

**Plain City Planning Commission
Minutes of Meeting
June 9, 2016**

Minutes of the Plain City Planning Commission held on Thursday June 9, 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*
 Vice Chairman John Leonardi
 Jarod Maw
 Mark Osenbach
 Cheri Sparks
 Kris Carrigan *Alternate Excused*
 Staff: Kathy Campbell

Attendees: J. Brad Barto, Garrett Seely, Taralee Child, Cecil Satterwaite, LaFray Kelley, Buddy Sadler, Ian Runyen, Nancy McKellar, Kyle Halbash, Reses Johnes, Tiffancy Jones, Stephanie Hess, Kathy Taylor, Jeff W Hales, Charra Bradford, Sheila Taylor, Kyle Munk

Called to Order: Vice Chairman Leonardi

Pledge of Allegiance: Commissioner Maw

Invocation/Moment of Silence: Commissioner Sparks

Public Comments:

None

Public Hearing: Green Acres Subdivision 3285 W 2600 N - 11 Lots

Commissioner Maw made a motion to open the public hearing for the Green Acres Subdivision at 3285 W 2600 N - 11 Lots. Commissioner Sparks seconded the motion.

There were no public comments.

Commissioner Maw made a motion to close the public hearing for the Green Acres Subdivision at 3285 W 2600 N - 11 Lots. Commissioner Sparks seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi and Osenbach voted aye. Motion carried.

Public Hearing: Rezone 2425 N 4350 W from R1-11 to a Senior Housing Overlay – Town Square Estates Commissioner Maw made a motion to open the public hearing for the Re-Zone at 2425 N 4350 W from R1-11 to a Senior Housing Overlay – Town Square Estates. Commissioner Osenbach seconded the motion.

Charra Bradford 2480 N 4350 W express her concerns that she did not want to see a senior housing or HOA at that location. She said the houses would be to close together like they are in Las Vegas. Ms. Bradford ask Jeff Hales how many homes would there be and were they one story or two story homes. Mr. Hales said there would

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be 21 homes and the number of homes had increase because more property had been purchased which enlarged the site. Commissioner Maw said that the senior overlay was part of the title 11 Chapter 8. The proposal meets the requirements of the ordinance and that the density shall be an average of 6.0 units per acres. Commissioner Leonardi said that 11-8-2 B states at least one household member must be fifty (50) years or older. Commissioner Leonardi explained that the purpose of the senior overlay is so that senior citizens can stay in Plain City. Mr. Hales said there are no common walls and the homes will be 2,000 sq. ft to 2,800 sq. ft with double or triple garages. *Brad Barto 2965 W 2600 N* said he thought this was good thing for Plain City. People want to stay in Plain City, but no longer want the large yards to maintain as they get older. **Commissioner Maw made a motion to close the public hearing for the Rezone at 2425 N 4350 W from RI-11 to a Senior Housing Overlay – Town Square Estates. Commissioner Sparks seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi and Osenbach voted aye. Motion carried.**

Discussion/Motion: Rezone 4371 W 1975 N, 4375 W 1975 N, 1878 N 4424 W, 1826 N 4425 W, 1804 N 4425 W, 1830 N 4425 W from RE-20 to RE-15 Jenkins, Garret, Meyer and Kelley.

Lafray Kelley said she was representing her siblings that live on 4425 West. Ms. Kelley explained that their property descriptions went 10 feet into the road and with the Fremont Meadows subdivision approval they had lost the 10 feet and were not in compliance with the current zoning. They are now able to extend the back of their property lines to the east so that they can have 1/3 acre lots and be in compliance. Ms. Kelley explained that this is the reason they are asking for the re-zone and the lot line adjustment.

Commissioner Sparks made a motion to approve the Rezone from RE-20 to RE-15. Commissioner Osenbach seconded the motion. Vote: Commissioners, Sparks, Maw, Leonardi and Osenbach voted aye. Motion carried.

Discussion/Motion: Lot Line Adjustment 4371 W 1975 N, 4375 W 1975 N, 1878 N 4424 W, 1826 N 4425 W, 1804 N 4425 W, 1830 N 4425 W Jenkins, Garret, Meyer and Kelley.

Commissioner Maw made a motion to approve the Lot Line Adjustment for 4371 W 1975 N, 4375 W 1975 N, 1878 N 4424 W, 1826 N 4425 W, 1804 N 4425 W, 1830 N 4425 W Commissioner Osenbach seconded the motion. Vote: Commissioners, Sparks, Maw, Leonardi and Osenbach voted aye. Motion carried.

Discussion/Motion: Preliminary Stoney Brook 3820 W 2600 N – 8 Lots

Commissioner Sparks read from the Subdivision Regulations 11-5-13: Culvert Required: No open irrigation or drainage ditches shall be permitted within the boundary of a subdivision. All necessary irrigation ditches, whether used for the purpose of transporting irrigation or waste flow water, that must be maintained within a subdivision shall be replaced with a pipe culvert. This pipe culvert shall be at least fifteen inch (15")

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diameter concrete and be of satisfactory size and design to satisfy the irrigation company. The developer of the subdivision must provide for maintaining the existing rights of all irrigation users, both upstream and downstream of the proposed development. Commissioner Maw asked about the access on to the state road. Garrett Seely said he had approval for that and that Ms. Kelly will have to change her access to the new road on the west of her garage. Commissioner Osenbach asked about a community mail box pull out. It was discussed with only 8 lots it should not be busy. Commissioner Sparks ask that the community mail box be moved to the north so that it would not be in the site lines of Ms. Kelley when she pulls out. It was decided that the community mail box should be moved between lots 7 and 8. Commissioner Leonardi asked how the lots were going to be graded. Mr. Seely said they would grade to the street level in the front and the back would be done for drainage. Commissioner Leonardi ask about the frontage on lots 4 and 5 and confirmed with Mr. Seely that it was a 100-foot frontage with 30 foot setback. Commissioner Leonardi asked that the lots be graded before they are sold. Commissioner Sparks asked that the Fire Hydrant be moved to the front of cul-de-sac between lots 6 and 7 as per the fire chief and public works. Commissioner Sparks asked that the plat state "Sights, sounds, odors, associated with farming may surround this subdivision."

Commissioner Sparks made a motion to give preliminary approval to the Stoney Book Subdivision at 3820 W 2600 N 8 Lots with the following changes. Fire Hydrant be moved between Lots 6 and 7. Per Ordinance 11-5-13. Existing ditch must be tiled if within the bounds of the subdivision. Community mail box be moved between lots 7 and 8. Notes for the Plat are "1. Sights, sounds, odors associated with farming may surround this Subdivision. 2. Developer will grade back side of property for drainage. Commissioner Maw seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi and Osenbach voted aye. Motion carried.

Approval of Minutes: May 26, 2016

Commissioner Maw made a motion to approve the minutes of May 26, 2016 with corrections. Commissioner Osenbach seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi and Osenbach voted aye. Motion carried.

Report from City Council.

Secretary Ms. Campbell gave the report for Kris Carrigan. The public commented that they wanted 3600 North widened. The city council recognition of the Fire Department employees. The rezone of Pegasus Investment LP at 2365 N 4425 W from C-2 to R-1-11 was approved. Final approval of the B. Simpson Subdivision at 2365 N 4425 W - 3 lots were approved. Approval was given for the architectural Design Company for the City Shop. Resolution was approved for that required contribution of all eligible employees.

Commission Comments:

Commissioner Maw said he needed help with the DAT. Commissioner Osenbach asked Jeff Hales if the old school property would be graded before the 4th of July.

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Mr. Hales said that Randy Marriott had agreed grade it before the 4th. It was suggested to Mr. Hales that it be done before July 2nd. Commissioner Maw said with the new SWIPP state law there is no longer detention basins only retention basins.

Adjournment:

Commissioner Maw made a motion to adjourn the meeting at 7: 40 p.m.
Commissioner Osenbach seconded the motion. VOTE: Commissioners Sparks,
Maw, Leonardi and Osenbach voted aye. Motion carried.

Neil	Carrigan	Osenbach	Maw	Sparks	Leonardi
			Jan 7	Jan 21	Feb 4
Feb 18	Mar 3	May 5	Apr 7	Apr 21	March 17
May 19	June 2	June 16	Jul 7	Jul 21	Aug 4
Aug 18	Sept 1	Sept 15	Oct 6	Oct 20	Nov 3
Nov 17	Dec 1	Dec 15			

 Planning Commission Chair

 Planning Commission Secretary

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

Attendees: Bill Van Hulten, Deloris Joosten, John Craig Joosten, Dan Perkins, Tam Perkins, Jeff Hales, Jessica Petrovic, Bill Fox, Cecil Satherwaite, Leasa Wayment, Rick Davis, Joel Maw, Brett Folkman, Tammy Folkman, Sherrie Hodson, Lisa Davis

Called to Order: Chairman Neil

Pledge of Allegiance: Chairman Neil

Invocation/Moment of Silence: Commissioner Maw

Note for change on Agenda it is Rose Estates not Rosewood Estates for the rezone at 5150 W 1500 N A-2 to RE-20

Public Comments: John Craig Joosten 4124 W 2875 N said the commission had been given a binder concerning the rezone for the senior overlay at 4112 W 2800 N. Mr. Joosten stated he opposes the senior overlay at that location and agrees with the information in the binder.

Chairman Neil asked if any of commissioner that had ex parte contact concerning the properties on the agenda. Commissioner Leonardi said he had spoke to John Craig Joosten and another lady that was in the audience about how they felt concerning the senior overlay rezone on the Van Hulten property. He said he had also spoke with Joel Maw concerning the senior overlay. Commissioner Maw disclosed that he had gave Joel Maw commissioner Leonardi's phone number.

Public Hearing: Rezone 5150 W 1500 N A-2 to RE-20 Rose Estates / Fox
Commissioner Osenbach made a motion to open the public hearing for the rezone at 5150 W 1500 N from A-2 to RE-20 Rose Estates / Fox. Commissioner Maw seconded the motion. Vote: Commissioners Maw, Leonardi, Neil, Osenbach and Carrigan.
Motion carried.

There were no public comments.

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Commissioner Maw made a motion to close the public hearing for the rezone at 5150 W 1500 N from A-2 to RE-20 Rose Estates / Fox. Commissioner Leonardi seconded the motion. Vote: Commissioners Maw, Leonardi, Neil, Osenbach and Carrigan. Motion carried.

Discussion: Annexation to Plain City 3400 N 3900 W Rafter K Ranch LLC

Commissioner Carrigan asked if both parcels were going to be annexed into Plain City. Chairman Neil explained that it was in Plain City at one time and Curt Knight now wants to bring it back into the city. Chairman Neil ask if they could recommend annexation to the city council and if it would follow the city master plan. The commission saw no problems with it being annexed into Plain City and recommend it to the city council for annexation.

Discussion/Motion: Rezone 2425 N 4350 W R1-11 to Senior Housing Overlay, Town Square Estates.

Chairman Neil explained that rezones are a legislative matter and the commission can recommend or not recommend a rezone to the city council. The city council has the final decision and will decide if they will follow a recommendation from the planning commission or not.

Jeff Hales reported that there would be 21 homes in the development. Commissioner Leonardi stated that he thought the decision to rezone for the Senior Housing overlay should be tabled because ordinance 11-8-4 H states a draft development agreement shall accompany the application for a general plan and/ or zone change when initiated by the developer. Commissioner Leonardi asked the commission to consider 11-8-1 that it is established to ensure 1. Adequate affordable housing is provided to very low and moderate income senior citizens. 2. ADA American disability act is provided for in all homes. 3. A drawing is provided showing the 15% open space vs private space. 4. A escrow for improvements with a two-year time frame. 5. Acknowledge of Architect Standard 11-8-4J 1-8. 6. Follow the Universal Design 11-8-4K 1-9 with would include no step entry, one story living, wheelchair friendly doors, minimum hallway standards, flush thresholds, adequate lighting, lever handles and rocker light switches and wheelchair accessible bathrooms. 7. A time line for the project with a start and completion date and when will the common area be available to the homeowners. 8. A community mail box be installed. Commissioner Leonardi also asked about the HOA and the by-laws for the Homeowner association. In response to Commissioner Leonardi's questions Mr. Hales said low income is not hard to accomplish. Chairman Neil said smaller lots and density recommendation to the city council is the process tonight. Commissioner Carrigan explained that he is not in favor asking developers to spend all this money before they have approval knowing that they are going to be able to go forward with a development. Commissioner Osenbach asked what happens if the development does not get developed. Chairman Neil said after a certain amount of time it reverts back to the previous zone. Mr. Hales reminded the commission that it was the commission that had proposed the senior overlay over a year ago and it is with that recommendation that this development is

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up and running. Mr. Hales said they had been involved in the discussion when the ordinance was written. Commissioner Maw said the developer has spent a lot of money to get this development started and they would not spend that kind of money if they did not plan on doing the development. Chairman Neil explained that the city council does the development agreement and not the planning commission. *John Craig Joosten* asked how citizens ensure that the ordinance is followed after a development and rezone take place. Commissioner Osenbach said the building inspector would be involved.

Commissioner Leonardi made a motion to table the Rezone 2425 N 4350 W R1-11 to Senior Housing Overlay, Town Square Estates. Motion died for lack of a second.

Commissioner Maw made a motion to recommend the rezone of 2425 N 4350 W R1-11 to Senior Housing Overlay, Town Square Estates to the City Council as detailed in the city ordinance 11-8. Commissioner Carrigan seconded the motion. Roll call vote. Commissioner Maw Aye, Commissioner Leonardi Nay, Chairman Neil Aye, Commissioner Osenbach Aye, Commissioner Carrigan Aye. Motion carried.

Discussion/Motion: Lot Line Adjustment 2510 N 4100 W / Folkman

Brent Folkman said they were changing the lot line because he had been told it was better that the land be inherited than to sell it to his family. Commissioner Leonardi explained that the plat has the boundary description of the subdivision but there is not a legal description for the two parcels. The legal description is needed by the city and the county will also need a legal description for tax purposes. Commissioner Leonardi asked Mr. Folkman to get a legal description for the new parcel lot lines.

Commissioner Leonardi made a motion to table the lot line adjustment for 2510 N 4100 W until Folkman's engineer can get legal descriptions for the two parcels. Commissioner Osenbach seconded the motion. Vote: Commissioners Maw, Leonardi, Neil, Osenbach and Carrigan voted aye. Motion carried.

Discussion/Motion: Pickle Ball site plan at the Lions Club Park.

Commissioner Maw asked if the commission wanted him to recuse himself because he had done the drawing for the park but would not be receiving any compensation. The commissioners felt that is was not necessary to have Commissioner Maw excused. Bren Edwards explained with the Ramp Grant they need a 50/50 match for funds. Lisa Wayment said they have to rebuild the bathrooms and asked if the commission had received a copy of bathroom plans and the park plans. The commission stated they had received those plans. Ms. Wayment said the pickle ball court will be 34 feet wide by 68 feet wide and there will be extra property around the pickle ball. Chairman Neil asked how close is the pickle ball to the house on the south side. Ms. Wayment said there is a large side yard on the house that will be next to the pickle ball court. Commissioner Maw said he thought it would be 40 feet from the house. Ms. Wayment stated that there would also be a walkway around the courts. Commissioner Carrigan stated he would like to see LED lights and a security camera. Commissioner Osenbach asked about a new entrance and renaming the park. He was informed that there not be a new entrance with a new name for the park.

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Commissioner Leonardi made a motion to approve the site plan for the Pickle Ball site plan at the Lions Club Park. Commissioner Carrigan seconded the motion. Vote: Commissioners Maw, Leonardi, Neil, Osenbach and Carrigan voted aye. Motion carried.

Discussion/Motion: Rezone 4112 W 2800 N from R-15 to Senior Housing Overlay.

Chairman Neil reminded the commission that it is a legislative action and the commission is recommending to the city council for approval or disapproval. Commissioner Maw recused himself because of a family member involvement. Commissioner Maw left the chambers. Rick Davis said they are presenting a conception plan and they would like the opportunity to meet the city ordinance. Mr. Davis explained they would like to build small moderate housing for people over 50 years old. Commissioner Leonardi said he has the same concerns with this rezone as he does for the Town Square rezone. Commissioner Carrigan said at this meeting they are not dealing with the HOA. We are only recommending to the city council. Commissioner Carrigan said he is for property rights and they should be able to do as they want with their property as long as it meets the requirements of the city. Chairman Neil stated his concern is if the rezone for this area follows the master plan and is in compliance with the general plan. Chairman Neil said the general plan does not show this type of higher density and the zoning around this area is RE-20 or RE-15. The Town Square senior area is currently commercial and mixed use, with the area surrounding R1-11. Chairman Neil said they are in the process of getting UTA to come out to Kent's Market and to the old school area for accessibility for the seniors. Chairman Neil said he did not think they would be able to get UTA to go outside of that route. Mr. Davis said the people living in these developments are not home bound they are 50 years old and no longer want to maintain a yard. Joel Maw said there is a need for this type of development in Plain City. Mr. Maw said he had looked at the Still Creek area and it is this type of development with a PRUD. Mr. Maw said the traffic that was brought up at the public hearing is not a concern because a lot of the people would be single. Commissioner Osenbach ask how many homes would be in the development. Mr. Davis responded the concept is for 20 home, but there was discussion about a road going to Christensen's which could change the number of homes. Chairman Blake replied that was correct, he and Buddy had met with Shad Christensen and Shad had agreed to adjust his home for a road. Commissioner Leonardi asked Mr. Davis if he would put that road in. Mr. Davis responded that he would work with the city on doing that. Jessica Petrovic asked the commission if they had looked at the signatures that opposed the senior overlay for that area and the information on the development she had handed out at the last meeting. She explained that senior housing needs to be affordable, that there is no infrastructure for UTA and no place for people to walk. Ms. Petrovic said her husband works for the northern Utah paratransit services for UTA. Ms. Petrovic said she does advocate for people with disabilities. Ms. Petrovic said affordable housing needs to include every thing, like getting to the grocery store and their appointments. Ms. Petrovic said Still Creek is a PRUD but it is not with out its troubles. Mr. Davis said people with disabilities can live anywhere and many of the people that live in these

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communities are involved in the community. Commissioner Leonardi said he would like to see a development agreement according to the ordinance.

Commissioner Osenbach made a motion to recommend the rezone of 4112 W 2800 N Van Hulten property from R-15 to Senior Housing Overlay, to the City Council as detailed in the city ordinance 11-8. Commissioner Carrigan seconded the motion. Roll call vote. Commissioner Leonardi Nay, Chairman Neil Ave, Commissioner Osenbach Ave, Commissioner Carrigan ave. Motion carried.

Approval of Minutes: June 9, 2016

Commissioner Leonardi made a motion to approve the minutes as corrected for June 9, 2016. Commissioner Carrigan seconded the motion. Vote: Commissioners Maw, Leonardi, Neil, Osenbach and Carrigan voted aye. Motion carried.

Report from City Council:

Chairman Neil reported that the City Council approved the rezone for the Clark and Tana Jenkins, Jerry and Jenny Garrett, Phil and Lorna Meyer and the Kelley Revocable Trust from RE-20 to RE-15. Budgets, Storm water management plan was updated, the lift stations contract and the schedule for the reviewing the personnel policy were approved.

Commission Comments:

Commissioner Maw said he needs a meeting for DAT. Commissioner Leonardi asked the commission to take things out of the ordinance if it's not being used. Commissioner Osenbach asked Jeff Hales if the old school property would be leveled before July 4th. Mr. Hales responded that he might have spoken to soon earlier. The hole will have a fence around it because of the contaminants the hole cannot be filled in. The rest of the area will be leveled for parking by July 4th. There was a discussion about code enforcement on yards with weeds and animals that are maintained closer than the forty feet from any dwelling. Chairman Neil said that he had talked to the city council about updating the city plan and that he had contacted Ken Young about classes he does concerning city plans. Mr. Young said he would come to the city and do a three-hour seminar. Chairman Neil stated that the city council is for the seminar, but they were not sure if they could do the three hours. Commissioner Leonardi ask Chairman Neil to ask the attorney about the development agreements when rezoning.

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Adjournment:

**Commissioner Leonardi made a motion to adjourn the meeting at 8:28 p.m.
Commissioner Maw seconded the motion. Vote: Commissioners Maw, Leonardi,
Neil, Osenbach and Carrigan 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