

Plain City Planning Commission
Minutes of Meeting
October 8, 2015

Minutes of the Plain City Planning Commission held on Thursday October 8, 2015 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 Chair Buddy Sadler
 John Leonardi
 Mark Osenbach arrival 7:10
 Cheri Sparks
 Jarod Maw
Staff: Kathy Campbell

Attendees: Nancy McKellar, Kathy Taylor, Steve Jensen, Rebecca Cannon, Roger Cannon, Mitch Willson, Monica Hanks, Susan Goldsberry, Jeff Hales, Brad Jensen

Called to Order: Vice Chair Buddy Sadler conducted the meeting. A prayer was given by Cheri Sparks.

Public Comments: *Steve Jensen 3486 W 2425 N* said that the consideration expansion of the commercial zoning to a larger size would open the door to larger and larger commercial development for Plain City. He said that he thought it would be a poor stewardship of Plain City to have a development of this size. *Monica Hanks 2732 N 3375 W* ask that there not be any change in the 5 acre ordinance. She said she felt that the safety of the children should be the number one concern. She said a grocery store that is 46,000 square feet will generate 300 peak hour customer trips with 18 delivery trucks along with 30 to 35 semi-trucks that would be coming in to the store. She said she is worried about the 452 designated walking children that are at risk when walking during the peak pick up and drop off times because there are no sidewalks. She said that the road is not wide enough to add a turning lane or a proper shoulder. She ask the commission to look at the Kent's Markets in Tremonton which is on 3 1/2 acres and the Brigham City Store that is on 4 1/2 acres. She said there is a hardware store and strip mall at these locations. She ask the planning commission not change the acreage from 5 acres for a bigger development. She ask that the development not be changed to a C-2 development but keep it at a more neighbor friendly C-1 development. She said she feels that a C-1 would reflect more of the feeling and history of Plain City. *Kathy Taylor 2456 N 4100 W* said that Kent's Market is putting in a smaller store because they are listening to the minority and she did not like that the minority are getting the biggest voice. She said she did not want to see a smaller store. You can use the schools as an example, they build schools to small and then the school district brings in portables. She said she would like to see a decent size store with a pharmacy that young mothers could get prescriptions filled when the children are sick it would also be beneficial for older people to have their prescriptions refilled without having to drive as far. She reminded the planning commission that at times Plain City does get terrible thick fog and it is not safe to drive very far. She thought it would be nice for the mother who needed milk or eggs before school to have access to grocery store close that she could quickly get something before school. Mrs. Taylor said that all the roads coming into Plain City have bridges across water ways, if there was an earthquake not everyone may have food storage, a store could be beneficial to help those citizens. She said that Plain City needs a grocery store and she ask that the

planning commission not accommodate the minority. She said that she has talked to many, many people and the only ones that are against the store coming are the four people that are at the meeting today. Kathy Taylor said that it was her understanding that Kent's Market wants to put in a post office like the one that Harmons Market use to have and that she felt that would be great for the community. She said that the people that are against the store have stated there are not any sidewalks. She wanted to clarify that there are sidewalks, the sidewalks may not be all the way to school but there are sidewalks. She said Plain City is growing and that if it isn't Kent's Market it will be something else that will come in with a development. *Rebecca Cannon 3439 W 2350 N* ask the Planning Commission to proceed with caution. Growth and changes will change Plain City for the current and future growth. She said that people are tripping over their self to get the Kent's Market here. She ask that the development be kept at 5 acres and it is possible to have a grocery store without these changes. She ask again that they proceed slowly and with caution.

Correction of Public Hearing Date for Zoning Ordinance – Site Development, Parking Loading Space to October 22, 2015.

Discussion/Motion: Extension of Fremont Meadows – 33 Lots 1785 N 4400 W

Vice Chair Sadler said a letter had been received from the developer Eric Craythorne concerning Fremont Meadows, requesting an extension on the final approval for Fremont Meadows subdivision. He stated that they had not been able to find an excavation contractor due to the timing of the original approval and the summer construction season. He said it was their intention to start the project once the summer and fall project finish. Then they can find a suitable contractor.

Motion: Commission member Maw made an motion to approved the extension on final approval for Fremont Meadows Subdivision – 33 Lots 1785 N 4400 W. Commissioner member Sparks seconded the motion. Vote: Commission members Leonardi, Maw, Sadler, Osenbach and Sparks voted aye. Motion Carried.

Discussion/Motion: Lot Line adjustment Chad Sase 3919 W 2800 N

Commissioner Leonardi said when he read the record description on parcel A and parcel B the two parcels on the survey, they have the exact same description. He said that he had went to the county and found that the county had split the parcel in two taxing units and because the descriptions were the same on both parcels there was not a need for a lot line to adjustment.

Motion: Commission member Leonardi made an motion that no action was needed. Commission member Osenbach seconded the motion. Vote: Commission members Leonardi, Maw, Sadler, Osenbach and Sparks voted aye. Motion Carried.

Discussion/Motion: Geo-Tech Underlayment Material on Roads

Vice Chair Sadler said the planning commission had someone come and talk to them about the geo-tech material on the roads who had 20 plus years of experience. The planning commission had interest in the material that is used on the roads and what the planning commission would need to do to get the change in the city standards. He ask Brad Jensen from Wasatch Civil Engineers to give the planning commission the pro and cons of using the geo-tech material on the roads. Brad Jensen said that he had spoken with Diane and Kathy in the city office and it was his understanding that the planning commission want to consider changing the standards that geo-tech material would be required on new roads in new subdivisions. Brad Jensen ask what is the purpose for making the change. Vice Chair Sadler said it was his understand that it would increase the life of the road. Brad Jensen said in certain conditions it could be beneficial and would add value but in other

conditions it would not add significant value. Brad Jensen said that in some areas of Plain City there is heavy clay soils and shallow ground water. There could be a benefit to using the material those areas. The geo-tech underlayment would keep the sub grade soils from coming up into the road base. Brad Jensen said the road that was just redone on 1500 N and east of 4700 W the ground was sand. The geo-tech underlayment would not have any impact on a road that is on sand. Brad Jensen explained in the past the developments have been required to bring in a geo-technical report that would recommend a typical cross section for the road, how much asphalt, road base, ground barrowed and geo-tech material. He said that they rely on the recommendations of the geo-technical report. Brad Jensen said that adding a blanket recommendation would not hurt but in some instances there would not be much value. Brad Jensen suggested that the burden could be put on the developers engineer to require the material unless they can show that they do not need the material for the building of roads. Brad Jensen said if it was in the city standards he could require the material to be put on the roads if he did not agree with the geo-technical study for the subdivision. Brad Jensen said let's add it in the city standards and then the city could opt out if they wanted to and the developer could show that it added no value to the road. Commissioner Maw said he had done some research also and had found that not all soils need the material, but if we prepare for the worst then the developer would have to justify it with the city engineer why he should not have to use the material Brad Jensen said there could be verbiage in the standards that says the city may consider other options, which would mean the city does not have to consider other options. Brad stated the fabric does not add much cost in grand scheme of the development. Brad Jensen suggested that the planning commission add it the standards then they would have a little more control. Vice Chair Sadler ask Brad Jensen if he could help with the verbiage for adding that change to the standards. Brad Jensen said he would be honored to do that. Vice Chair Sadler ask Brad Jensen to write the verbiage and then get it back to the planning commission for review so they could give it to the city council. Brad Jensen committed to writing the verbiage.

Motion: Commission member Osenbach made an motion to table the Geo-Tech underlayment Material on the roads. Commissioner Maw seconded the motion. Vote: Commission members Leonardi, Maw, Sadler, Osenbach and Sparks voted. Aye. Motion Carried.

Discussion/Motion: Final Approval S Curves Phase 2.

Jeff Hales said he had a conversation with Mitch Willson from the city public works about the design of the building for the lift station and when the building is being built Mitch Willson will oversee the construction. Jeff Hales said there several locations where a 12" diameter storm drain pipe had been proposed. Brad Jensen from Wasatch Civil Engineering said he had talked to Tyler, Jeff's engineer and Tyler was going to show him how much water was going down the pipe to the drains starting at the end of street. Commissioner Osenbach confirmed with Brad Jensen that he was Ok with a 12 inch pipe for a short distance. Brad Jensen said the capacity is the concern and that Tyler was going to get the calculation to him. Jeff Hales gave the planning commission the agreement from Bona Vista Water and said that the secondary water is Mountain View. Commissioner Leonardi ask if Penny Barnes was Ok with the development going through her property. Jeff Hales said yes she was and that when the preliminary was done the city has the documents with her signature on them. Jeff Hales explained that Penny Barnes will be signing as a developer on this strip and her signature is on the plat. Commissioner Leonardi confirmed with Jeff Hales that he would put field fence up around Penny Barnes property. Jeff Hales said that is correct. Commissioner Leonardi ask if all of the water from phase two was going to the detention pond. Jeff Hales said that it was and that is why they had to have the slope from the east. Vice Chair Sadler said that the ordinance requires a 100 foot frontage and there was not enough frontage

on the corner of the homes are faced another direction. Jeff Hales said there is 100 foot frontage and there is a curve call on C-1. Lot 24 actually has 96 feet plus 16 feet, which gives the lots 100 foot on both sides. Vice Chair Sadler said that on lot 54 there is not a turn around shown on the plans Jeff Hales said it is only one lot deep and he could change the direction of the house if that is what the planning commission wanted. Vice Chair Sadler said it was his development but he thought because they owned the land behind this development they would want a turnaround. Jeff Hales said the snow plows would push the snow the direction of a turnaround. He stated they could put some road base down and do a turnaround. Jeff Hales said that they could put in a temporary turn around between 54 and 44 then they would not have to restrict that lot.

Motion: Commission member Maw made an motion to grant final approval for the S Curves Phase 2 contingent upon a temporary turnaround between lots 54 and lot 44 as discussed. Commissioner Leonardi seconded the motion. Vote: Commission members Leonardi, Maw, Sadler, Osenbach and Sparks voted, Aye. Motion Carried

Approval of Minutes for September 24, 2015

Commissioner Osenbach made an motion to approve the Minutes of September 24, 2015 with the changes as discussed. Commissioner Sparks seconded the motion. Vote: Commission members Leonardi, Maw, Sadler, Osenbach and Sparks voted Aye. Motion carried.

Report from City Council: Commissioner Osenbach reported there was a very spirited debate about water matters with Robyn Bitton issues that had been discussed previously. Kelly Dixon was also there and the mayor had talked to each of them individually and that the city attorney would be getting involved.

Commission Comments: Commissioner Osenbach said Brent Wood had donated money for a bench at Pioneer Park two years ago in memory of his son that had passed away. There are still not any benches or a memory plaque. Mr. Wood would like his money back. Commissioner Osenbach ask that it be noted that Brent Wood should be given back his money. Commissioner Maw said the Design Systems Team had met earlier and they were looking locations that are historic as well as potential commercial connections. Commissioner Maw said he has a rough map and they are in the process of submitting the application in November so a team can be assemble next March for the DAT. Commissioner Leonardi said in two weeks they are meeting about the C-2 and if all the commercial buildings were to be 35 feet high it would be a concrete jungle. He ask if in ordnance 10-16-12 if there could be a change to only one building with the maximum height of 35 feet. All other buildings within, the continuous boundaries, may be no higher than the average height of the taxable buildings within 500 feet. Commissioner Maw said he understood what Commissioner Leonardi was trying to do and he liked it, but they could pick the building that is the most massive. Commissioner Leonardi said he thought that if the 500 feet was in the ordnance every one within 500 feet would be notified when something was being built. He said that we need to control it somehow and that they owe it to the citizens. Commissioner Maw explained that the parapet is a different height than the roof line and the commission would have to be very careful. Commissioner Maw said that they could look at what other cities have in place. Commissioner Osenbach said he supports something like that and he would like to see the buildings and lighting be like it is in Park City, Utah. He said he likes Park City's motif. Commissioner Leonardi said that we are green space and he would like to see it used in the best way for heating and cooling. There was a discussion that the height of signs may also need to be looked at and that the height of the Fremont sign could be grandfathered in. Vice Chair Sadler said Rob Scott a planner that the city has put on

staff is working on that section of ordinance. Commissioner Osenbach said that he likes what Park City has done because you can see the stars.

Adjournment

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

<u>Neil</u>	<u>Sadler</u>	<u>Osenbach</u>	<u>Maw</u>	<u>Sparks</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

COPY

**Plain City Planning Commission
Minutes of Meeting
October 22, 2015**

Minutes of the Plain City Planning Commission held on Thursday October 22, 2015 at 7:00 p.m. located at the Council Chambers of the Plain City Hall, Plain City Utah 84404.

COPY

Present:	Chairman	Blake Neil
	Vice Chair	Buddy Sadler
		John Leonardi <i>Excused</i>
		Jarod Maw
		Mark Osenbach <i>7:10 p.m.</i>
		Cheri Sparks
Staff:		Kathy Campbell

Attendees: Eric Jones, Penny Jones, Michael Dewey, Carolyn McKean, Jeni Hadden, Richard Lyons, Geraldine Lyons, Donna Bungarner, Michelle Harvey, Tracie Jensen, Steve Jensen, Rebecca Cannon, Scott O’Driscoll, Bret O’Driscoll, Monica Hanks, Luana Middleton, Jolene Seager, Ashley Bodily, Lora Parker, Marcy James, Corey James, Lynette Singleton, Broc Heslop, Susan Goldsberry, Brian Goldsberry, Jeff Johanson, Kory Heslop

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

Public Hearing: Zoning Ordinance Amendments- Plain City Zoning Ordinance Title 10-6B-1(General Commercial Zone (C2), 10-6B-3 Site Development Standards Plain City Zoning Ordinance Title 10-9 (Parking and Loading Spaces: Vehicle access) 10-6B-4 Special Parking Requirements.

Chairman Neil ask planner Rob Scott to give the staff report, then public comments will be heard.

Rob Scott’s reports

SYNOPSIS / APPLICATION INFORMATION

Application Request: Public hearing to take input on a legislative application to amend the maximum lot area standard in the General Commercial Zone (C-2)

Agenda Date: October 22, 2015

Applicant: Jeff Johansen, Agent

File Number: ZTA 2015-02

STAFF INFORMATION Robert O. Scott, AICP

**Plain City Planning Commission
Minutes of Meeting
October 22, 2015**

APPLICABLE ORDINANCES

Plain City Zoning Ordinance Title 106B (General Commercial Zone (C-2))

TYPE OF DECISION When the Planning Commission is acting as a recommending body to the City Council, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use text amendments. Legislative actions require that the Planning Commission give a recommendation to the City Council. Typically the criteria for making a decision, related to a legislative matter, require compatibility with the general plan and existing codes.

BACKGROUND

The applicant is requesting a zoning map amendment to change the zoning for property at approximately 2600 North and 3600 West from Residential Estate Zone (RE-20) to General Commercial Zone (C-2). This zone change will allow for the development of shopping center that includes a grocery store and other retail operations.

A public hearing was held September 10, 2015. One of the issues discussed was the maximum lot size standard found in the C-2 zone of 5 acres. The Planning Commission and City Council held a joint work session to discuss this issue on September 24, 2015 and determined that the best approach would be for the applicant to request a text amendment modifying this standard. The preferred alternative is to eliminate this maximum standard.

There are currently 4 other areas zoned C-2. One of these locations is at approximately 2400 North and 4500 West and collectively is over 5 acres. None of the other commercial zones has a maximum lot area standard. C-2 zones are typically identified as community commercial areas and have a 10 to 20 acre area. Guidance can also be sought by reviewing the purpose and intent section for the C-2 zone.

10-6B-1: PURPOSE AND INTENT:

- A. The general commercial zone is established to provide locations for a full range of office, retail commercial, and service uses which are oriented to serve the city as a whole, as well as a regional market in Plain City. A variety of activities are encouraged, especially those which promote both daytime and nighttime consumer activity.
- B. The general commercial zone includes uses usually associated with central business district and shopping facilities which are not ordinarily compatible with single-family residential uses.
- C. In order to stabilize, improve and protect the city's commercial areas, standards are established to ensure a quality urban environment with landscaping, light and air at street level, well defined urban spaces, and compatibility of building materials, colors, and textures. (Ord. 2004-12, 8-5-2004, eff. 8-5-2004)

If the Planning Commission wants to pursue this amendment then it can be accomplished by deleting subsection B below.

**Plain City Planning Commission
Minutes of Meeting
October 22, 2015**

10-6B-3: SITE DEVELOPMENT STANDARDS:

A.	Minimum lot area	None
B.	Maximum lot area	5 acres
C.	Minimum yard setbacks:	
	1. Front	20 feet for main building, walls or fences over 3 feet high
	2. Side	None, except 10 feet adjoining a residential zone
	3. Side, facing street on corner lot	20 feet
	4. Rear	None, except 10 feet adjoining a residential zone
D.	Building height:	
	1. Minimum	1 story
	2. Maximum	35 feet
E.	Lot coverage	The aggregate area of all buildings shall not exceed 40 percent of the entire lot

GENERAL PLAN

The Plain City General Plan was adopted in April 2007. Chapter 8 Economic Development Policy H: Evaluate Plain City’s current and future commercial retail land uses to assure the City’s commercial retail development reaches its full potential.

PLANNING COMMISISON CONSIDERATIONS

- Is the proposal consistent with the General Plan?
- Is the proposal consistent with the C-2 purpose statement?
- Is there a need for this maximum lot standard?

STAFF RECOMMENTDATION

Received public comment and determine of this amendment is appropriate. If the Planning Commission determines that a maximum lot size is not needed then the Planning Commission can make a recommendation to the City Council for adoption.

SYNOPSIS / APPLICATION INFORMATION-Parking Standards in the General Commercial Zone (C-2)

Application Request: Public hearing to take input on a legislative application to amend the parking standards in the General Commercial Zone (C-2)
 Agenda Date: October 22, 2015
 Applicant: Plain City
 File Number: ZTA 2015-01

**Plain City Planning Commission
Minutes of Meeting
October 22, 2015**

STAFF INFORMATION Robert O. Scott, AICP

APPLICABLE ORDINANCES

Plain City Zoning Ordinance Title 106B (General Commercial Zone (C-2))

Plain City Zoning Ordinance Title 10-9 (Parking and Loading Spaces; Vehicle Access)

TYPE OF DECISION When the Planning Commission is acting as a recommending body to the City Council, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use text amendments. Legislative actions require that the Planning Commission give a recommendation to the City Council. Typically the criteria for making a decision, related to a legislative matter, require compatibility with the general plan and existing codes.

BACKGROUND

Plain City is considering a zoning map amendment on property located at approximately 2600 North and 3600 West from Residential Estate Zone (RE-20) to the General Commercial (C-2) zone. As part of the analysis for this request it was discovered that 10-6B-4 Special Parking Regulations has a parking requirement in addition to Chapter 9 Parking and Loading Spaces: Vehicle Access of the Zoning Ordinance.

10-6B-4: SPECIAL PARKING REQUIREMENTS:

Notwithstanding the provisions of [chapter 9](#) of this title, there shall be provided off street parking facilities in the ratio of not less than three (3) square feet of parking for each one square foot of sales floor area within the development. (Ord., 11-14-1974)

This is a larger parking standard than is typical for this type of zone. For every 1,000 feet of sales floor area there needs to be 3,000 square feet of parking. This equates to 17 parking stalls per 1,000 square feet. The typical range for commercial is 4 to 5 parking stalls per 1,000 square feet of commercial. At the September 10, 2015 public hearing it was recommended that an ordinance amendment be made to adjust this standard.

The Planning Commission has several options to consider in making an amendment. The first option is to change the ordinance within chapter 6B to revise this standard or eliminate this formula and reference chapter 9. Staff would recommend the following language:

10-6B-4: SPECIAL PARKING REQUIREMENTS:

~~Notwithstanding the provisions of [chapter 9](#) of this title, there shall be provided Off street parking facilities shall following the provisions of chapter 9 of this title. in the ratio of not less than three (3) square feet of parking for each one square foot of sales floor area within the development. (Ord., 11-14-1974)~~

The standard in chapter 9 for retail businesses is: 1 space per 200 square feet of sales floor space in building. This equates to 5 stalls per thousand square feet of sales floor area; it does not include storage space. This is a reasonable standard for retail projects.

**Plain City Planning Commission
Minutes of Meeting
October 22, 2015**

GENERAL PLAN

The Plain City General Plan was adopted in April 2007. The General Plan policy that is closely aligned with this amendment is found in Chapter 8 Economic Development Policy I: Focus and establish programs and / or ordinances that will improve the urban design, land use, quality of construction, and existing aesthetic qualities of the City's commercial and industrial areas.

PLANNING COMMISSION CONSIDERATIONS

- Is the proposal consistent with the General Plan?
- Does the proposal comply with the Zoning ordinance?
- Does the amendment provide for a reasonable parking standard for C-2 uses?

STAFF RECOMMENDATION

Received public comment and determine if the draft parking amendment is appropriate. If the Planning Commission finds that it is appropriate the Commission can make a recommendation to the City Council for adoption.

Eric Jones 2435 N 3425 W said he lives a block and a half from the proposed development and he is opposed to the having the area rezoned for Kent's Market. He said he had moved to Plain City to get away from this type of development. *Penny Jones 2435 N 3425 W* said they could have bought a house behind Lee's Market or Smith's Food King in North Ogden but had chosen to purchase their home in Plain City. The Planning Commission owes us to keep things the way they are and if there is to be growth it needs to be in a different area. She felt that the impact on the area would not be cost effective and crime would go up. She ask the planning commission to listen to the citizens. *Jeni Hadden 2476 N 3600 W* said her driveway was right across from the proposed development and at the previous public hearing 32 people had spoken and only 11 was for Kent's Market. She said Morgan has a small store and she did not come to Plain City for this type of development. *Richard Lyons 2403 N 3400 W* said the Planning Commission had seen him before when they put a duplex across the street from him. He said that Kent's could do as well with the size of the Maverick, why do they need such a large development. He said he thought it was cut and dried. He ask who is going to put in the turning lanes and sidewalks in. He said it was not going to be Kent's Market. He continues with there is not a need for an Ace Hardware because Cal Ranch and Smith and Edwards are close by and they have everything we need. He also said Kent's does not need 35 foot ceilings and not all the squirrels are in Tennessee. *Michelle Harvey 2444 N 3600 W* said that putting this development through three school zone would be reckless by the planning commission. She ask the commission to give her an answer so she could decide if they need to move. She said Plain City is not big enough for a store this big and the Kent's Market in Brigham City is on four and half acres with an Ace Hardware also. She felt that Plain City was not big enough to change the code just because of the national standard. She also said she did not understand why she was not being given any answers and why the citizens are not allowed to vote on this code. *Tracie Jensen 3486 W 2425 N* said she was opposed to changing the C-2 to 11 acres and would like to keep the C-2 at 5 acres and not change it from the current residential use. *Steve Jensen 3486 W 2425 N* said changing our zoning ordinance standards will unquestionably encourage larger developments and national chains rather than local

Plain City Planning Commission
Minutes of Meeting
October 22, 2015

developments. He said the planning commission needs to have a growth plan that is a strategic growth plan that maximizes long term gains. He continued if there is not a plan it is like taking a payday loan out in the name of our children. He said there is talk about financial growth but unwise growth will cost the city and will not be good for Plain City. He ask that we have developments that will rise to our standards rather than ask us to lower our standards to boost their profit margin at the expense of Plain City. He said uncontrolled development would have statistical relationship with property taxes due to the cost of public services. Studies have shown cities and towns are showing a net loss due to the expense of 44 cents a square foot for large developments and if it is a local development there is a net gain of 33 cents a square foot. He said that developments larger than 5 acres are a bad financial investment for the city and studies have shown that there is no positive spill over to other stores when there is a large development including lowering employment, tax revenues, and would limit the long term growth. In Utah studies have shown that local retailers return 52 percent, chains return 14 percent. Progress communities are capping the size of developments and the size to 35,000 square feet. He said there have been disturbing comments from city council members and planning commission members stating that they are keeping track of emails and calls as kind of a vote on the issues that shows popularity for the development. He said public input is vital but is not a reliable measure. The planning commission needs to do their research and best practices cannot be replaced. He ask that they do not make a change. *Rebecca Cannon 3439 W 2350 N* said she is against increasing the acreage and changing the zoning ordinance and just because the national standard is larger does not mean that it needs to be our standards. The average city block standard is 100,000 square feet which equals 2 ½ acres. The 5 acre that is currently in place is over 2 city blocks for commercial development. She felt that 5 acres is more than sufficient for our small community. She said markets are small and would meet the needs of the city. Anything on larger than 5 acres would be a super market. She said that she had went to the city office to get the specific code numbers that the planning commission was looking at but had been unable to attain that information so she could do her own research. She said she would have liked to know before tonight what they were changing the codes to. She felt that 10 to 20 acres is too large and C-2 is not compatible with residential living. She acknowledge that there have been mistakes in the past if there are areas that are zoned larger than 5 acres in the city. She said those mistakes should not dictate more mistakes and that we should learn from the past mistakes. She said she is Ok with changing the parking and loading but had been unable to do her own research. She said her husband in a disabled military veteran that they had moved to this community because they liked the smaller feel and wanted a small town to raise their kids in with the values that are in a small community. Having this change seems harder than deployments and the sacrifices that her and her husband have already gave for this county, she felt they have gave enough. She ask that they do not change the size of the development. *Monica Hanks 2732 N 3375 W* was concerned about changing the size from 5 acres. When the master plan was developed there was a plan and the 5 acres is sufficient and should follow their recommendations. The city should not get in the habit of changing the ordnance for every business. She said that we need to decide what we want and if business want to come to Plain City they will agree with the our terms. She continued if we change it for one business how do we not change it for another business that would not be desirable. She said she did not feel that larger than 5 acres was needed at this time. In Brigham City Kent's is on 4 1/2 acres and with an Ace Hardware Store, the Kent's in Tremonton is on 5 acres and they have retail pads. She ask that the C-2 not be changed from the 5 acres. *JoAnn Seager 2155 N 3500 W* said the Planning Commission was put in their seats to do what it best and to do what we

Plain City Planning Commission
Minutes of Meeting
October 22, 2015

want. She stated that we do not want the development at the proposed location. She is Ok with a grocery store just not at that location. She ask the commission to do what is best for Plain City and to listen to their heart. *Ashley Bodily 2540 N 3600 W* said she use to live close to a store when living in Ogden and she always worried about the people that were in the area. Her kids could not be kids because of the store. She said she had move to Plain City to get away from that environment. She said she loves the community and is not in favor of this development because of all the strangers that will drive by and it is too dangerous and not safe for the kids to walk without sidewalks. *Lora Parker 3235 W 2200 N* said she is against making the C-2 bigger than 5 acres. She said that 5 acres is large enough for Plain City She said she has talked to city council members and planning commission members and no one has been able answer her question as to why would Kent's Market purchase property that was not already zoned for what they needed. She continued that her family has a RV business and it would be business 101 to already have the land zoned C-2 before purchasing it. She said she questions if something has been promised back door to Kent's that it will be zoned C-2. She said she hopes that is not the case and she has more faith in Plain City than that.

Motion: Commissioner Sadler made an motion to close the Public Hearing on the Zoning Ordinance Amendments- Plain City Zoning Ordinance Title 106B (General Commercial Zone (C2), 10-6B-3 Site Development Standards Plain City Zoning Ordinance Title 10-9 (Parking and Loading Spaces: Vehicle access) 10-6B-4 Special Parking Requirements. Commissioner Maw seconded the motion. Vote: Commission Members Maw, Sadler, Neil, Osenbach and Sparks all voted aye. Motion carried.

Discussion/Motion: Plain City Zoning Ordinance Title10-6B (General Commercial Zone (C-2) 10-6B-1 and Site Development Standards.

Commissioner Maw said there are three options. Keep it the way it is, delete it to the way Rob Scott recommends or add numbers to it. He said he was torn and could see reasons why the change is needed and he would like more information from Kent's. Commissioner Sadler said he is nervous about removing the 5 acres with no maximum. He ask Rob Scott if there could be stronger verbiage to give us more control so that it could be limited as projects comes in. He said this is not just about Kent's, but Kent's has not given all information they said they would. He stated he is not ready to make a decision until he receives more information from Kent's and find out if more verbiage can be added. He said that he did not feel that 20 acres at this location is appropriate. Rob Scott clarified that this is strictly dealing with the standards for any C-2 in the city. He continued we are still waiting for Kent's to provide us with more detailed information that are the requirements of the ordnances and part of the final decision but Kent's is not on the agenda for tonight. He clarified when Kent's Market comes before the Planning commission is when the planning commission will take into account the information that Kent's provides and then the planning commission can identify the number that you feel is most appropriate for the size of the zone which should be instituted for the size of that property. Commissioner Maw ask Rob Scott if other cities have a maximum for commercial areas. Rob Scott said that he had never seen that. He said it is very interesting dichotomy that in the C-1, which is a neighborhood commercial there is no limit, but for C-2 there is a limit. Chairman Neil said he has talked to previous council members and they thought it was a type-O. He said they have gone back through the minutes to see if they could find it. Commissioner Sadler said the representative of Kent's Anderson Wahlen and Associates had a formal request asking the Planning Commission to look at the C-2. Commissioner Osenbach said he would appreciate more

Plain City Planning Commission
Minutes of Meeting
October 22, 2015

time to look at changing it. He clarified with Rob Scott that the C-1 was less restrictive than the C-2. Rob Scott said yes that was correct and it was a little puzzling that C-1 was less restrictive. He said when working with ordinance's interesting things pop up and there are conflicts and things are not always consistent. Commissioner Osenbach ask if Rob Scott had seen this in other cities. Rob Scott said he had not seen it in Zoning Ordinance but has seen it in general plans. Commissioner Sparks said she has not been on the commission very long and was trying to figure out her place and opinions. She said she is torn about as it well, but Plain City needs something. When she moved to Plain City 24 years ago there was a grocery store, pharmacy, and a doctor. Plain City does not have any of these things anymore and she has missed those things. She also said those business were small but the population of Plain City was smaller also and Plain City has doubled in size and it is only going to continue to grow. She feels it would be unwise of us not to look at commercial development somewhere in the city. She said some of things that we have forgotten is the property owner's rights. They own the property and they have the right to ask us to change the zone. We do not have the right to say you cannot build it there, but you can build it somewhere else because they do not own the property somewhere else. She said we have to decide if we are willing to let them build on that piece of property. She continued with putting the development somewhere else is not our choice, it is their choice. She said no one wants a store in their backyard and she did not want a store in her back yard, everyone wants a store in Plain City but no one can agree upon where it should be. She said we need to look at all of the details and she did not feel that she knows all the details at this time. She said that the lack of sidewalk has come up but the land owner did not want to participate with Plain City to provide the sidewalk. They as property owns have that right whether we like that or not they have that right. She said that we need to respect the land owners rights but we can't just jump into something either. She said her vote is to table it until we have more information. Chairman Neil said this is a correction in our ordinance and Kent's is a side issue. He said we did the same thing when we redid our nuisance ordnances and found that it is was illegal to shoot a firearm within the city boundaries of Plain City. Which would mean any duck hunter, pheasant hunter would be in violation of the ordnances except for a law enforcement officer or animal control. We moved quickly and made the corrections to our ordinance. These are corrections to the current ordinance that would make the existing C-2 locations in compliance. Chairman Neil said when we do the rezone is when he anticipates looking at more of the details that are required from Kent's.

Motion: Commissioner Sadler made an motion to Table the Re-Zone from 5 acres maximum until more information is gathered. Commissioner Osenbach seconded the motion. Vote: Commission Members Maw, Sadler, Osenbach and Sparks voted aye. Chairman Neil voted Nay. Motion carried.

Discussion/Motion: Plain City Zoning Ordinance Title 10-9 (Parking and Loading Spaces Vehicle access) 10-6B-4.

Commissioner Maw said that he felt this change was pretty cut and dry and taking out the verbiage would help. He said he feels that this coincides better with what you normally see in a commercial project. Commission Sadler said that he thinks when this was done in 2003 it was a type O error and it is a simple correction that needs to made. He said he is in favor of making the correction. Commissioner Osenbach said he works at the state and the parking there is very narrow which is very annoying to him. He said he would like to see wide parking that people with normal cars can park in, not just smart cars. Commissioner Maw said the minimum standard for a parking stalls is 9' X 18'.

**Plain City Planning Commission
Minutes of Meeting
October 22, 2015**

Rob Scott said that they could look at the standard and 9' X 18' is very typical some do a 10' X 20'. Commissioner Osenbach said he would like to see wider so no one is playing door tag. Rob Scott said some people give credit for compact cars but there can only be a certain percentage of parking stalls for compact cars. Rob Scott stated that there are a lot of options. Commissioner Maw said there are also changes for accessible spots because you are required to make them a little wider. Rob Scott said as he reads it, the minimum standard is 9' X 18'. Commissioner Maw said smart cars is the trendy thing now and you see that at the South Ogden Library. The South Ogden Library has a lot of smart car parking so that they could get more parking spaces. South Ogden Library was going for LEED rating. Commissioner Sparks said the parking ordinance needed to be fixed.

Motion: Commissioner Osenbach made an motion to change the Plain City Zoning Ordinance Title 10-9 (Parking and Loading Spaces: Vehicle access) 10-6B-4. Commissioner Sadler seconded the motion. Vote: Commissioner Maw, Sadler, Neil, Osenbach and Sparks voted Aye. Motion carried.

Discussion/Motion: Final approval for Sunee Acres 1 lot plus remaining parcel at 3754 W 2800 N.

Chairman Neil said Mr. Clint Johnson had requested to table the final approval for Sunee Acres. Chairman Neil said he and Commissioner Leonardi had meet with Mr. Johnson and he is awaiting for some legal interpretation from the city attorney regarding remainder parcel versus lots or smaller subdivision.

Motion: Commissioner Sadler made an motion to Table approval for Sunee Acres 1 Lot plus remaining parcel at 3754 W 2800 N until November 12, 2015. Commissioner Maw seconded the motion. Vote: Commissioners Maw, Sadler, Neil, Osenbach and Sparks voted Aye. Motion carried.

Approval of Minutes: October 8, 2015.

Commissioner Osenbach made an motion to approval the Minutes of October 8, 2015 with the necessary changes. Commissioner Sparks seconded the motion. Vote: Commissioners Maw, Sadler, Neil, Osenbach and Sparks voted Aye. Motion carried.

Report for City Council.

Chairman Neil said the City Council approved the S Curve subdivision and the court was approved.

Commission Comments:

Rob Scott addressed the question earlier about the height of buildings and what is allowed in the C-2 ordinance. The C-2 ordinance allows buildings to be 35 feet in height maximum and also gives an exception for parapet walls. This is not unusual and lots of cities have this kind of provision in their ordinance. Plain City has one in 10-8-5 height regulations, which states A. Penthouse or roof structures for the housing of elevators, stairways, tanks, ventilation fans or similar equipment required to operated and maintain a building, and fire or parapet walls, skylights, towers, steeples, flagpoles, chimneys. Smokestacks or water tanks, wireless or television masts, theater lofts, silos or similar structure many be erected above the height limits prescribed in the zone height regulations, but no space above the height limit shall be allowed for the purpose of providing additional floor space. Rob Scott said with working with the applicant the parapet wall may go up a few feet above 35 feet but he

**Plain City Planning Commission
Minutes of Meeting
October 22, 2015**

did not have exact elevations at this point. He said as an example the Smiths in North Ogden was 6 feet taller with the false store front and Smith's also had some equipment upon top of the roof. Rob Scott said Plain City does not have an upper limit and North Ogden has chosen to have one. Commissioner Maw said the top of the building would then be roof which would then allow you to put a parapet on the front. Rob Scott ask the commission if there are some things that they would like him to communicate to the applicant in regards to the C-2 being tabled tonight. He said if there are some specific things that is needed, the applicant needs to be informed. Chairman Neil said he thought they could go back to applicant and say we need more information for the overall application. Commissioner Maw said DAT is was working on a map and they are 60-70 percent done. He ask if any of the commissioner have any input to please let him know. Commissioner Sadler said he had not had time to get with Brent on the pioneer canal system. He would work to find time to get with Brent. Commissioner Osenbach thanked Commissioner Maw for working through the DAT items. Chairman Neil said he was attending a Land Use Conference in Sandy for two days the following week that Craig Call was putting on.

Adjournment:

MOTION: Commissioner Sadler made an motion to adjourn the meeting at 8:10 p.m. Commissioner Maw seconded the motion. Vote: Commission members Maw, Sadler, Neil, Osenbach and Sparks voted aye. Motion carried.

Neil	Sadler	Osenbach	Maw	Sparks	Leonardi
			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