

Plain City Planning
Minutes of Meeting
June 14, 2018

Minutes of the Plain City Planning Commission Meeting held on June 14, 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 *Excused*
 Commissioner Kris Carrigan
 Commissioner Shawna Faulkner
Staff: Derek Moss, Mike Kerswell

ATTENDEES: Broc Carrigan, Mark Staples, Tayler Garcia, Mike Larkin, Jeff Hales, McCade Knight, Ronald Goers, Sheri Barahona

WELCOME: Chairman Neil

PLEDGE OF ALLEGIANCE: Broc Carrigan

MOMENT OF SILENCE/INVOCATION: Commissioner Maw

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

2. OPENING MEETING STATEMENT

Chairman Neil read the opening statement.

3. EX PARTE COMMUNICATION OR CONFLICTS OF INTEREST TO DISCLOSE

Commissioner Leonardi reported communication regarding legislative matters with Mrs. King, Mr. Larkin, Alex Papageorge, Harry Papageorge, and Chris Hogge of Weber Basin Water Conservancy District.

4. Public Comments for items not on the Agenda

None was imparted.

5. Approval of Minutes for May 24, 2018

Commissioner Sparks emailed notes on the minutes, making mention of a typographical error and unwarranted numeric notation. Commissioner Faulkner pointed out a spelling error.

Motion: Commissioner Faulkner motioned to approve the Meeting Minutes of May 24, 2018 with requested changes. Commissioner Leonardi seconded the motion. Vote: Commissioners Maw, Leonardi, Faulkner, Carrigan, and Chairman Neil voted aye. Motion carried.

6. Technical Review Report

Chairman Neil reported discussion on the proposed Double J at S-Curve subdivision. He commented on plans for a dental office, to be built at Kelly's Corner. He reported discussion on a Wade Family Trust subdivision and a proposed lot line adjustment that was rejected because it would create a nonconforming lot.

7. Administrative Items:

a. Discussion / Motion: Double J at S-Curve Preliminary Subdivision

Developer, Jeff Hales recollected the approval and recording of the S-Curve Commercial and Phase 4 of S-Curve subdivisions. He indicated, State engineers are now requiring sidewalk be provided along the bordering State road, before building permits can be issued. The placement of sidewalk caused originally designed, buildable areas to encroach on stipulated setbacks. To remedy the condition, adjustments must be made to both S-Curve Commercial and Phase 4 of S-Curve. Per Weber County Recorder instructions, the two subdivisions were combined into one, named Double J at S-Curve; including State mandated sidewalk and buildable areas that meet an existing purchase agreement. Commissioner Maw asked for State rationale in requiring sidewalk. Jeff Hales indicated, the State is asking for the sidewalk, anticipating future City need. Commissioner Carrigan asked if the sidewalk will tie into adjoining development to the east. Jeff Hales answered in the negative. He noted, development of the land to the east will require continuation of the sidewalk along State road. He requested approval of the proposed subdivision.

Commissioner Leonardi motioned to approve Double J at S-Curve Preliminary Subdivision. Commissioner Carrigan seconded the motion. Vote: Commissioners Maw, Leonardi, Faulkner, Carrigan, and Chairman Neil voted aye. Motion carried.

b. Discussion / Motion: Double J at S-Curve Final Subdivision

Jeff Hales injected a point of information concerning previous bonding and escrow for the S-Curve Commercial subdivision. He outlined revisions that must be made to the paperwork mentioned, prior to recording of the new plat.

Commissioner Carrigan motioned to approve Double J at S-Curve Final Subdivision. Commissioner Faulkner seconded the motion. Vote: Commissioners Maw, Leonardi, Faulkner, Carrigan, and Chairman Neil voted aye. Motion carried.

8. Legislative Items:

a. Set Public Hearing: Nilson Homes/Pappys Homeplace 3000 North Plain City Road – Conditional Use (PRUD)

Chairman Neil announced the action to be taken and invited a motion. Commissioner Leonardi requested the floor for comment. Chairman Neil acceded. Commissioner Leonardi reviewed action taken at a previous Planning Commission Meeting, to deny the setting of Public Hearing for Nilson Homes/Pappys Homeplace for lack of information. He reported discussion at a subsequent Technical Review. He reported personal investigation into development details that give him concern. He acknowledged direction from Chairman Neil and City Planner, Derek Moss, that information gathered, beyond the requested Draft Development Agreement, is irrelevant to the setting of Public Hearing. He indicated, through examination of city ordinance, he deems the inclusion of additional information necessary to proceed. Chairman Neil drew distinction between a

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Conditional Use Permit and PRUD provisions. Derek Moss defined the Conditional Use Permit and Preliminary Development Plan as separate steps in the PRUD process. All Preliminary Development Plan provisions are not required at the stage of Conditional Use Permit application; which includes Public Hearing on the matter. He noted, all information stipulated in the ordinance will be submitted, prior to consideration of a Final Development Plan. Commissioner Leonardi asked if a Conditional Use Permit Application has been submitted for the project. Derek Moss answered in the affirmative. Commissioner Leonardi read the ordinance pertaining to Conditional Use Permit Application, listing associated items that are to be submitted. Derek Moss indicated, as assigned reviewers, the Staff has determined this application sufficiently complete to proceed in the application process - to Public Hearing. Chairman Neil read State law regarding Conditional Use Permit Application. Commissioner Maw commented on the submittal of conceptual drafts of plans, during the process. Derek Moss reiterated, submittal and review of all stipulated information will be required before approval of a final PRUD will be considered. Commissioner Leonardi remarked on legal ramifications of ordinance noncompliance. Commissioner Maw asked for an expected timeline for the submittal of supporting documents. Derek Moss indicated, all information required for setting and holding Public Hearing has been submitted. Chairman Neil stated, additional supporting documents and drawings are not required to set Public Hearing. He noted, the remainder of required material should be available for Commission review, prior to Discussion/Motion after the Public Hearing. Commissioner Leonardi addressed the importance of strict adherence to city ordinance. Derek Moss proposed setting Public Hearing contingent upon receipt of complete application and all supporting documents, as stipulated by code. Commissioner Maw clarified, Public Hearing can be held without having Discussion/Motion immediately following. Chairman Neil explained, feedback from the Public Hearing may give cause for further review. Commissioner Leonardi suggested the matter be tabled, pending review of entire list of required PRUD application supporting documents and drawings. Chairman Neil asserted, Setting Public Hearing can be executed at this time, with the submitted Draft Development Agreement – per Commission request- and previously accepted information. Commissioner Carrigan simplified the application process. He stated purpose for each step. He commented on unreasonable demands for extensive development details before assurance the land is approved for the proposed condition (PRUD). Commissioner Maw spoke to the application process and positioning of Public Hearing as a necessary part of application. He maintained, all required details must be made available at the appropriate time in the process. He reviewed information on the propertyrights.ut.gov website, associated with the Conditional Use process. The text stipulates Public Hearing but does not specify information required to set the hearing. He evoked, the action to be taken at this time is setting of Public Hearing, not approval of any of the submitted plan details. He stated, holding Public Hearing, at this point, is appropriate. Commissioner Faulkner explained, the ordinance requires submittal of items (subsection 1 – 10) “with” the PRUD application, not “to get” the Conditional Use Permit. She clarified, the applicant is not required to submit all of the subsection items to get the Conditional Permit, rather submits them (in entirety) with the PRUD Application. She asserted, the Public Hearing should be set at this time. Derek Moss commented on submittal of all required information with the preliminary plan for the development, after zoning and other land use orderings are determined. He acknowledged receiving information, satisfying requisites found in subsection 1 – 10 and agreed to compile and distribute said elements to Commissioners before the Public Hearing. Commissioner Faulkner

mentioned a Technical Review that was required after the initial setting of Public Hearing was denied, due to lack of information. She noted confusion caused by the evaluation of a utility easement, associated with a proposed entrance to the subdivision. Chairman Neil explained, though the access issue must be addressed before preliminary plans will be approved, the Draft Development Agreement was the only outstanding item needed to set Public Hearing. Derek Moss indicated, adjustment of the access point in question has been made to the conceptual layout. Documentation proving right of way is not required until plans are submitted for preliminary approval.

Commissioner Maw motioned to Set Public Hearing: Nilson Homes/Pappys Homeplace 3000 North Plain City Road – Conditional Use (PRUD) July 12th, 2018. Commissioner Faulkner seconded the motion. Vote: Commissioners Maw, Faulkner, Carrigan, and Chairman Neil voted aye. Commissioner Leonardi voted nay. Motion carried.

b. Discussion / Motion: PRUD Ordinance

Chairman Neil announced, due to a technical error in notification, the Public Hearing for the PRUD ordinance must be re-set.

Commissioner Leonardi motioned to Set Public Hearing – Deletion of the PRUD ordinance, for July 12, 2018. Commissioner Faulkner seconded the motion. Vote: Commissioners Maw, Leonardi, Faulkner, Carrigan, and Chairman Neil voted aye. Motion carried.

c. Discussion: Commercial Permitted Uses

Derek Moss referred to a previous discussion on developing standards for high-density, residential in commercial zones. He reviewed a maximum lot size regulation. He commented on an associated maximum density provision. He spoke to height standards and restrictions. He listed proposed site development standards. Chairman Neil suggested, typical setback requirements for residential zones may apply to residential construction in commercial zones -or will require minor adjustment in the code. Commissioner Leonardi asked for possible frontage requirements for lots designated for multi-family units. Chairman Neil answered, sixty feet. Derek Moss commented on possible street layout, drive access, and parking factors. Commissioner Maw asked when a reviewable draft of the standards will be available. Derek Moss indicated, standards can be drawn up quickly, after research to find suitable parameters is completed. Commissioner Maw asserted, high-density building standards may not be as applicable presently as they will be for distant future development. Derek Moss spoke of protections for lower-density, residential neighborhoods that are next to commercial zones in the central part of town. Commissioner Faulkner requested clarification on open space allowance. Derek Moss indicated, areas of attached units and small lots will allow more land for parking, parks, and other open space. Commissioner Leonardi asked about HOA requirements. Derek Moss acknowledged, existing ordinance requires HOA provisions in similar conditions, but the requirement can be omitted or revised in the update.

d. Discussion: General Plan

Derek Moss announced a work session with City Council, on the General Plan, June 28th at 8:30 p.m. – following the regular Planning Commission Meeting. The draft General Plan will be available for review. He shared a video presentation of Land Use Map updates. He addressed potential elimination of the PRUD ordinance. He defined proposed PRUD overlay conditions. Commissioner Maw asked if all current zoning

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classifications will need to be redefined in the ordinance to match General Plan updates. Derek Moss indicated, existing designations will remain the same. He noted, there are two new zones that will need to be included in the ordinance. He assured delivery of reviewable map(s) and associated information to Councilmembers and the Commission, prior to the work session.

9. Report from City Council:

Commissioner Leonardi reported, numerous public comments on Nilson Homes/Papageorge Estates. He told of the presentation of the American Public Works Association, Stormwater Manager of the Year award to Interim Public Works Director, Jake Meibos. He reported the opening and closing of Public Hearing on the final 2018-19 City Budget, without citizen participation. He reported Council discussion on the Nilson Homes/Papageorge Estates that resulted in a unanimous vote to deny the petition. He told of a service project, proposed by Walmart; to benefit Plain City residents. He reported, a scheduled presentation of sewer test results was cancelled because the presenter was not at the meeting. Jake Meibos stated, current test results are in compliance. Commissioner Leonardi commented on the approval of Diane Hirschi and Steve Davis as authorized users of the Office of State Treasurer transfer program. He reported the announcement of, and invitation to the work session on the General Plan. He briefed the Commission on Council comments.

10. Commission Comments:

Commissioner Maw reported meeting with the Urban Design Committee. They have requested assessment of possible City funding of a design assistance team. Chairman Neil commented on early intent to use money allocated for the General Plan, but expected little, if any, will be available after General Plan expenditures are factored. Commissioner Maw considered taking the matter to City Staff and/or City Council for recommendations. Chairman Neil suggested he meet with Councilmember Sadler, who is assigned to Planning Commission involvements. Commissioner Leonardi commented on findings that the U.S. Bureau of Reclamations owns a pipeline through the Pappys Homeplace property. He referred to a letter that was emailed to him and asked that it be included in the minutes. (see attached document). He listed required actions to obtain access to the area through which the pipeline is situated. Commissioner Carrigan had no further comment. Commissioner Faulkner sought clarification on flag lot directives. She noted, flag lots are discouraged but not prohibited in City ordinance. She asked why flag lots are not outright prohibited. Commissioner Maw made reference to the Liberty Bible Church site as an example of an acceptable flag lot. Chairman Neil noted, the approval of a flag lot depends on stringent criteria. Mike Kerswell apologized for the error in notification of the Public Hearing that was set for this meeting.

11. Adjournment

Motion: Commissioner Maw made motion to adjourn at 8:25 p.m.

Commissioner Leonardi seconded the motion. Vote: Commissioners Maw, Leonardi, Carrigan, Faulkner, 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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June 28, 2018

Minutes of the Plain City Planning Commission Meeting held on June 28, 2018 at 8:00 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 <i>Excused</i>
Commissioner	Shawna Faulkner

Staff: Derek Moss, Shane McFarland, Mike Kerswell

ATTENDEES: Brandon Dunn, Drew Graves, Boyd Brown, Ronald Goers

WELCOME: Chairman Neil

PLEDGE OF ALLEGIANCE: Commissioner Maw

MOMENT OF SILENCE/INVOCATION: Commissioner Sparks

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

2. OPENING MEETING STATEMENT

Chairman Neil read the opening statement.

3. EX PARTE COMMUNICATION OR CONFLICTS OF INTEREST TO DISCLOSE

Commissioner Sparks reported referring a friend to the developer for answers to Stillcreek Phase II purchase questions. Commissioner Maw reported questions posed to him by a Plain City resident, regarding basement regulations. He referred him to the ordinance and described the Technical Review process.

4. Public Comments for items not on the Agenda

None was imparted.

5. Approval of Minutes for June 14, 2018

Motion: Commissioner Maw motioned to approve the Meeting Minutes of June 14, 2018 with requested changes. Commissioner Sparks seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi, Faulkner, and Chairman Neil voted aye. Motion carried.

6. Technical Review Report

There was no Technical Review scheduled this interval.

7. Legislative Items:

a. Set Public Hearing: Nilson Homes/Papageorge Estates, 2950 W 1975 N– Zoning Amendment (RE-20 to RE-15)

Chairman Neil announced the action to be taken and invited a motion, identifying August 9th, 2018 as the favored date. He cited policy for meeting length, indicating, Public Hearing for the General Plan (proposed for June 26th, 2018) should not be scheduled for the same night as the hearing for Papageorge Estates.

Commissioner Faulkner motioned to Set Public Hearing: Nilson Homes/Papageorge Estates, 2950 W 1975 N - Zoning Amendment (RE-20 to RE-15). Commissioner Sparks seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi, Faulkner, and Chairman Neil voted aye. Motion carried.

b. Set Public Hearing: General Plan

Chairman Neil announced the action to be taken and invited a motion, identifying July 26th, 2018 as the favored date. He indicated, the proposed scheduling was developed with cooperation of the Mayor.

Commissioner Maw motioned to Set Public Hearing on General Plan Amendment, for July 26, 2018. Commissioner Faulkner seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi, Faulkner, and Chairman Neil voted aye. Motion carried.

8. Report from City Council:

Chairman Neil reported a request for the lowering of speed limit on 1500 North Street by a concerned citizen, during public comments. He indicated, a Public Hearing was held for comment on adjustments to the 2017-18 City Budget. He mentioned a report by City Treasurer, Steve Davis. He reported discussion on needed streetlight replacement at City Hall. He reported discussion on the purchase of additional firefighter turnouts, along with budgeting for proposed improvements to the fire station. He told of the approval of the final adjustments to the 2017-18 City Budget. He noted discussion on a cost of living increase for City employees. He reported ideas proposed for a Walmart service project and the cancellation of the July 5th City Council Meeting. He briefed the Commission on Councilmember Allen's comments on the crosswalk at 1900 West. He reported Councilmember Sadler's discourse on 4th of July Celebration preparations. He reported Councilmember Davis' comments on City project postponements and the advantages hiring of a Professional City Manager would produce. He reported Councilmember Searle's recommendation of reappraisal of Plain City's contract with the Ogden ambulance service. He spoke of Mayor Beesley's report on the Central Weber Sewer Project.

9. Commission Comments:

Commissioner Sparks commented on internet speed and availability throughout Plain City. She suggested a citywide uniform standard for internet service, if possible. Commissioner Maw had no report. Commissioner Leonardi voiced commitment to improve service to citizens through familiarizing himself with city code. He mentioned written procedural stipulations for public comments, found to be different than those currently practiced. Commissioner Faulkner acknowledged need for awareness of contemporary ordinances and emphasized the importance of dealing with development issues in a proactive manner.

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Chairman Neil handed out printed information regarding legislative and administrative agenda items. He reviewed Commissioner Comments from a previous meeting. Referring to current ordinance (approved by Plain City Council, April 2017), he indicated, Public Hearing is not requisite for Conditional Use Permit application. He noted, the Public Hearing for Pappys Homeplace will be for gathering information, only.

10. Adjournment

Motion: Commissioner Leonardi made motion to adjourn at 8:25 p.m.

Commissioner Maw seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi, Faulkner, 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
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Planning Commission Chair

Planning Commission Secretary

