

Plain City Planning
Minutes of Meeting
April 12, 2018

Minutes of the Plain City Planning Commission Meeting held on April 12, 2018 at 7:00 p.m. in the Council Chambers of Plain City Hall – 4160 W 2200 N, Plain City, Utah 84404.

Present: Chairman Blake Neil
Vice Chair John Leonardi
Commissioner Jarod Maw
Commissioner Cheri Sparks
Commissioner Kris Carrigan
Commissioner Shawna Faulkner
Staff: Derek Moss, Mike Kerswell

ATTENDEES: Victoria Nielsen, Mark Staples, Jay Christensen, Debbie Christensen, Roger Larson, Bruce Nilson, Brian Goldsberry, Shane King, Alex Papageorge, Lora Parker, Sara Beckstrom

WELCOME: Chairman Neil

PLEDGE OF ALLEGIANCE: Commissioner Sparks

MOMENT OF SILENCE/INVOCATION: Commissioner Maw

1.ROLL CALL: Chairman Neil conducted roll call and indicated, Commissioners Leonardi, Carrigan, Faulkner, Maw, Sparks and Chairman Neil were present.

2. OPENING MEETING STATEMENT

The opening statement was read by Chairman Neil.

3. EX PARTE COMMUNICATION OR CONFLICTS OF INTEREST TO DISCLOSE

None was reported.

4. Public Comments for items not on the Agenda

None was imparted.

5. Approval of Minutes for March 22, 2018

1. Commissioner Faulkner adverted, her name was included in the voting for all
2. motions, recorded in the minutes. As Alternate Commissioner, she only votes
3. in the absence of a primary Commissioner.
4. **Motion: Commissioner Leonardi motioned to approve the Meeting**
5. **Minutes of March 22, 2018 with noted changes. Commissioner Carrigan**
6. **seconded the motion. Vote: Commissioners Carrigan, Leonardi,**
7. **Sparks, Maw and Chairman Neil voted aye. Motion carried.**

6. Technical Review Report

There was not a Technical Review, this week.

7. Administrative Items:

- a. **Public Hearing: Nilson Homes/Pappys Homeplace, 3000 N North Plain City Rd. Zoning Amendment (RE-20 to RE-15).**
 1. **Motion: Commissioner Maw motioned to open Public Hearing for Nilson**
 2. **Homes/Pappys Homeplace Zoning Amendment (RE-20 to RE-15).**
 3. **Commissioner Leonardi seconded the motion. Vote: Commissioners Sparks,**
 4. **Carrigan, Maw, Leonardi and Chairman Neil voted aye. Motion carried.**
 5. Victoria Nielson described an existing easement behind her house, that may be
 6. affected by the development of the property in question. She reported verifying the
 7. location with Rocky Mountain Power and Weber Basin. She asked if the roadway
 8. will be kept, as is. She asked if North Plain City Road will be the only egress for the
 9. proposed subdivision.
 10. **Motion: Commissioner Leonardi motioned to close Public Hearing for Nilson**
 11. **Homes/Pappys Homeplace Zoning Amendment (RE-20 to RE-15).**
 12. **Commissioner Sparks second the motion. Vote: Commissioners Sparks,**
 13. **Carrigan, Leonardi, Maw, and Chairman Neil voted aye. Motion carried.**

- b. **Discussion / Motion: Nilson Homes/Pappys Homeplace, 3000 N North Plain City Rd. Zoning Amendment (RE-20 to RE-15).**
 1. Nilson Homes representative, Mark Staples introduced himself and indicated, he is
 2. not aware of the aforementioned roadway on the north side of the proposed
 3. development. He acknowledged a right of way on Mr. Larkin's property. He stated
 4. proposal of two ways of egress/access to the project and illustrated where they will
 5. likely be located. He noted, one is an existing public road. The other will be put in
 6. as part of property improvements. Chairman Neil confirmed, the proposed zoning is
 7. compatible with the General Plan and is contiguous with adjacent, existing zones.
 8. Commissioner Leonardi clarified, if the proposed PRUD condition (as part of the
 9. development) is denied, the Zoning Amendment process must be completed again if
 10. zoning other than what is approved according to this application is desired. Mr.
 11. Staples affirmed his understanding of the process. He expressed concern over the
 12. project being rejected after all fees and applications have been appropriately
 13. submitted, because of an ordinance change that has yet to be ratified. Chairman Neil
 14. asserted, the ordinance which is current at the time of application submittal and
 15. receipt of fees, is the set code to which the project must comply. Commissioner
 16. Leonardi begged to differ. He indicated, at a later time in the meeting, he will
 17. present ordinance language that states otherwise. Commissioner Maw asked how
 18. Mr. Staples will address the concerns heard during the Public Hearing. Mr. Staples
 19. agreed to research the situation and report findings. Commissioner Sparks asked if
 20. the land for the second access road has been acquired. Mr. Staples noted, it will be
 21. part of a later phase. He confirmed his intent to purchase the property needed for
 22. egress.
 23. **Motion: Commissioner Maw motioned to Recommend Nilson Homes/Pappys**
 24. **Homeplace Zoning Amendment (RE-20 to RE-15) to City Council for Approval.**
 25. **Commissioner Carrigan second the motion. Vote: Commissioners Sparks,**
 26. **Carrigan, Leonardi, Maw, and Chairman Neil voted aye. Motion carried.**

c. Public Hearing: Nilson Homes/Papageorge Estates Zoning Amendment (RE-20 to RE-15).

1. Due to errors on the zoning amendment application and inaccuracies in notification
2. information, the Public Hearing for Nilson Homes/Papageorge Estates Zoning
3. Amendment was not held.
4. **Commissioner Maw motioned to amend the date for Public Hearing: Nilson**
5. **Homes/Papageorge Estates Zoning Amendment (RE-20 to R-1-11), to be held**
6. **April 26, 2018. Commissioner Carrigan seconded the motion. Vote:**
7. **Commissioners Sparks, Carrigan, Leonardi, Maw, and Chairman Neil voted**
8. **aye. Motion carried.**

d. Discussion / Motion: Nilson Homes/Papageorge Estates, 2950 W 1975 N Zoning Amendment (RE-20 to RE-15)

No action taken.

e. Discussion / Motion: Subdivision Ordinance

1. Chairman Neil turned time over to City Planner, Derek Moss. Derek Moss, referring
2. to discussions in previous Planning Commission Meetings, commented on findings
3. that the proposed changes to the subdivision ordinance, pertaining to PRUD, are
4. workable. He cited questions concerning allowable minimum size of PRUD projects
5. and sought validation that 50 acres will be the requirement. Chairman Neil reported
6. discourse with the Mayor about adding pricing criteria to the ordinance. Agreement
7. was made that the concept is not feasible because of constant market fluctuation. He
8. spoke of discussion with Derek Moss about requiring a percentage of PRUD projects
9. be qualified, per State specifications, as affordable housing. Derek Moss indicated,
10. the affordable housing arrangement will be best applied as a selectable tradeoff
11. option within the ordinance rather than a requirement. Commissioner Maw
12. considered scenarios in which the affordable housing option is not chosen. Chairman
13. Neil commented on the permitting of apartments in C-2 zones. He proposed
14. replacing the term “apartment” as a permitted use with one describing higher density
15. units that are not apartment dwellings. Derek Moss clarified, the intent is to allow
16. higher density in commercial zones, but only certain types of high-density buildings,
17. such as single- family homes on smaller lots. He pointed out, affordable housing
18. requisites will not necessarily be met with the proposed design. He advised,
19. mechanisms to foster higher density and affordable units within commercial zones
20. should be designated. Commissioner Faulkner commented on defining “affordable”
21. and assigning static numbers to the condition. She considered ways to quantify and
22. specify afford requirements. Chairman Neil noted, the City is in the process of
23. increasing impact fees which will figure into the pricing of new construction. Derek
24. Moss reported asking Nilsen Homes if they would consider providing affordable
25. housing in their expected PRUD. The product does not fit their business plan, as a
26. home builder. They answered in the negative. Derek asserted, other builders will
27. have flexibility to provide affordable dwellings. He indicated, PRUD projects should
28. contain flexible uses and housing types within a single development. Commissioner
29. Carrigan explained how the cost of land is a variable that directly affects housing
30. prices. Chairman Neil described a nearby development, comprising single-level
31. homes on small lots. He contended, a high-density neighborhood does not need to
32. include tall apartment structures or multi-level, attached units. He commented on
33. demand for base houses for first-time home buyers. Commissioner Leonardi
34. suggested referencing Weber County or State of Utah stipulations in the ordinance.

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35. Commissioner Maw agreed with the notion, recognizing, changes in County or State
36. benchmarks will not necessitate future amendments to the Plain City ordinance if
37. such reference is written. Commissioner Leonardi weighed the possibility of City
38. Council making impact fee adaptations for affordable housing circumstances. Derek
39. Moss reported observing ordinances that allow impact fee credits based on optional
40. provisions. Commissioner Sparks suggested that certain regions of the city be
41. segregated as PRUD-eligible. She voiced concern over allowing developers to seek
42. PRUD conditions with every new subdivision. Derek Moss explained how overlay
43. zones can be implemented to control placement of PRUD communities. Chairman
44. Neil described similar overlays for senior housing and school building that have been
45. utilized for confining those types of uses to certain locations. Commissioner Sparks
46. asked if the PRUD ordinance can be removed. Chairman Neil answered in the
47. affirmative, recommending it be kept -considering the amount of improvable land in
48. Plain City, the amenities that can be acquired through PRUD requisites, and with
49. minimum allowable PRUD project size (50 acres) requirements, few will be
50. permitted. Commissioner Sparks proposed replacing the PRUD ordinance with a
51. PRUD overlay. Discussion ensued over required provisions of amenities through
52. ordinance vs. overlay. Derek Moss assessed, an overlay will essentially be the
53. PRUD ordinance featuring location specification. He noted, without a PRUD
54. ordinance, affordable housing provisions will need to be otherwise addressed in Plain
55. City code; possibly requiring the addition of smaller zones to accommodate
56. low/moderate housing. He advised continuation of improvements to the PRUD
57. ordinance. Commissioner Faulkner concluded, the PRUD ordinance is not
58. functioning as a vehicle to yield affordable housing, as written. Derek Moss agreed
59. to adjust the ordinance with intent to incentivize the building of affordable housing.
60. Commissioner Maw commented on developer contracts to provide amenities. He
61. proposed terms be set to ensure such provisions are scheduled in phases. Chairman
62. Neil indicated, the terms are typically part of the Development Agreement. Derek
63. Moss spoke of a fund that can be set up to pay for amenities. Mandatory
64. contributions will be deposited by the builder/developer in stages to be determined.
65. Commissioner Leonardi pointed out phrases in the ordinance that specify ranges
66. labeled “citywide” and “community”, referencing common features. He advised the
67. word “citywide” be used to describe both environments. He noted, page 2-5
68. stipulates 1500 square feet and page 4-5 indicates 1200 square feet for parameters
69. that characterize similar conditions. He proposed, both should be the same. Derek
70. Moss acknowledged, he’d like to see those factors eliminated. Commissioner
71. Carrigan suggested omitting the exception that allows smaller homes if a minimum
72. 24’-0” x 24’-0” garage is attached. Derek Moss clarified, some amenity options will
73. not be intended for “citywide” (public) use. Commissioner Leonardi requested all
74. City-owned property be termed “citywide”. Commissioner Sparks spelled out, land
75. deeded back to the City and maintained by the City should be of benefit to all
76. citizens. Commissioner Faulkner sought clarification on language referring to
77. percentage of building façade to be finished in masonry. Derek Moss agreed to
78. correct contradictory language. Chairman Neil revisited the topic of permitted uses
79. in C-2 zones. He requested further discussion on a replacement term for “apartment”
80. that represents a building type, more in line with the Plain City way of life.
81. Commissioner Faulkner asked if the objective is to eliminate the permitting of
82. apartments in C-2 zones. Derek Moss answered in the affirmative. He noted, higher
83. density development will be allowed, but achieved with building types other than
84. apartment complexes. He commented on anticipated State requirements of high-

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85. density development. Commissioner Carrigan asserted, planning for PRUD and
86. other high-density areas in the Plain City General Plan shows good faith and proves
87. serious consideration of future growth. Chairman Neil asked for an estimated
88. percentage of PRUD lots that must be allocated affordable units, in order to meet
89. State guidelines for low to moderate income housing. Derek Moss calculated, 23%,
90. or (approximately) 50 units per 50-acre PRUD. He reiterated the advantages of 50-
91. acre PRUD projects. Commissioner Maw voiced accord with measures proposed to
92. prepare for eventual affordable housing requirements. Derek Moss avowed, more
93. research will be done on incentives for developers to opt into providing affordable
94. housing.

95. Motion: Commissioner Leonardi motioned to table the matter pending draft
96. revisions. Commissioner Maw second the motion. Vote: Commissioners
97. Sparks, Carrigan, Leonardi, Maw, and Chairman Neil voted aye. Motion
98. carried.

f. Discussion: Parking Ordinance

1. Chairman Neil conveyed requests from City Staff and City Council for a status report
2. on the parking ordinance update. Derek Moss distributed a printed Staff Report to
3. the Commission. After giving credit to Public Works Director for crucial input, he
4. reviewed the documents. He highlighted three Staff recommendations:
 - Update the ordinance to match existing signs
 - Addition of restricted parking areas that are marked but do not exist in the code.
 - Investigate restricted parking areas that are in the ordinance but not marked.
5. He described modifications to the Parking During Snowstorms code. Commissioner
6. Leonardi recommended language in the ordinance, stating owner liability for damage
7. caused to vehicles that are parked in violation of Parking During Snowstorm code.
8. Commissioner Sparks commented on public notification of the updated rules.
9. Chairman Neil explained, signs are the responsibility of the City.

9. Report from City Council:

1. It was reported that Public Works Director, Bren Edwards submitted a letter
2. of resignation at the City Council Meeting. Commissioner Maw read from the
3. agenda and details of the proceedings were provided, in brief, by Mike
4. Kerswell. Time was turned over to Derek for a slideshow presentation form
5. the General Plan Public Workshop.

10. Commission Comments:

1. Commissioner Sparks had no further comment. Commissioner Maw reported
2. on progress with the Urban Design Assistance Team study of Plain City.
3. Commissioner Leonardi reviewed past and current PRUD ordinances. He
4. noted, work began on a PRUD ordinance update Feb 8, 2018 and is presently
5. undergoing changes. He indicated, Nilson Homes applied for PRUD
6. consideration, one month after work had begun on the revision. He reviewed
7. the minutes taken at the previous Planning Commission Meeting, with
8. emphasis on discussion regarding PRUD ordinance application and legalities

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9. governing the process. He sought consensus on the version of City code to
 10. which Nilson Homes PRUD application is subject to. After deliberation, it
 11. was agreed, the code as written and current as of 03/20/2018 is the rule.
 12. Commissioner Loenardi read 11-3-4e of the code, current as of 03/20/2018.
 13. He pointed out an exception when approval of a preliminary plat happens after
 14. an ordinance amendment is initiated. He maintained, the project will be held
 15. to standards of the revised ordinance when it is finalized and approved.
 16. Chairman Neil disagreed, stating, an ordinance under changing conditions is
 17. not an approved ordinance, nor a pending ordinance. Commissioner Carrigan
 18. indicated, if the amended ordinance is appropriately processed and approved
 19. before a preliminary plat is approved, the exception may be valid. Chairman
 20. Neil commented on ethnicity of denying a correctly submitted application for
 21. rules that are yet to be determined. Derek Moss mentioned the expected
 22. timeline for Nilson Homes appeal for PRUD consideration and asserted, if a
 23. preliminary plat is not approved before the updates to the ordinance are
 24. approved, there may be grounds to reject the application. Commissioner
 25. Leonardi reminded the Commission, the exception was written last year.
 26. Chairman Neil directed, the City Attorney will need to be consulted on the
 27. matter. Commissioner Carrigan had no further comment. Commissioner
 28. Faulkner yielded.

11. Adjournment

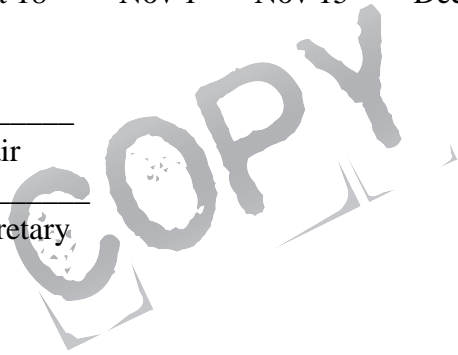
Motion: Commissioner Maw made motion to adjourn at 8:50 p.m.

Commissioner Carrigan seconded the motion. Vote: Commissioners Carrigan, Sparks, Leonardi and Chairman Neil voted aye. Motion Carried.

<u>2018</u>					
<u>Neil</u>	<u>Carrigan</u>	<u>Faulkner</u>	<u>Maw</u>	<u>Sparks</u>	<u>Leonardi</u>
	Jan 4	Jan 18	Feb 1	Feb 15	Mar 1
Mar 15	Apr 5	Apr 19	May 3	May 17	Jun 7
June 21	July 5	July 19	Aug 2	Aug 16	Sept 6
Sept 20	Oct 4	Oct 18	Nov 1	Nov 15	Dec 6
Dec 20					

 Planning Commission Chair

 Planning Commission Secretary



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April 26, 2018

Minutes of the Plain City Planning Commission Meeting held on April 26, 2018 at 7:00 p.m. in the Council Chambers of Plain City Hall – 4160 W 2200 N, Plain City, Utah 84404.

Present: Chairman Blake Neil
Vice Chair John Leonardi
Commissioner Jarod Maw *Excused*
Commissioner Cheri Sparks
Commissioner Kris Carrigan
Commissioner Shawna Faulkner *Excused*
Staff: Derek Moss, Mike Kerswell

ATTENDEES: Ronald Goers, Mark Staples, Debbie Butte, Kevin Lewis, Brad Barto, Bruce Daley, Angela Daley, Curt Petersen, Carole Gunter, Mark Gunter, David McKay, David Lloyd, Penny Barnes

WELCOME: Chairman Neil

PLEDGE OF ALLEGIANCE: Commissioner Leonardi

MOMENT OF SILENCE/INVOCATION: Chairman Neil

1.ROLL CALL: Chairman Neil conducted roll call and indicated, Commissioners Leonardi, Carrigan, Sparks and Chairman Neil were present. Commissioners Faulkner and Maw were excused.

2. OPENING MEETING STATEMENT

Chairman Neil announced the cancellation of a scheduled Public Hearing for Nilson Homes/Papageorge Estates Zoning Amendment and read the opening statement.

3. EX PARTE COMMUNICATION OR CONFLICTS OF INTEREST TO DISCLOSE

Commissioner Carrigan reported on a short discussion with City Engineer, Shane McFarland on the reason behind a requested Subdivision Amendment at Kelly's Corner.

4. Public Comments for items not on the Agenda

None was imparted.

5. Approval of Minutes for April 12, 2018

1. Commissioner Maw reported, via email, that his vote for Approval of Minutes for
2. April 12, 2018 was not recorded. He indicated, his vote was "aye".
3. **Motion: Commissioner Leonardi motioned to approve the Meeting**
4. **Minutes of April 12, 2018 with noted changes. Commissioner Carrigan**
5. **seconded the motion. Vote: Commissioners Carrigan, Leonardi,**
6. **Sparks and Chairman Neil voted aye. Motion carried.**

6. Technical Review Report

Chairman Neil reported the withdrawal of petition, by the applicant, of a scheduled Technical Review.

7. Administrative Items:

a. Set Public Hearing: Nilson Homes/ Papageorge Estates Zoning Amendment (RE-20 to R-1-11).

1. Chairman Neil explained why the previously scheduled hearing had to be cancelled.
2. He reviewed ordinance timeline constraints for Zoning Amendment petitions.
3. **Motion: Commissioner Leonardi motioned to Set Public Hearing for Nilson**
4. **Homes/Papageorge Estates Zoning Amendment (RE-20 to R-1-11) for May 24,**
5. **2018. Commissioner Carrigan second the motion. Vote: Commissioners**
6. **Sparks, Carrigan, Leonardi, and Chairman Neil voted aye. Motion carried.**

b. Discussion / Motion: Kelly's Corner Subdivision Amendment

1. Kent's Market representative, David Lloyd introduced himself and stated, the
2. dividing of lot 4 to create two separate building lots is the objective of the
3. Subdivision Amendment request. Commissioner Leonardi asked if the owner of the
4. property is aware of and understands the original Development Agreement. Mr.
5. Lloyd answered in the affirmative.
6. **Commissioner Carrigan motioned to Recommend the Kelly's Corner**
7. **Subdivision Amendment to the City Council for Approval. Commissioner**
8. **Leonardi second the motion. Vote: Commissioners Sparks, Carrigan,**
9. **Leonardi, and Chairman Neil voted aye. Motion carried.**

c. Set Public Hearing: Parking Ordinance

1. City Planner, Derek Moss reviewed the finalized draft of the ordinance. He noted the
2. addition of roads with restricted parking that have been marked but not listed in prior
3. code text. He pointed out language, stipulating regulations for parking during winter
4. storms. He explained enforcement, signage, and curb painting provisions in the
5. updated Parking Ordinance. Chairman Neil commented on time controls pertaining
6. to the setting of Public Hearing for ordinance consideration.
7. **Commissioner Leonardi motioned to Set Public Hearing: Parking Ordinance, to**
8. **be held May 10, 2018. Commissioner Sparks seconded the motion. Vote:**
9. **Commissioners Sparks, Carrigan, Leonardi, and Chairman Neil voted**
10. **aye. Motion carried.**

8. Report from City Council:

1. Commissioner Carrigan reported the approval of proposed budgetary adjustments
2. (2017 – 18). He indicated, two petitions for Zoning Amendment were approved; one
3. for Nilson Homes/Pappys Homeplace and one for Steve Diamond. He reported on
4. the appointment of T. J. Larson to Fire Chief and commented on stipend payment
5. arrangements. He mentioned the hiring of Taig Nielsen as Public Works Operator.
6. He described Parks, Trails, and Open Spaces Impact Fee increases that were
7. approved. He reported a recommendation by Councilmember Davis that the hiring of

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8. a Professional City Manager be seriously considered.

9. Commission Comments:

1. Commissioner Sparks had no further comment. Commissioner Loenardi
2. yielded. Commissioner Carrigan deferred comment. Chairman Neil turned
3. time to Derek Moss. Derek Moss reported progress in the addition of low to
4. moderate income housing terms to the PRUD ordinance. He indicated, the
5. State only requires planning for it, at this time. He noted, all other
6. Commission recommendations are being measured in the update. He
7. announced, a draft General Plan will be available for review at Planning
8. Commission Meeting, next.

10. Adjournment

Motion: Commissioner Leonardi made motion to adjourn at 7:20 p.m.

Commissioner Carrigan seconded the motion. Vote: Commissioners Carrigan, Sparks, Leonardi and Chairman Neil voted aye. Motion Carried.

<u>2018</u>					
<u>Neil</u>	<u>Carrigan</u>	<u>Faulkner</u>	<u>Maw</u>	<u>Sparks</u>	<u>Leonardi</u>
	Jan 4	Jan 18	Feb 1	Feb 15	Mar 1
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Dec 20					

Planning Commission Chair

Planning Commission Secretary