID) at the request of the Attorney. The commission mentioned that was at the commission's request, because they were trying to help out. When they met with the Council, they found out they were against the mechanical land drain system and SID with a vote of 4-1. Mr. Simons thought the pumps were part of the preliminary approval and has been approved. The commission mentioned that it is part of the development agreement (DA) and wasn't approved with preliminary. The DA is approved by the City Council and just recommended by the Planning Commission.

Another issue is the second access through the Kilts property. Mr. Simons thought that issue was taken care of. The commission mentioned that nothing has been discussed since the last meeting and Mr. Simons put it on hold for 30 days to discuss it with the Taylor family. The last issue was the parks. Some of the parks need to be owned and maintained by the HOA. There also needs to be adequate parking for the parks. The Council feels that the smaller parks should be neighborhood parks and not City parks. Mr. Simons mentioned that he keeps being told different things. One park has always been owned by the HOA. Another concern is the open water ways. The ordinance doesn't allow them. The commission can't approve something that goes against the ordinance. It may have to be discussed with the Attorney whether these can be allowed as a condition of a PRUD. The Council was against ducks. They are causing too many problems in North Ogden. Mr. Simons mentioned that he spent \$50,000 trying to get the pond worked out. Mr. Simons mentioned that can make it so it doesn't encourage ducks but the few ducks that are presently there might remain. The water system for the pond was discussed. Mostly run off water will be used to keep water in the pond. The Taylor's water shares are being used so they can keep water in it if the area does dry up. There was a comment that the pond has almost doubled in size from the original drawings submitted. It was mentioned that if it is being used as a retention pond it can't be used for open space. Mr. Simons stated that it isn't a retention pond. There is a retention pond in the lower park, but that was taken into account.

There are a few flag lots that will need to be worked out. There are also a couple of streets that are too long. They can only have 29 homes without an access. The plans show approximately 40 homes on one street. Those items can be worked out when phases are brought in for final approval. The commission asked what is happening with the Kilts property. Mr. Henriod representing that piece was present. It will be under new ownership. It is the same investor that had it years ago. The owners will have to honor the approval. It has been recorded with the property. Mr. Simons is concerned with all of the issues. The commission mentioned that they are trying to work things out before he goes to the City Council and they deny something. Mr. Simons mentioned that people want basements and the land drain system will allow for basements. Mr. Simons mentioned there are about 10 lots that can be gravity fed. He suggested he get approval to prove that it works. Mr. Simons mentioned that Pineview Water wants the excess water for Central Weber Sewer so clean water can be mixed with dirty water to get the right mixture. They will pay for the pipeline. He suggested maybe they would take over the pump. The commission recommended Mr. Simons meet with the City Council to discuss their concerns. It was noted that the majority of the Council like the subdivision there are just a few concerns.

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Public Comments

Ms. Amber Bailey who lives at 4609 W 2200 N had an officer come to her door and recommend she come to talk to the commission about a conditional use permit. Her father comes to visit for about a week at a time. His health isn't very good and he wants to spend time with his grandkids. He has a 5th wheel that he leaves parked at her house. He travels in a motor home between her house, her sister's, and camping. He stays in the trailer because it is bigger than the motor home. When he is here he does stay in the trailer most of the time for privacy, and he eats and sleeps in there. In the winter he will go back to Texas. They are trying to sell their home and they will also move to Texas. She has talked to the neighbors and they don't have a problem with it. They would like permission to have him stay in the trailer for a week at a time. He is gone for about a week to 10 days and then comes back. The trailer is hooked up to their electricity and the sewer is hooked up to the clean out. The trailer is on the side of the house, it isn't encroaching upon someone else's property. She has a letter from the neighbor saying she doesn't have a problem with it.

The commission discussed the situation. The ordinances need to be looked into. Mrs. Bailey has a copy of the definition for motor home (10-2-1). When a trailer is lived in while a house is being built, there is a time limit. The commission would like to discuss it at the next meeting after the ordinances are reviewed. Mrs. Bailey was concerned that she has 10 days to take care of it. The commission explained that the officer can be told the commission is reviewing the situation. One concern is the trailer isn't being moved in and out; it is staying in one location all of the time. Mrs. Bailey would be willing to move the trailer in and out if her dad could stay in it off and on for 3 months out of the year. The commission is concerned that the sewer connection maybe the problem. The trailer may have to be unhooked from the sewer. The commission will review the ordinances and Mrs. Bailey will come back on the 23rd of July. Mr. Sadler will let Officer Cragun know the commission is reviewing this.

Discussion/Motion – Amendment to the Public Ways and Property Ordinance – Snow Removal & Parking

The commission discussed the changes. With no parking on the south side of 2200 N east of 3600 W, it will make the crossing guard park on the northwest corner instead of the southeast. The commission explained all of the changes that have been made to this ordinance. **Mr. Sadler moved to recommend to the City Council the Amendment to the Public Ways and Property Ordinance for Snow Removal & Parking. Mr. Neil seconded the motion. Vote: Mr. Seager, Mr. Sadler, Chairwoman Pearce, and Mr. Neil all ayes. Motion carried.**

Discussion/Motion – Amendment to the Police Regulations and Zoning Ordinance – Kennels, Catterys, and Livestock

The commission discussed the changes. It was questioned whether zones should be used instead of square footage. It was decided square footage would be better. This allows people with the acreage to have animals in the smaller zones. One rooster is allowed for less than 5 acres down to 20,000 sq. ft. The city is changing and we need to change for the future. **Mr. Neil moved to recommend to the City Council the Amendment to the Police Regulations and Zoning Ordinance for Kennels, Catteries, and Livestock. Mr. Sadler seconded the motion. Vote: Mr. Seager, Mr. Sadler, Chairwoman Pearce, and Mr. Neil all ayes. Motion carried.**

Commission Comments

Mr. Sadler and Mr. Seager mentioned they may not be here for the July 23 meeting. The meeting would have been canceled, but they need to have the public hearing for the Land Use Ordinance before the time runs out. The commission discussed issues with the old elementary school. Mr. Neil mentioned the affordable housing plan. There will be a seminar by the League of Cities in September. Mrs. Elaine Calvert didn't know a whole lot; she had borrowed a book from North Ogden. The commission thought they would have until the end of the year to finish the plan. The attorney would need to review it when it is done.

Schedule for Attending the City Council Meeting

Pearce	Spencer	Sadler	Maw	Seager	Neil
	Aug 6	Aug 20	Sept 3	Sept 17	Oct 1
Oct 15	Nov 5	Nov 19	Dec 3	Dec 17 (if held)	

Mr. Sadler moved to adjourn at 8:15 pm. Mr. Seager seconded the motion. Vote: Mr. Seager, Mr. Sadler, Chairman Pearce, and Mr. Neil all ayes. Motion carried.

Planning Commission Chair

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Planning Commission Secretary