

**Plain City Planning Commission
Minutes of Meeting
February 11, 2016**

Minutes of the Plain City Planning Commission held on Thursday February 11, 2016, at 7:00 p.m. located at the Council Chambers of the Plain City Hall, Plain City Utah 84404.

Present: Chairman Blake Neil *Excused*
 John Leonardi
 Jarod Maw
 Mark Osenbach *Excused*
 Cheri Sparks
 Kris Carrigan *Alternate*
Staff: Kathy Campbell

Attendees: Jeannette Boroyetz, Braxton Christensen, Bill Fox, Ron Lott, Nova Lott, James E. Jensen, James C Aland, Suzanne Whitelock, Nancy McKellar, Kathy Taylor

Called to Order: Commissioner Maw conducted the meeting. A prayer was given by Kris Carrigan

Public Comments: None

Motion Set Public Hearing: Rose Estates Phase 2, Approximately 1450 N 5150 W, 9 Lots

Motion: Commissioner Leonardi made an motion to set a public hearing February 25, 2016 for Rose Estates, Phase 2, Approximately 1450 North 5150 West 9 Lots. Commissioner Carrigan seconded the motion. Commission members Leonardi, Sparks, Maw, and Carrigan voted aye. Motion carried.

Discussion/Motion: Approval Town Square Boutique – 2414 N 4350 W

Nova Lott stated that Ashlyn her daughter would be helping her run the boutique and they have about sixteen different vendors that would be supplying crafts for the boutique. Commissioner Maw asked that she explain what kind of crafts would be in the boutique. Nova Lott stated there were artist, soaps, crafts and crocheted items. She explained that they are on the north side of Roylies and they would be open the same hours as Roylies. The commissioners asked if the doors had the panic hardware on them. Suzane Whitelock owner of the building stated that the doors did have the panic hardware. Commissioner Leonardi asked that the handy cap access doors between the Boutique and Roylies remain open during business hours.

Motion: Commissioner Sparks made a motion to approve the site plan for the Town Square Boutique with the stipulation that the handy cap doors between the Boutique and Roylies remain open during business hours. Commissioner Maw seconded the motion. Commissioner members Leonardi, Sparks, Maw and Carrigan voted aye. Motion carried.

Discussion/Motion: Final Approval Sunee Acres approximately 3850 W 2800 N

Commissioner Maw informed the commissioners that Sunee Acres had ask to be moved to a later date. Commissioner Leonardi said he had called them concerning the remainder lot and the subdividing changes in the ordinances that he had talked to the commission about at the last meeting. Commissioner Leonardi said they had contacted him and he thought they would make those changes and come at a later date. Commissioner Maw asked how many lots would be on the remainder parcel. Commissioner Leonardi stated he thought the remainder parcel would be Lot 2 –Phase two. He also said he thought they would be able to keep it in green belt and there would be a place for a road.

**Plain City Planning Commission
Minutes of Meeting
February 11, 2016**

Motion: Commissioner Carrigan made a motion to table Sunee Acres approximately 3850 W 2800 N. Commissioner Sparks seconded the motion. Commissioner members Leonardi, Sparks, Maw and Carrigan voted aye. Motion carried.

Discussion/Motion: Final Approval Still Creek Phase 2.

JC Aland explained that he had met with Chairman Neil and felt the issues from the previous plans have been resolved. Commissioner Leonardi stated he had read the city ordinance 11-6-4 K and there can be changes to the development agreement. JC Aland said he does not have anything against the development agreement or having an addendum but he can not speak for Randy Marriott. Commissioner Leonardi said he thought the Alands names should be added to the development agreement because they are the developers for phase two and not Hawkins Homes. JC Aland said they would be bonded for the streets and other improvements. Commissioner Leonardi said he felt the park should be finished two years after the first permit is given. There was a discussion concerning the detention pond and its size which is two small soccer fields could fitting one direction or one large soccer field could go the other direction. JC Aland stated the grass could not be put in until there was secondary water. He also explained that there is extra capacity in the detention pond. Commissioner Carrigan remarked that in the first phase the detention pond was to be grass and it is weeds. JC Aland said he had talked to Hawkins homes and they were going to clean things up and put in the fence. Commissioner Carrigan stated he would like to see that in writing. The commissioners ask about the walking path around the detention pond. Commissioner Leonardi said he wants to see the first person and also the last person building in the subdivision be able to enjoy the walking path, the restrooms and grass at the detention pond/park. Commissioner Carrigan said there are people that purchased homes in the first development that are upset and mad because they were told there would be a swimming pool and it has been nine years and there still is no pool. Commissioner Leonardi said there needs to be a correction on lots 114 and 61. He continued that ordinance 11-6-5 (A-10) is about the maintenance of common areas in a HOA. Commissioner Leonardi inquired how was phase 2 going do the maintenance in the HOA. JC Aland reported that he thought they could join the current HOA and the townhomes may need their own HOA. There was a discussion that the HOA'S help share the expenses on the maintenance. The fee structure was discussed that it is different for each HOA and it was thought that the fees are single family \$25.00, patio \$75.00 and townhomes would be a different amount. The commissioners and JC Aland agreed to have the city engineer decide where to put the community mail boxes. Commissioner Maw asked if they had addressed the city engineer's comments. JC Aland said that he thought that most of those items had been addressed. Commissioner Leonardi asked about the power company. JC Aland explained that he had talked to the power company and they had worked it out and he has to pay a large fee for the three phase power the power company is requiring they put in the development. Commissioner Carrigan stated he liked seeing the park and there is plenty of parking. But he would like to see a time line in getting the park done when phase two of development starts.

Motion: Commissioner Leonardi made a motion to table final approval for Still Creek phase 2 with a termination date of a 180 day clause, acknowledgement of the restrooms and parks in the development agreement with a two year time frame to finish the park after the final building permit has been purchased, eliminate lot 114, do mail box location according to city engineer, give guide line for the HOA, look at the road widths, address Wasatch Civil Engineering review dated January 14, 2016. Commissioner Sparks seconded the motion. Commissioner members Leonardi, Sparks, Maw and Carrigan voted aye. Motion carried.

**Plain City Planning Commission
Minutes of Meeting
February 11, 2016**

Discussion/Motion: Yearly Nominations of Chairman and Vice Chairman

Motion: Commissioner Sparks made a motion to table yearly nominations until Chairman Neil and Commissioner Osenbach could not be at the planning commission meeting. Commissioner Leonardi seconded the motion. Commissioner members Leonardi, Sparks, Maw and Carrigan voted aye. Motion carried.

Discussion/Motion: Commissioner Sparks made a motion to approve minutes of January 28, 2016 as amended. Commissioner Leonardi seconded the motion. Commissioner members Leonardi, Sparks, Maw and Carrigan voted aye. Motion carried.

Report from City Council:

Commissioner Leonardi report that Diane Hirschi had been reappointed as City Recorder, Steve Davis was reappointed as City Treasure and John Leonardi was reappointed to the Planning Commission. Buddy Saddler was looking for ideas for the Plain City Founders Day. Brett Ferrin said there was fifteen applications for the public works position and the city council asked that citizens let them know of large pot holes so that they can be filled. The mayor wants to recognize the volunteer fire department.

Commission Comments:

Commissioner Leonardi described his concerns about the exit going from the proposed development for Kent's market on to 2600 North. Commissioner Leonardi read Bill Walleys comments from the planning commission meeting of January 28, 2016 with concerning the exit onto 2600 North. Commissioner Leonardi stated that he did not think the road has to go where it is shown on the preliminary plat. Commissioner Leonardi said he had contacted UDOT and he read the follow letter that he had received from UDOT.

John,

Thank you for your call today. As per our conversation, SR-134 is a Category 7 road at the location of 3600 West 2600 North in Plain City. Category 7 roadways require a minimum of 150 feet between accesses. Due to the fact that the proposed market will generate more vehicle trips than would a single residence access, we'd prefer that the access be further away from the 3600 West intersection than 150 feet. We reviewed the concept with the potential applicant in a meeting, and to the best of my recollection I recall informing them to line it up with the visibly wide access/drive approach to the north of them.

Please let me know if you have any other questions.

Thanks,
Keith Bladen

UDOT
Region One
Right-of-Way Control Coordinator
[801-620-1604](tel:801-620-1604)

Commissioner Leonardi stated that he thought when people stop at the stop sign when exiting the development the lights will shine across to the house on the north side of the road. Commissioner

**Plain City Planning Commission
Minutes of Meeting
February 11, 2016**

Leonardi said he wants to see the exit moved twenty feet one way or the other so that the lights are not shining on the house across the street. Commissioner Maw said the national urban design team would like to come do a kick off at the Founders Day Celebration and postpone the DAT until May so that they can have more man power when the weather is better.

Adjournment:

MOTION: Commissioner Leonardi made an motion to adjourn the meeting at 7:58 p.m. Commissioner Sparks seconded the motion. Vote: Commission members Leonardi, Sparks, Maw, and Carrigan voted aye. Motion carried.

<u>Neil</u>	<u>Carrigan</u>	<u>Osenbach</u>	<u>Maw</u>	<u>Sparks</u>	<u>Leonardi</u>
			Jan 7	Jan 21	Feb 4
Feb 18	Mar 3	Mar 17	Apr 7	Apr 21	May 5
May 19	June 2	June 16	Jul 7	Jul 21	Aug 4
Aug 18	Sept 1	Sept 15	Oct 6	Oct 20	Nov 3
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Planning Commission Chair

Planning Commission Secretary

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Present: Chairman Blake Neil
 John Leonardi
 Jarod Maw
 Mark Osenbach
 Cheri Sparks
 Kris Carrigan *Alternate*
Staff: Kathy Campbell

Attendees: Buddy Sadler, Cecil Satterthwaite, Bill Fox, Jeremy Crowton, Jeff Hales, Cole Rouchi

Called to Order: Chairman Neil conducted the meeting. A prayer was given by Jarod Maw

Public Comments: None

Public Hearing: Rose Estates Phase 2, Approximately 1450 N 5150 W, 9 Lots

Motion: Commissioner Leonardi made a motion to open the public hearing for Rose Estates, Phase 2, Approximately 1450 North 5150 West 9 Lots. Commission Maw seconded the motion. Commission members Leonardi, Maw, Sparks, Neil and Osenbach, voted aye. Motion carried.

There were no public comments.

Motion: Commissioner Maw made a motion to close the public hearing for Rose Estates, Phase 2, Approximately 1450 North 5150 West 9 Lots. Commissioner Sparks seconded the motion. Commission members Leonardi, Maw, Sparks, Neil, and Osenbach voted aye. Motion carried.

Discussion/Motion: Final – Mountain West Meadows Phase 4, 2025 North 2950 West, 7 Lots.

Chairman Neil stated that there were no comments from the Plain City public works. Secretary Kathy Campbell explained at the current time Plain City was without a public works employee and Brad Jensen, the city engineer, has been doing a dual roll until some is hired. Bren Edwards has been hired but will not start until March 1, 2016. Commissioner Leonardi informed the commission that there is a ditch going down the middle of the property and it is not on the plat. He said he thought it was going to the Donall Adams property. He ask Jeff Hales what they were going to do with the ditch. Jeff Hales said he thought the ditch had been abandoned because of the pressurized line for secondary water going to the neighbors. Therefore, there would be no purpose for the ditch. Jeff Hales responded that he would verify if the ditch was indeed abandoned. He explained that if it is not abandoned they would be required to pipe the ditch because they cannot deny water going to a neighbor. He stated they can not stop the flow of an irrigation ditch. If the ditch has not been abandoned it would be discussed at the preconstruction meeting, but he really thought the ditch was no longer being used because of the pressurized line. Commissioner Leonardi read from the city engineer's comments concerning S Curve Estates which reads the plat should be revised to state the following: "Any discrepancy between zoning

**Plain City Planning Commission
Minutes of Meeting
February 25, 2016**

information shown on this plat and the Plain City Zoning Ordinance shall be resolved in favor of the Plain City Zoning Ordinance.” Commissioner Leonardi specified that he would like to see that recorded on all plat notes. He ask the commission if they thought the same thing. They all agreed it would be wise to put it on all plat notes. Jeff Hales was ask to put that note all of his subdivisions that are on planning commissions agenda tonight if the subdivisions are approved. Secretary Campbell was asked to clarify with Brad Jensen the city engineer what was the reason for the comment. Chairman Neil ask Jeff Hales where the turnout for the mailboxes was going to be placed. Jeff Hales thought the mailboxes would be added to same location as phases 1, 2 and 3. Jeff Hales ask if the commission had been up to that location because the mail box have been moved to their own locations and some mailbox units had been moved to 2700. Chairman Neil explained to the planning commission the set back of 30-foot has to be used in order for the frontage to be 100 foot. He continued if you use the 30-foot setback it exceeds the 100-foot frontage. Chairman Neil ask Jeff Hales if he has the development agreement for the secondary water. Jeff Hales stated that they do have a development agreement with Mountain View Water for the secondary water. Commissioner Leonardi said he thought the final approval needed to be tabled until the question about the ditch is resolved. Jeff Hales explained that they can deal with the ditch. Cecil Satterthwaite confirmed that he also thought the ditch was abandoned and only went into the subdivision.

Motion: Commissioner Osenbach made a motion to recommend approval for Mountain West Meadows – Phase 4, 2025 North 2950 West 7 Lots to the City Council. Commissioner Sparks seconded the motion. VOTE: Commissioners Maw, Sparks, Neil, Osenbach vote aye. Commissioner Leonardi voted nay. Motion carried.

Discussion/Motion: Final – River Crossing Subdivision 4925 West 1500 North

Jeff Hales handed out a new plat and contractual agreement with the Bill Fox and Warren Irrigation Company for the emergency only access and “Right of Way”. Jeff Hales explained that the turn out for the community mail box would be one car deep and was designed to be entered into when people are coming home. He said they thought this was the best use of the small remainder parcel. Commissioner Leonardi stated he did not see a left hand turn on 1500 North for the subdivision. Jeff Hales explained the left hand turning lane was with the previous developer and they had cleaned up some of the previous problems. He remarked he did not know why there was a need for a left hand turning lane. Commissioner Leonardi stated that previously they had talked about trails and open space. Jeff Hales explained that the trails and open space would be in the next phase and would be around the wetlands. He continued that the trails that were in the back and the sides of the yards were removed because it was felt people would not want someone walking through their property. Jeff Hales stated the trails will have to be discussed further when phase two is brought in and the changes made to phase one was for the better. Jeff noted the emergency exit had also been changed. Commissioner Leonardi asked that the phases be labeled on the plat and asked where the detention basin is. Jeff Hales showed on the overhead projector where the access road was and that the detention was going to the natural water way which is in that area. Commissioner Leonardi asked that the cul-de-sac be built to city standards and have the dimensions on the plans. Commissioner Leonardi stated it is also city standards to put a fence around the canal. Jeff Hales said it would be a chain link fence. Commissioner Sparks asked if the contractual agreement is in definite. Jeff said yes. He said the agreement states until future development creates a second permanent access to the subdivision. He explained that they would be responsible to keep the second access plowed sprayed and graveled. He informed the commission there would be a Knox Lock on the gate. The fire department, and land owners would have a key. Commissioner Carrigan said he liked how the mail box pull out was and was glad to have the agreement on the access road and that the agreement states they will be responsible to maintain the emergency access as an all-season

**Plain City Planning Commission
Minutes of Meeting
February 25, 2016**

surface and keep it free from weeds and debris. Chairman Neil stated that he had the same questions as Commissioner Leonardi had concerning the dimensions of the cul-de-sac because he could not see them on the plans. Chairman Neil explained the cul-de-sac radius is 50 feet minimum with a 48.5 TBC minimum.

Motion: Commissioner Maw made a motion to recommend final approval for River Crossing Subdivision 4925 West 1500 North to City council. Commissioner Leonardi seconded the motion. VOTE: Commissioners Leonardi, Maw, Sparks, Neil, Osenbach voted aye. Motion carried.

Discussion/Motion Final approval S Curves Subdivision Phase 3, 2750 West 2450 North 22 Lots.

Commissioner Leonardi informed Jeff Hales that a Will Server Letter is required for final approval from Bona Visa. Chairman Neil stated that he also had in his notes that a Will Serve Letter is needed for River Crossing. Commissioner Leonardi reminded Jeff Hales concerning note 1 on the city engineers' comments that states "Any discrepancy between zoning information shown on this plat and the Plain City Zoning Ordinance shall be resolved in favor of the Plain City Zoning Ordinance" to be shown on plat and also on all other subdivision. Chairman Neil stated a Will Serve Letter will be needed before going to city council for approval on River Crossing and S Curves. Chairman Neil said he will give a staff letter to city council to inform them the Will Serve Letters are needed before granting final city approval.

Motion: Commissioner Leonardi made a motion to recommend final approval for S Curves Subdivision Phase 3, 2750 West 2450 North to City Council upon receiving an Will Serve letter from Bona Visa Water and it is given to the city. Commissioner Maw seconded the motion. VOTE: Commissioners Leonardi, Maw, Sparks, Neil and Osenbach voted aye, Motion carried.

Discussion/Motion: Yearly Nominations of Chairman and Vice Chairman. Commission member Leonardi nominated Blake Neil for Chairman. Commission member Sparks seconded the motion. VOTE: Commission members Leonardi, Maw, Sparks, Neil, Osenbach and Carrigan voted aye. Motion carried.

Commission member Osenbach nominated John Leonardi for Vice Chairman. Commission member Maw seconded the motion. VOTE: Commission members Leonardi, Maw, Sparks, Neil, Osenbach and Carrigan voted aye. Motion carried.

Approval of Minutes: February 11, 2016

Commissioner Sparks made a motion to approve the minutes of February 11, 2016 as amended. Commissioner Leonardi seconded the motion. VOTE: Commissioners Leonardi, Maw, Sparks, Neil and Osenbach voted aye. Motion carried.

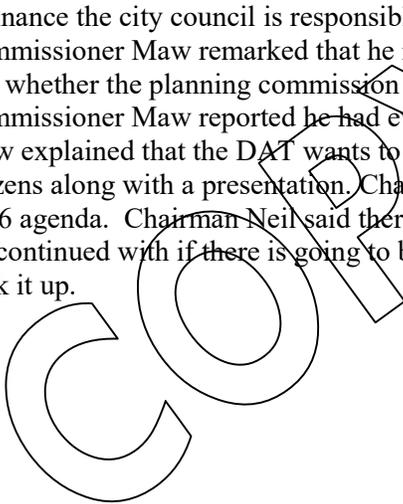
Report from City Council:

Commissioner Neil reported there was a discussion to support Legislation to Tax and Regulate Electronic Cigarettes. The Development Agreement for PKA (Kent's), the crosswalk on 2600 North, the park, and the March 19 Founders Days was discussed.

**Plain City Planning Commission
Minutes of Meeting
February 25, 2016**

Commission Comments:

Commissioner Leonardi explained there is a citizen that lives west of the Maverick and he would like to put a swimming pool in on his side yard. He continued that it had bothered him that the ordinance had not been finished because of no public hearing. Commissioner Leonardi stated there are two places in the ordinance about holding public hearings. Title 10 states the public hearings are held by the Planning Commission, the City Council then has thirty days to acknowledge it. If it is not acknowledged it is then passed according to our city ordinances. There is also ordinance 11-2-A which states the city council has to hold the meeting and then give the information to the planning commission, the information is then given back to the city council and they pass the new ordinances which would be like the on the mailbox or block ordinances. Commissioner Leonardi stated that he felt 11-2-A should be eliminated and change it to ours. Commissioner Leonardi advised that he thought it should say "This title and including the maps may be amended from time to time all proposed amendments shall be first submitted to the planning commission for a public hearing and recommendation to the city council, with at least fifteen days notice. Commissioner Leonardi said he had given this to Chairman Neil. Chairman Neil stated he had passed it along to the city attorney. Chairman Neil said he felt there needs to be clarification on what needs a public hearing. Chairman Neil read from the Utah Land Use handbook - a single public meeting is required for state statute for subdivision plats, with a public meeting, local ordinance may also require more, some local ordinance require a public hearing. These ordinances should be revised to eliminate the public hearing requirement. Chairman Neil states that it pertains to zoning and asked if the items on the list that Commissioner Leonardi handed out pertained to zoning. There was a discussion concerning the side yard ordinance and it was discussed, but there had been no action taken. Chairman Neil stated we need to identify what needs to go to a public hearing and who does what. Chairman Leonardi felt strongly that the side yard needs to be taken care of so that citizens know where they can build a pool. Commissioner Leonardi read that title maps may be amended from time to time. Proposed amended shall be submitted to the planning commission for a public hearing and recommended to the city council, at least fifteen-day notice shall be given. Chairman Neil stated he had done some research and the planning commission did the public hearing for Kent's but if you read the ordinance the city council is responsible for holding the public hearing for a zoning change. Commissioner Maw remarked that he remembers talking to Craig Call and it varies from city to city whether the planning commission or the city council holds the public hearings. Commissioner Maw reported he had everything done but the maps for DAT. Commissioner Maw explained that the DAT wants to have a couple of representatives come and explain to the citizens along with a presentation. Chairman Neil gave detail on what would be on the March 10, 2016 agenda. Chairman Neil said there has been talk about putting weight limit on 3600 North. He continued with if there is going to be a weight limit sign there needs to be an ordinance to back it up.



Plain City Planning Commission
Minutes of Meeting
February 25, 2016

Adjournment

Motion: Commissioner Leonardi made a motion to adjourn the meeting at 8:20 p.m.
Commissioner Maw seconded the motion. VOTE: Commissioners Leonardi, Maw, Sparks,
Neil and Osenbach voted aye. Motion carried.

<u>Neil</u>	<u>Carrigan</u>	<u>Osenbach</u>	<u>Maw</u>	<u>Sparks</u>	<u>Leonardi</u>
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Planning Commission Chair

Planning Commission Secretary

