

Plain City Commission
Minutes of Meeting
March 28, 2024

Plain City Planning Commission met in a regular meeting at City Hall on Thursday, March 28, 2024, also accessible via ZOOM beginning at 7:00p.m.

Present: Chairman Jenkins
Commissioner Maw
Commissioner Neil
Commissioner Faulkner
Commissioner Skeen
Commissioner Ortega

Staff: Tammy Folkman, Dan Schuler-Zoom

Attendees: Jim & Kathie East, Cody Rhees, Rick Scadden

Zoom Attendees:

Welcome: Chairman Jenkins

Pledge of Allegiance: Commissioner Skeen

Moment of Silence/Invocation: Commissioner Maw

1. Roll Call: Chairman Jenkins directed roll call. Commissioners Maw, Ortega, Skeen, Neil, Faulkner and Chairman Jenkins were all present.

Opening Statement: Chairman Jenkins

2. Ex Parte: Commissioner Maw mentioned getting back with Principal Elliott about the crosswalk at the elementary that they discussed before our last meeting.
3. Public Comments: None at this time
4. Approval of Meeting Minutes for March 28,2024
Commissioner Faulkner motioned to approve meeting minutes for March 14, 2024. Commissioner Maw seconded the motion. Commissioners Faulkner, Maw, Neil, Skeen and Chairman Jenkins voted aye. The motion carried.

5. Technical Review Report: None at this time

6. Legislative Items:
Discussion/Motion: Final approval for Sunset Estates approx. 2650 N 3975 W 4 lots Cody Rhees
Chairman Jenkins mentioned at the last meeting we had preliminary and final on together; he indicated it was an error. The city engineer did not have a chance to look at the material and give comments. He indicated the engineer's comments were with the packet that went out last Friday. Commissioner Faulkner noticed that it says preliminary at the top of the memorandum but at the bottom it does say final. This is for final.
Commissioner Faulkner motioned to recommend to city council final approval for Sunset Estates approx. 2650 N 3975 W 4 lots. Commissioner Skeen seconded the motion. Commissioners Maw, Neil, Faulkner, Skeen and Chairman Jenkins voted aye. The motion carried.

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Discussion/Motion: Conditional Use Permit/Senior Overlay for Brynlee Acres approx. 3459 W North Plain City Road- Rick Scadden

Rick is here to talk about the development agreement, he indicated there are a few mistakes in the agreement he would like to correct. In **Article III Developers Undertakings 3.1** change to 42 single family dwellings, change **Exhibit B** to **Exhibit A** **take out the last sentence of the paragraph that talks about townhomes.** Rick will take out any place it says townhomes. Rick mentioned Weber County Fire and our Fire Marshall have reviewed the plat. They gave input on a secondary access for now. He said the road on the east side that comes out will be a one-way road with red curb so there will be no parking allowed, there will be proper signage. Rick indicated the Fire Marshall signed off on this being a secondary access. He feels the agreement is pretty straight forward, it talks about how he will meet all of our ordinances and process of approvals will be governed by the city ordinances. Commissioner Neil is wanting clarification on the second access. Rick said it is between the two existing homes that are on the plat. Commissioner Faulkner was wondering if the road was just a one way out. Rick said it was, there will not be an entrance on that road. He mentioned a pickle ball court and a little clubhouse, and it would be an active adult community which is age restricted all single-family homes. Commissioner Faulkner commented that this was recommended for approval in an earlier meeting but we forgot we needed a development agreement. Commissioner Skeen mentioned **3.8**. Rick indicated the **3.8 paragraph would be taken out**. Commissioner Skeen is wondering as far as the second access goes, are we going to scratch the 30-lot requirement with the one-way road? Commissioner Maw mentioned the December minutes it says they will do 30 homes until the second access is approved. Rick mentioned at the time he didn't think he could use the second access. Commissioner Faulkner mentioned that this is just for the overlay. Dan commented on the HOA and his understanding was it would all be private roads, sidewalks, curb and gutter. He thought everything was going to be HOA maintained. Rick stated that is the plan. Dan mentioned **3.5** and **3.6** talks about the HOA, he wants to make sure it says they will be maintained by the HOA. Rick said he would make sure what Dan talked about would get added. **Dan wants to make sure the plat shows that the roads are private.** Dan was wondering if they will have dumpsters on site for sanitation and where the mailboxes will be. Rick said they will have to discuss the dumpsters at a later date, the mailboxes will be out front in the open space at the intersection. Dan mentioned in 3.1 *it says Developer may reconfigure the ~~townhomes~~ to accommodate geotechnical or other terrain features provided all setbacks and other requirements of the ordinance and this agreement are met.* Dan would like to see this changed. Rick indicated he will make it more clear of what he was trying to say. Rick mentioned the fire lane access is 20 feet he said it is wider in some areas. Chairman Jenkins stated that the agreement has a significant number of changes in it, he is wondering if everyone is comfortable approving this with conditions or do we want to table it and have a longer to look at it. **Things that need to be fixed are taking out townhomes and replacing with single family dwellings and making changes in 3.1, 3.5 and 3.6 put in that HOA will be responsible for roads and sidewalks.** Commissioner Faulkner would like to **add the roads will be designated as private.** Rick mentioned **striking 3.8 altogether.**

Commissioner Skeen motioned to table the Conditional Use Permit/Senior Overlay for Brynlee Acres approx. 3459 W North Plain City Road pending the adjustments to the development agreement as specified in the meeting. Commissioner Faulkner seconded the motion. Commissioners Maw, Neil, Faulkner, Skeen and Chairman Jenkins voted aye. The motion carried.

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7. Administrative Items: None at this time
8. Report from City Council: Chairman Jenkins reported that city council had a full house, there were a lot of residents from Stillcreek who showed up to voice concerns of the legal issues they are having with the HOA and the development agreement. He indicated the Mayor mentioned to them that we have our lawyer looking into this. Commissioner Faulkner mentioned when she was at another city council meeting the citizens were concerned about roads that were private and those that were public. Chairman Jenkins stated some of the roads are private but the HOA is not maintaining them, another issue is the amenities were saved for the last phase and now all residents are asked to help cover the cost of these amenities. Commissioner Faulkner indicated that we can't allow amenities to be done in the last phase. Chairman Jenkins mentioned that he thought all of this started back in 2007 when they did the HOA but he wasn't completely sure. Commissioner Neil did say they had a lot of problems with different developers working on this project. Chairman Jenkins mentioned city council sent back Sunset Estates to planning for final review.
9. Commission Comments:
Commissioner Skeen asked Commissioner Maw what he was talking about at the beginning of the meeting about Principal Elliott. Commissioner Maw indicated it was regarding the crosswalk and where it would be when the assisted living is built. Dan will help decide where the crosswalk goes, he will work with the school.
10. Adjournment
Commissioner Maw moved to adjourn the meeting at 7:33pm. Commissioner Skeen seconded the motion. Vote: Commissioners Maw, Neil, Faulkner, Skeen and Chairman Jenkins voted aye. Motion carried.

City Council Meeting: April 4- Commissioner Skeen

2024					
JENKINS	ORTEGA	MAW	NEIL	FAULKNER	SKEEN
JAN 4	JAN 18	FEB 1	FEB 15	MAR 7	APR 4
MAR 21	APR 18	MAY 2	MAY 16	JUN 6	JUN 20
JUL 4	JUL 18	AUG 1	AUG 15	SEP 5	SEP 19
OCT 3	OCT 17	NOV 7	NOV 21	DEC 5	DEC 19

If you are unable to attend on your assigned night, please make sure someone goes in your place

Planning Commission Chair

Planning Commission Secretary