

**Plain City Planning Commission
Minutes of Meeting
May 14, 2015**

Minutes of the Plain City Planning Commission held on Thursday May 14, 2015 at 7:00 pm. located at the Council Chambers of the Plain City, Hall, Plain City Utah 84404.

Present:	Chairman	Blake Neil
	Vice Chair	Buddy Sadler
		John Leonardi
		Jafod Maw <i>Arrived 7:35</i>
		Ed Hall <i>Excused</i>
		Mark Osenbach
Staff		Kathy Campbell

Attendees: J.C. Aland, Dan Pittman, Becky Martin, Candice Kunz, Zach Aland

Called to order: Chairman Blake Neil conducted the meeting. Commission member Mark Osenbach gave an invocation.

Public Comments:
None

Discussion/Motion: Final Approval Blue Mountain Subdivision 4287 W 2500 N – 2 Lots
Neil stated that at the last meeting the commission had ask for a deferral agreement. He continued that he had a copy of the deferral agreement and ask that the address be added to the agreement along with the name of the subdivision.

MOTION: Commission member Osenbach made a motion to recommend Final Approval for Blue Mountain subdivision. Commission member Leonardi seconded the motion. Vote: Commission members Leonardi, Sadler, Neil and Osenbach voted aye. Motion carried.

Discussion/Motion: Little Learners of Plain City – Site Approval
Neil stated that the planning commission had gave Becky Martin all the information that she needed for approval with the doors and the ADA restroom. Mrs. Martin said that she had received the information and would like to clarify a few thing. Mrs. Martin stated that the code does not require an egress door. Neil clarified that it is a safety issue not a code issue with the door. All of the commissioners agreed that it is a safety issue and that the egress door would be required. Mrs. Martin ask if she would have to install panic hardware or could she do a lever for the door. Neil said that panic hardware would be required for safety issues and clarified that the children could then push the door open to escape. Planning commissioners all stated that it is a public safety issue and that the panic door hardware would be required. Mrs. Martin ask if the toilet was in the correct location and would the safety bars standards be required for children or adults. There was a discussion on the difference in the height between children and adults. Osenbach thought the bars should be in proportion to the toilet. The commission agreed to split the difference of 10 inches between children and adult ADA bar height. It was agreed that Mrs. Martin would satisfy the planning commission request by putting the bars in at 25 inch. Mrs. Martin ask where the sink would need to be located, in with the toilet or on the outside. Leonardi said that it should

not be placed where someone could hit their head. Neil stated that it could be like the hospitals and that there should be a 5 foot turnaround for wheelchairs. Mrs. Martin said that she would move the walls out. Leonardi ask that the restroom door swing out. Neil ask what Mrs. Martin's time frame was for finishing the requirements. Mrs. Martin said that it would be January 2016 before she could work on it again. Neil clarified that Mrs. Martin would have to reapply in January.

MOTION: Commission member Osenbach made a motion to Deny approval for the Little Learners of Plain City Site Approval. Commission member Sadler seconded the motion. Vote: Commission members Leonardi, Sadler, Neil and Osenbach voted aye. Motion carried.

APPROVAL OF MINUTES: April 23, 2015

Motion: Commission member Osenbach made a motion to approve the minutes of April 23, 2015 as amended. Commission member Sadler seconded the motion. Vote: Commission members Leonardi, Sadler, Neil and Osenbach voted aye. Motion carried.

CITY COUNCIL REPORT

Neil reported Kris Carrigan was voted to replace Mark Lowther on the City Council. He reported from the planning commission about Still Creek and other development interest in that area and that a traffic study was needed on that road.

COMMISSION COMMENTS

Sadler said that he had talk to Bingham who works at Harrisville City about a fabric membrane that Harrisville has been using when doing roads for the past 20 years. The membrane keeps the road base from sinking down into the clay. The state also uses the fabric membrane. Bingham said that it had saved Harrisville City a lot of money in road repair. Sadler said maybe it was something that could be discussed with the city engineer. Neil ask what the cost of it would be to use the fabric membrane. Neil said that he and Sadler had meet with some gentlemen about the Still creek development. He also announced that there is a Land Use Training on June 9, 2015 8:30 am to 4:00 pm in Salt Lake City.

WORK SESSION – STILL CREEK

JC Aland and Zach Aland joined the planning commission to explain that they had put an offer in about a year ago with Hawkins homes to purchase a portion of the Still Creek area. They explained that they wanted to simplify the development to single family homes. They had new plans and that they were trying to leave recreation area the same in development. Sadler clarified that two different people now own the undeveloped Still Creek area. JC Aland said that he had read the development agreement and that he felt that it needed to be simplified. Zach Aland said that the plans that they had submitted were close to the original plans from Hawkins homes. They discussed the odd shape of the one piece and that maybe they could work out a trade. The planning commission said that they would need an outlet and that a letter had been received from Pine View that there is not secondary water there from Pine View. Alands said that they had talked to Kami Marriot with Mt. View water about getting Mt. View water to the development and that they had plenty of water shares from the golf course to do to that. Alands said that they would like to simplify the development. Sadler said that his concern is how does each developer give open space and that open space is part of the development agreement. The Alands were ask if they had seen the public works comments. They said that they did not have a copy of his comments. The planning commission said that it looks like the open space has been moved and that 20 percent of the

development was to be open space. Alands thought that the open space was around the patio homes and that they would like to build single family homes and not patio homes using the yards as open space. Maw stated that there are two connecting trails that are to be in the Still Creek Development. Neil said that there are many items that have not been completed in the development. Sadler said that if the Alands take over the association then it will become their problem. Maw stated that there needs to be trees and a buffer and that there is not much landscaping with a berm. Zach Aland stated that they would use the development agreement. Neil said that sewer could be a problem. JC Aland said that there are more connections for the sewer. The planning commission said that there is to be 4 acres of open space and that there is not enough open space on Alands plans. They also commented that the home owners are not getting what they were promised and that there is more density on the north end and that there needs to be parks and connecting pieces. They discussed that the development agreement expires in 2017. Alands said that the 20% for open space is as a whole for the development. The planning commission stated that they need to make sure that the home owners get their open space and ask that the development be beneficial for all and that Alands would have to give open space. Osenbach ask that they get a breakdown of the percentage of open space plus the information on the ground that is land locked. The planning commission is going to find out from the city attorney if the development agreement can be extended.

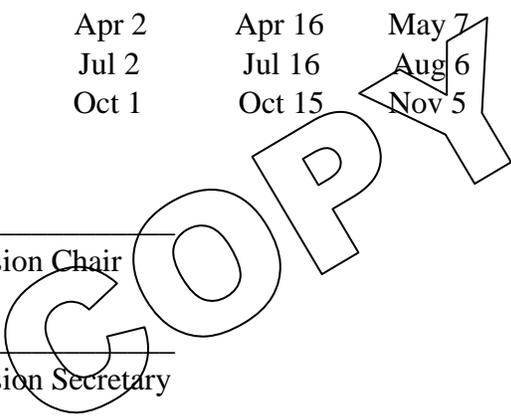
Adjournment:

MOTION: Maw made a motion to adjourn the meeting at 8:45 p.m. Commission member Osenbach seconded the motion. Vote: Commission members Leonardi, Maw, Sadler and Neil, Osenbach voted aye. Motion carried.

<u>Neil</u>	<u>Sadler</u>	<u>Osenbach</u>	<u>Maw</u>	<u>Hall</u>	<u>Leonardi</u>
			Jan 15	Feb 5	Feb 19
Mar 5	Mar 19	Apr 2	Apr 16	May 7	May 21
Jun 18	June 4	Jul 2	Jul 16	Aug 6	Aug 20
Sept 3	Sept 17	Oct 1	Oct 15	Nov 5	Nov 19
Dec 3	Dec 17				

 Planning Commission Chair

 Planning Commission Secretary



**Plain City Planning Commission
Minutes of Meeting
May 28, 2015**

Minutes of the Plain City Planning Commission held on Thursday May 28, 2015 at 7:00 p.m. located at the Council Chambers of the Plain City Hall, Plain City Utah 84404.

Present: Chairman	Blake Neil
Vice Chair	Buddy Sadler
	John Leonardi <i>Excused</i>
	Jarod Maw
	Ed Hall <i>Excused</i>
	Mark Osenbach <i>Arrived 7:20</i>
Staff:	Kathy Campbell

Call to Order: Blake Neil conducted the meeting. A prayer was given by Jarod Maw.

Attendees: Paul and Nancy Burton, Lisa and Bill Rules, Stay Cruz, Alicia & Brock Mitchel, Ron and Susan Goers, Allan Karras, JC Aland, Scott Dixon, Zach Aland

Public Comments: Ron Goer *address 2307 N 2850 W* stated that he had not seen any notices and ask why he had not seen anything legal posted for Edgewood Estates West and the S- Curves Subdivisions. He continued that if he had seen something he would have attended a meeting. They are also putting drainage in behind their property that he had once tried to purchase from Pappa George. They had been unsuccessful because Pappa George did not want to pay money to Plain City and go through the proper steps. Pappa George wanted to do a Quick Claim Deed and that was unacceptable to the Goers. Mr. Goer explained that it is now a swamp behind their home because of the construction. Sadler explained that Farr West had worked with the developer Jeff Hales concerning the drainage on what direction the drainage should go. Maw explained that the drain was to be piped. The Goers stated that it was not currently piped at this time. Mrs. Susan Goers ask if the lots in the subdivision were going to be quarter acre lots. The commission confirmed “yes” they were quarter acre lots and had been on the City’s Master plan since 2007. Mrs. Goers ask if her developer knew that when she purchased her property. The planning commission explained that the developer probably did know, because of the length of time that it had been on the master plan. Mrs. Goers continued that they had talked to commissioner Leonardi and he had informed them how to proceed with the city by doing a lot line adjustment when they had tried to purchase the property from Pappa George. Mrs. Goers ask that it go on record that Pappa George would not do that and that she did not think that doing a Quick claim deed was legal, but that was what Pappa George had wanted to do. Maw ask that they verify with the developer what is going on behind them with the drain ditch and that the planning commission would also find out. Brock Mitchel *address 2287 N 2850 W* said that they have a manhole 15 feet into their property and that when they purchased their home they had ask if they could cover the manhole. They had been told that they could cover the manhole and now that it is covered they are concerned that the new drain ditch being installed will come into their property and tear up their yard to tie into the manhole. The planning commission stated that the manhole should have been in the 10 foot easement. Neil said that he would talk to Jeff Hales and Mitchel Willson from the city about what the status of the manhole is and what work will be done around the

manhole. He continued that maybe it would be possible to have Jeff Hales and Mitchel Willson go out and look at the manhole. Mrs. Mitchel said that no one has come to her door or informed her what it going on and that she has not seen any signage or legal notices concerning the two subdivisions Edgewood Estates West and the S Curve Subdivision. She continued that she had not heard anything about the subdivision until the trees had starting to be taken out behind the Goers. Bill Rules *address 2306 N 2850 W* ask the planning commission for assurance that they would do their due diligence and follow through on the completing the subdivision. He stated that the reason he was asking was because when they did the other subdivision they dug into the irrigation ditch and left a berm which left the ditch in an unsafe condition. He had talked to Jay Christensen. Jay had said that the city had not followed up and the berm had now been there for three years. Neil said that the Planning Commission had passed the Sensitive Land Ordinance after they realized that the developers were excavating into the ditch banks. The Sensitive Land Ordinance requires the developer to dig at a certain angle and not to cut into the irrigation ditch.

Public Hearing: Burton Estate 3678 W 2200 N -2 Lots

Commissioner Neil ask if he had a motion to open the Public Hearing.

MOTION: Commission member Maw made a motion to open a public hearing regarding the proposed Burton Estate 3678 W 2200 N 2 Lots. Commission member Sadler seconded the motion. Vote: Commission members Maw, Sadler, Neil, and Osenbach all voted aye. Motion carried.

There was no public comment.

MOTION: Commission member Osenbach made a motion to close the public hearing regarding the proposed Burton Estate Subdivision at 3678 W 2200 N – 2 Lots. Commission member Maw Seconded the motion. Vote: Commission members Maw, Sadler, Neil, and Osenbach all voted aye. Motion carried.

DISCUSSION/MOTION: Burton Estate 3678 W 2200 N – 2 Lots

Neil ask what the intent of subdividing their property was. Mr. Paul Burton stated that it was to break the house and one acre off from the other property. He continued that all of the property has a loan and that he wanted the house separate with the loan only on the house with the one acre. Then if something happened that they lost the house they would still have the other property. Sadler explained that they are creating a development by splitting their property in two parcels and that they would be responsible for doing street improvements. Maw ask what the commission had done with Brett Ferrin concerning the street improvements. Sadler said that with the Ferrin building lot a deferral agreement and utilities was required. Sadler specified that the driving force is where there is already sidewalk. Neil ask the Burtons what was the dotted line down the center of the plat. Mr. Burton said on the county plat it is on two different pages and originally the property did have two tax numbers but when they had got their loan they went through the process with the city and combined the two tax IDs to one because the bank only wanted one tax ID. Sadler commented that sometimes the county has two different tax districts even though they both are in Plain City and that could be the purpose of the dotted line. Neil ask that the Burtons go to Weber County and find out why there is the dotted line. There was a discussion with the Burtons that a deferral agreement could be done, but if the city decided to put curb and gutter in where they are next to the Plain City Elementary school they would be responsible to pay for the curb and gutter not the city. Mrs. Burton ask if we do not split the property and leave it as it currently is would we be responsible. The commission said that the Burtons would only be responsible if there was a deferral agreement and a deferral agreement would be required if they split the property into two parcels.

MOTION: Commission member Sadler made a motion to table the Burton Estate Subdivision at 3678 W 2200 N – 2 Lots until June 25, 2015. Commission member Osenbach seconded the motion. Vote: Commission members Maw, Sadler, Neil, and Osenbach all voted aye. Motion carried.

DISCUSSION/MOTION: Final – Lucia Subdivision 1026 North 5200 West

Maw ask Mr. Alan Karras if he had seen the comments from Wasatch Engineering that there will need to be an escrow for the 2 street lights that are needed in the subdivision. Mr. Karras confirmed that he had seen the letter and knew about the two street lights and the escrow. He also said that they had put everything on the new plats that the Engineer had required. There was a discussion that the city does not know the amount for the escrow until they hear back from Rocky Mountain Power. Sadler confirmed that there will be fencing around the pond and down the sides and that the escrow will have to be set up when the dollar amount is known.

MOTION: Commission member Maw made a motion to approve Lucia Subdivision 1026 North 5200 West Commission member Sadler seconded the motion. Vote: Commission members Maw, Sadler, Neil, and Osenbach all voted aye. Motion carried.

DISCUSSION/MOTION: Preliminary – Still Creek Subdivision

Neil explained that the planning commission had not had time to review the new set of plans that had been brought in and that the planning commission needed time to review them. Mr. Zach Aland said that they had brought the plans in Tuesday and had hoped that the commission would have time to look at the new set. He also said that they had done more work with the parks and with an increase in the density they could make the parks work. Maw said that he could see that they had added trails. Zach Aland confirmed that they had and that the trails go down the power lines. Maw ask what kind of park would be in that location. Zach Aland said that it would be grass with trails around it. The planning commission confirmed that they needed time to research and look at the plans. They would like to see an overlay of the original plans. JC Aland said that they had tried to address all the comments that the planning commission had at the previous meeting.

MOTION: Commission member Osenbach made a motion to table the Still Creek Subdivision until June 25, 2015. Commission member Maw seconded the motion. Vote: Commission members Maw, Sadler, Neil, and Osenbach all voted aye. Motion carried.

DISCUSSION /MOTION: Side Yard Ordinance

Commission member Leonardi was excused and ask that Mrs. Campbell the Planning Commission Secretary read his concerns for the sideyard safety. Leonardi's concern for safety was that an alarm needed to be installed on any residential dwelling door that there is an exit to an unfenced swimming pool and that was California Law. Neil said that he thought Leonardi was referring to #11 in the Safety Barrier code that he had handed out previously. Neil also recited from page 15 that the access gate to a pool should be equipped with a locking device. The vertical clearance between the surface and the bottom of the barrier should be 4 inches side to side. On page 16 #11 All doors with direct access to the pool should be equipped with an alarm. Maw ask if the burden should be placed on the home owner or the city. Neil explained that this is a national code and that the summary of the barriers could be added to the Plain City code. There was a discussion that the Nation Code for Swimming Pools and Spas Safety Act should be enforced and that it could be referred to in the same manner that the National Building Code is and not state a year so that the current code is always enforce. Neil read *Number 1* that the top of the barrier should be at least 48 inches above the pool, *Number 10* Access gates to the pool should be equipped with a locking device. *Number 11* (a) All

doors with direct access to the pool should be equipped with an alarm. *Number 12* where it talks about the ladder being secure. The commission decided to attach the code to Number 1 of the Side Yard that concerns Swimming Pools and that it would make pools safer if the nation Code for Swimming Pools and Spas Safety act was added after *J*.

MOTION: Commission member Maw made a motion to Table the Side Yard Ordinance until the revised changes can be typed and looked at by the Planning Commission at the June 11, 2015 meeting. Commission member Osenbach seconded the motion. Vote: Commission members Maw, Sadler, Neil, and Osenbach all voted aye. Motion carried.

APPROVAL OF MINUTES: May 4, 2015

MOTION: Commission member Sadler made a motion to approve the minutes of May 4, 2015 as amended. Commission member Maw seconded the motion. Vote: Commission members Maw, Sadler, Neil, and Osenbach voted aye. Motion carried.

CITY COUNCIL REPORT

Commission member Leonardi was absent and ask that Mrs. Campbell the Planning Commission Secretary read his notes from him attending the City Council. Councilman McKean ask the City Attorney to give the city the OK to establish an escrow account to replace deferral agreements for Curb and Gutter. B & D Develop ask to disconnect from the city. The City Council ask for more time to study the proposal of the disconnect from the City. Blue Mountain Subdivision was approved. Nothing was done with the Syringa Franchise agreement. The City is going to go with “WEEBLY” for the city web site. There had been 25 applicants for the full time position in Parks and Recreation. A generator is needed for the city office so that the building can be used as a support system during an emergency and the city also needs an emergency plan developed so that they can be eligible for FEMA money and grants for Plain City. Mayor thanked the Planning Commission for the work they do.

COMMISSION COMMENTS

Maw said that the design team would meet June 4 at 6:00 p.m. and that he has more citizens involved. The commission will check with Diane the City Recorder about how many members of the Planning Commission could attend the meeting. Maw said he had a complaint about the construction that they were doing for the waterline in front of his home and that they had turned off the water when his child was taking a shower. He also stated that there had been no notice that they were turning off the water or notified of the construction. He also came home with pipe on his front yard from the Bona Visa water line. Sadler said that he is concerned that the sewer line in the Still Creek Subdivision will get pushed to the last phase and the this new phase should also have to pay for it. Sadler said that he felt the clock should start over with the development agreement because of it expiring. Neil said that the City Attorney needed to be ask if there can be an extension. Osenbach ask if there was a date when the school project would be completed and when would they start building the patio homes. Osenbach said that it was his understanding that the confectionary was doing more than what they had submitted to the Planning Commission.

ADJOURNMENT:

MOTION: Sadler made a motion to adjourn the meeting at 8:25 p.m. Commission member Osenbach seconded the motion. Vote: Commission members Maw, Sadler, Neil and Osenbach voted aye. Motion carried.

<u>Neil</u>	<u>Sadler</u>	<u>Osenbach</u>	<u>Maw</u>	<u>Hall</u>	<u>Leonardi</u>
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Planning Commission Chair

Planning Commission Secretary

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