

Plain City Planning  
Minutes of Meeting  
August 9, 2018

Minutes of the Plain City Planning Commission Meeting held on August 9, 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	<i>-Excused</i>
Vice Chair	John Leonardi	
Commissioner	Jarod Maw	
Commissioner	Cheri Sparks	
Commissioner	Kris Carrigan	
Commissioner	Shawna Faulkner	

Staff: Derek Moss, Mike Kerswell

**ATTENDEES:** Carl Miller, Mark Staples, Ronald Goers, Susan Goers, Roger Larson, Jeff Hales, Susan Goldsberry, Brian Goldsberry, Jason Bandle, Rockwell Bandle, Jerry Jensen, Lora Parker, Connie Monroe, Jeff Monroe, Merlin Ward, Penny Barnes, Coleen Larson, Don Wade, Jon Beesley, Jason Wade, Bruce Nilson, Tyson Hales, Lori Papageorge, Alex Papageorge, Merrill Halling, Bryce Wade

**WELCOME:** Vice-Chairman Leonardi

**PLEDGE OF ALLEGIANCE:** Commissioner Faulkner

**MOMENT OF SILENCE/INVOCATION:** Mike Kerswell

**1.ROLL CALL:** Vice Chairman Leonardi conducted roll call and indicated, Commissioners Sparks, Carrigan, Leonardi and Faulkner were present. Chairman Neil was excused. Commissioner Maw arrived at 7:10 p.m.

**2. OPENING MEETING STATEMENT**

Chairman Leonardi read the opening statement.

**3. EX PARTE COMMUNICATION OR CONFLICTS OF INTEREST TO DISCLOSE**

Commissioner Faulkner reported receiving a phone call and an emailed communication from Laura Parker, concerning the Papageorge Estates subdivision. The emailed message was forwarded to all commissioners. Commissioner Leonardi reported receiving a phone call from Don Wade, requesting an ordinance number. He returned the call and gave out the requested information.

**4. Public Comments for items not on the Agenda**

None was presented.

**5. Approval of Work Meeting and Regular Meeting Minutes for July 12, 2018**

Commissioner Faulkner identified two typographical errors. Commissioner Sparks pointed out a spacing error. Commissioner Leonardi identified a spelling error and the inclusion of Chairman Neil and Himself in the vote to adjourn – they were excused from the meeting.

**Motion: Commissioner Faulkner motioned to approve the Meeting Minutes of July 26, 2018 with requested corrections. Commissioner Carrigan seconded the motion. Vote: Commissioners Sparks, Leonardi, Carrigan and Faulkner voted aye. Motion carried.**

## **6. Technical Review Report**

Vice Chairman Leonardi indicated, Technical Review discussion was on the proposed Wade Estates subdivision. Comment on the consideration was suspended until the appointed segment in Legislative Items on the agenda.

## **7. Legislative Items:**

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

**Motion: Commissioner Carrigan motioned to open Public Hearing on Nilson/Papageorge Estates, 2950 W 1975 N – Zoning Amendment (RE-20 to RE-15). Commissioner Sparks seconded the motion. Vote: Commissioners Sparks, Leonardi, Carrigan and Faulkner voted aye. Motion carried.**

Roger Larson reported his attending of previous meetings concerning the proposed project. He expressed surprise at the abounding opposition to this particular project. He suggested, there is an unfairness in the processing of the zoning amendment application for Nilson Homes/Papageorge Estates. He commented on the rights of the Patterson family, as long-time owners of land implicated in the development.

Ronald Goers indicated, the assessment that there is an organized effort to fight development in the area is a misconception. He clarified, opposition is to the proposed size of the lots. As an owner of adjacent land, he expressed concern over congested development of the land. He spoke to General Plan conditions, prescribed for the property – past and present.

Nilson Homes representative, Mark Staples asserted, proposed development is consistent with General Plan guidelines. He gave emphasis to its uniformity in zoning with neighboring properties. He noted, a mix of lot sizes has been planned for the Pappageorge Estates development. He compared the variation of lot sizes to that of nearby developments, including S-Curve and S-Curve West.

Merlin Ward introduced himself and indicated, he owns property within 500 feet of the planned development. He posed questions about retention of runoff water and groundwork for increased traffic in the area.

Susan Goers spoke of traffic flow issues that have been considered but not reasonably resolved. She commented on sewer system and other aspects of infrastructure that will need to be arranged for the project. She contended, a draft of the proposed plat, with the aforementioned lot size variation, was not made available for review. She petitioned the Commission to preserve RE-20 (half-acre) zoning in the area and to consider, carefully, the impact development of the area in question will have on residents throughout Plain City.

Penny Barnes gave an account of her family's long history as residents of Plain City. She indicated, if third-acre lots had been refused in the past, many new residents would not have been able to purchase the homes they currently live in. She spoke positively to larger lots and expanses of open space. She commented on contributions made by numerous families that have been able to locate in Plain City because smaller, less expensive lots have been available. She acknowledged difficulty in maintaining a rural feel, while welcoming development that brings beneficial population growth. She noted a need for more parks in newly developed parts of Plain City. She suggested developers provide parks.

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Jeff Monroe, referred to the Opening Meeting Statement and asserted, a zoning amendment decision is directed by written ordinance. He expressed concern over subdivision considerations that are irrelevant to the zoning issue and unnecessarily complicate the matter.

Developer, Jeff Hales voiced endorsement of third-acre lots. He commented on ideal setback conditions and aspects favorable to second and third entry level housing. He mentioned drawbacks with the permitted keeping of two horses on half-acre lots.

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

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

Commissioner Sparks indicated, the presented draft of the plat does not depict lots as large as 40,000 square feet. She affirmed appreciation for third-acre lots. She voiced concern over errors on the application and the submittal of a draft that is not in sync with stated intentions for the development. City Planner, Derek Moss explained the purpose of schematic drawings in relationship to zoning amendment application. Commissioner Maw acknowledged the preliminary nature of the submitted sketch and asked if Nilson Homes has calculated an average lot size and/or range of lot sizes, from their draft. Mark Staples answered in the affirmative. He speculated, the average lot size will exceed 17,000 square feet. He reported, sewer provisions were prepared with guidance from the City Engineer. He indicated, many aspects of the subdivision have been addressed and are in process, but are not part of the required factors for zoning amendment consideration. Commissioner Maw asked when an updated plan will be available for review. Mark Staples asserted, very soon after zoning has been established.

Commissioner Carrigan gave lot size statistics, related to the concept plan. He noted, over half of the subdivision comprises lots larger than third-acre. He expressed contentment with the variation of lot size in the layout. Commissioner Faulkner questioned the basis for implications that the proposed development area was previously zoned for half-acre lots. She referenced the current “Future Land Use” plan, noting a discrepancy with the perception. Commissioner Maw read from the General Plan – the region is designated for lots that are smaller than half-acre but not less than third-acre. She disagreed with the notion that unique focus and opposition has been directed at Papageorge property owners and Nilson Homes. She asserted, as volunteers, Planning Commissioners are doing what they have been assigned to do. She revisited problematic keeping of horses on half-acre lots. She listed appealing characteristics of both half-acre and third-acre building lots. She asked that Nilson Homes develop the land with desired rural regards, in accord with views expressed in the Public Hearing. Commissioner Leonardi spoke of an irrigation canal that borders the Papageorge Estates property. He voiced expectation that plans for the canal, devised by the City Engineer, be followed. He sought details on a proposed access from 2200 North Street. Mark Staples indicated, 2200 North Street will not be extended west, beyond the property boundary. He clarified, the road will be accessible with continuation provided through future development of land not currently owned by Papageorge Estates. He stated, Nilson Homes does not make claim that unfair bias has been leveled against them. He expressed respect for the position of the Planning Commission and their commitment to abide by City Code.

Commissioner Leonardi mentioned inconsistencies on the zoning amendment application. He requested that corrections be made. Derek Moss indicated, the error has been corrected.

**Commissioner Maw motioned to recommend City Council approval of Nilson/Papageorge Estates, 2950 W 1975 N – Zoning Amendment (RE-20 to RE-15). Commissioner Carrigan seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi, Carrigan and Faulkner voted aye. Motion carried.**

**c. Public Hearing: Commercial Permitted Uses**

**Motion: Commissioner Carrigan motioned to open Public Hearing on Commercial Permitted Uses. Commissioner Faulkner seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi, Carrigan and Faulkner voted aye. Motion carried.**

Derek Moss outlined the draft Commercial Permitted Uses ordinance - a printed copy had been distributed to each commissioner. He highlighted the allowing of residential dwellings within commercial zones. He noted, currently, they are allowed under conditional use but are proposed to be accepted under permitted uses, in accordance with standards as proposed. He told of lot size restrictions and dwelling size stipulations. He explained how standards will include provisions for moderate-income residences. He commented on height restrictions and set-back requirements.

**Motion: Commissioner Faulkner motioned to close Public Hearing on Commercial Permitted Uses. Commissioner Maw seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi, Carrigan and Faulkner voted aye. Motion carried.**

**d. Discussion / Motion: Commercial Permitted Uses**

Commissioner Sparks questioned the maximum lot size, prescribed in the draft. She expressed opinion, it may be too small. Derek Moss commented on lot frontage and reduced building footprint. Commissioner Sparks remarked on offsets that may be incorporated, to prevent disproportionate quantities of residential units in commercial zones. Derek Moss spoke of possible arrangements for an appropriate balance. Commissioner Carrigan proposed referencing future mixed-use overlay terms in the Commercial Permitted Uses ordinance. Derek Moss reported interest of the City Council to develop a mixed-use overlay and suggested it be considered in parallel with the Commercial Permitted Uses ordinance. Commissioner Leonardi agreed with the attachment of mixed-use overlay directives to Commercial Permitted Uses ordinance. He indicated, “top of curb to peak of gable” should be specified in height restriction language. He turned time over to Jeff Hales for feedback. Jeff Hales assessed, a maximum of 1,500 square feet for residential units within commercial zones is excessively small. He noted, the model home at Town Square is 1,672 square feet. He stated, 1,700 – 1,800 square foot residential units are more desirable. He suggested a tour of the small, Town Square model, for insight, while addressing maximum area allowances for residential units, permitted in commercial zones.

**Motion: Commissioner Sparks motioned to table Discussion / Motion: Commercial Permitted Uses. Commissioner Carrigan seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi, Carrigan and Faulkner voted aye. Motion carried.**

**e. Discussion / Motion: Proposed Annexation Zoning Recommendation, Christensen Property**

Commissioner Sparks expressed concern over Annexation Petition errors. She pointed out text in the petition that refers to a proposed PRUD. She evoked, PRUD provisions no longer exist in Plain City code. Derek Moss reviewed the document oversights. He indicated, the petition can be received with a PRUD request but the Planning Commission does not have to accept the proposal. The Planning Commission will recommend the zoning to be assigned, if the annexation is approved by City Council, not the applicant. A zoning recommendation by the Planning Commission, must be provided before the annexation can be considered by the City Council. Commissioner Faulkner asked if the land is currently zoned for agricultural use. Derek Moss admitted, he is unsure what the County has zoned the area. He noted, it is currently being used for agricultural enterprises. Commissioner Leonardi suggested the matter be tabled, pending

corrections on the Annexation Application. Commissioner Carrigan sought verification that the omission on the petition was not intentional. Derek Moss confirmed, it was an error.

**Motion: Commissioner Sparks motioned to table Discussion / Motion: Proposed Annexation Zoning Recommendation, Christensen Property. Commissioner Faulkner seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi, Carrigan and Faulkner voted aye. Motion carried.**

## **8. Administrative Items:**

### **a. Discussion: Preliminary Wade Estates Subdivision**

Commissioner Leonardi briefed the Commission on Technical Review proceedings, regarding the Wade Estates subdivision. He indicated, Shane McFarland stipulated, a potential road be drawn on the preliminary plat, to comply with City ordinance. He noted, Mr. Wade was not agreeable to the requirement. He reported, Mr. Wade asked for the code(s) that directed the action. He listed two ordinances that are applicable:

**11-2-9A** *Regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of valid police power delegated by the State to the City. The developer has the duty of compliance with reasonable conditions laid down by the Planning Commission for design, dedication, improvement and restrictive use of the land so as to conform to the physical and economic development of the City and to the safety and general welfare of the future plot owners in the subdivision and of the community at large.*

**11-2-10B** *Future Re-subdivision Indicated: Whenever a parcel of land is laid out and platted and the subdivision plat shows one or more lots containing more than one acre of land and there are indications that such lots will eventually be laid out and platted into small building sites, the Planning Commission may require that such parcel of land allow for the future opening of streets and the ultimate extension of adjacent streets. Easements providing for the future opening and extensions of such streets may be made a requirement of the plat. (Ord. 2001-02, 3-1-2001, eff. 3-1-2001)*

He turned time over to Don Wade for his presentation.

Mr. Wade reported meeting with (previous) Mayor Higley on the subject. He indicated, Mayor Higley was of the opinion that the City cannot force him to include the aforementioned road in his plan for the subdivision. He was referred to Salt Lake City Ombudsman, Craig Call. He read correspondence from Craig Call, regarding application of code restraints and rights of property owners. He questioned the logic of requiring four entrances into a 4.5 acre property. Commissioner Leonardi stated, the Planning Commission is bound to City ordinance. Mr. Wade asserted, it is not reasonable to require four entrances into his proposed subdivision. He commented on access to neighboring properties that require easement through his land. He indicated, if the Planning Commission cannot approve his subdivision plan, without the stipulated road, he will have to involve a State Ombudsman and the City Attorney. Commissioner Carrigan advised, the matter must now be moved from the Planning Commission to the City Attorney. Commissioner Leonardi reiterated his bond to City ordinance, as a Planning Commissioner. Derek Moss ascertained, it is the responsibility of the City Engineer, Planner, and Planning Commission to consider future development, when making present-day land use decisions. Commissioner Maw commented on undue hardships and asked if the concept may be applicable in this case. Derek Moss acknowledged, the processing of this application is not different than any other subdivision application. Neither contract for improvement nor dedication of the road in question is required for approval of the subdivision.

**9. Report from City Council:**

Commissioner Maw reported discussion on measures to be taken to provide a three-way stop at the intersection of Pioneer Road and 4400 West. Public Works assessed, a three-way stop will be the best way to control traffic in that area. They approved the installation of a three-way stop at the intersection with evaluation in March, 2019. He reported the approval of spending of \$177,000.00 on backend upgrades for the sewer system. He spoke of discussion had on General Plan updates, including further modifying trail and road provisions. He indicated, the budget for the plan has been exceeded. He reported approval of River Crossing Phase 2, with the condition to consider a trail around the pond, as part of Phase 3. He mentioned the tabling of discussion on new restroom facilities at Lee Olsen Park, until code compliance issues are resolved. He reviewed a presentation by Parks and Recreation Director, Tyson Garr, of details pertaining to the 4<sup>th</sup> of July Celebration. He reported the reading of a letter from the Utah Department of Environmental Quality, concerning a recent inspection of the Plain City landfill. The letter noted effective operation and compliance with State regulations. He expressed appreciation for Chris Weicks and his staff.

**10. Commission Comments:**

Commissioner Maw referred to an email that had been written to Planning Commissioners, regarding the Nilson Homes/Papageorge Estates by a concerned citizen. He refuted the written accusation, that the Planning Commission is inconsistent in their duties. He stated, each Commissioner weighs issues brought to them, with fairness and attentiveness to City codes. He contested allegations of dishonest dealings.

Commissioner Carrigan spoke of dedication to the work, as a Planning Commissioner. He affirmed his commitment to provide the best service to Plain City residents, as possible.

Commissioner Faulkner commented on the poor sound quality of the Facebook Live broadcasts of City Council Meetings. She proposed improvements be made so that viewers can be better informed. She mentioned confusion with terms “Master Plan”, “General Plan”, and “Land Use Map”, that was evident in the emailed communication, spoken of by Commissioner Maw. Derek Moss indicated, clarification of terms and definitions will be provided in the updated General Plan, along with guidance on how to read the Future Land Use Map.

Commissioner Leonardi restated the Planning Commission’s commitment to written ordinances. He asked Derek Moss to list changes to the General Plan, proposed by City Council.

Derek Moss described:

1. Land use category for smaller lots, or mixed-use overlay zone
2. Size reduction of the City Center
3. Separated bike / pedestrian path
4. North-South connecting roads

**11. Adjournment**

**Motion: Commissioner Maw made motion to adjourn at 8:29 p.m.**

**Commissioner Faulkner seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi, Carrigan, and Faulkner voted aye. Motion Carried.**

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**2018**

<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					

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Planning Commission Chair

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Planning Commission Secretary

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Plain City Planning  
Minutes of Meeting  
August 23, 2018

Minutes of the Plain City Planning Commission Meeting held on August 23, 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                    *-Excused*  
          Commissioner                Jarod Maw  
          Commissioner                Cheri Sparks  
          Commissioner                Kris Carrigan  
          Commissioner                Shawna Faulkner  
Staff: Derek Moss, Mike Kerswell

**ATTENDEES:** Jeff Hales, Boyd Brown, Carl Miller

**WELCOME:** Chairman Neil

**PLEDGE OF ALLEGIANCE:** Mike Kerswell

**MOMENT OF SILENCE/INVOCATION:** Chairman Neil

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

**2. OPENING MEETING STATEMENT**

Chairman Neil read the opening statement.

**3. EX PARTE COMMUNICATION OR CONFLICTS OF INTEREST TO DISCLOSE**

Commissioner Maw reported receiving phone calls about road construction and on 2200 North Street and an unadvertised, culinary water shutoff in the area. Chairman Neil reported a phone conversation with developer, Jeff Hales, regarding revisions to the Town Square Estates development agreement. He referred Mr. Hales to the City Council.

**4. Public Comments for items not on the Agenda**

None was presented.

**5. Approval of Work Meeting and Regular Meeting Minutes for August 9, 2018**

**Motion: Commissioner Sparks motioned to approve the Meeting Minutes of August 9, 2018. Commissioner Carrigan seconded the motion. Vote: Commissioners Sparks, Maw, Carrigan, Faulkner and Chairman Neil voted aye. Motion carried.**

**6. Technical Review Report**

Chairman Neil reported review of the proposed AutoZone site parking. He commented on a parking lot overlap that is to be addressed by the City Engineer. He told of plans for the Glen Williams subdivision that were returned with a request that noncompliant lot sizes and drainage issues be resolved.

**7. Legislative Items:**

**a. Presentation: General Plan**

Chairman Neil explained, after reviewing the General Plan, City Council has proposed adjustments. He indicated that City Planner, Derek Moss has made the suggested changes. He turned time to Derek Moss for presentation of the updates. Derek Moss noted, City Council was concerned about a gap in General Plan designation of residential lot sizes. He referred to discussion about enlarging minimum lot size for the majority of residential zones from 14,520 square feet to 18,500 square feet. The Council asked that areas appropriate for the smaller, minimum lot size (RE-15) be identified on the future land use map. He asserted, a change to zoning ordinance will define RE-15 lots as minimum 15,000 square foot lots, and regions of the future land use map have been classified accordingly. He displayed the areas being discussed. He commented on the addition of a medium-density residential division. He spoke of a request by City Council, that the planned City Center be reduced in size. He described size adjustments made, per Council advice.

**b. Discussion/Motion: General Plan Update**

Commissioner Maw proposed, a copy of the final revision be made available to the Urban Design Assistance Team. Derek Moss listed street and trail alterations. Commissioner Faulkner sought clarification on arrangements within medium-density residential categories and affected locations on the future land use map. She asked, who had made the decision on land best suited for the smaller, minimum lot size. Derek Moss reported meeting with Mayor Beesley, Chairman Neil and Councilmember Sadler, for examination of the matter. Zoning ordinance consistency and the gap created with provisos for an 18,500 square foot, minimum lot size was addressed. Parts of the future land use map, specifically for 15,000 square foot lots, were planned. Commissioner Faulkner expressed her opinion that too much space has been apportioned for smaller lots. She contended, assignment of the smaller, minimum area designation has not been appropriately evaluated. Chairman Neil acknowledged, proposed changes are presented for Planning Commission review and comment, at this meeting. Commissioner Maw reported, the entire City Council considered the issue and discussed the proposed amendments in Council Meeting, and many were present at joint work sessions, when residential lot size was deliberated. Derek Moss explained how City Council advisement is reflected in changes to the future land use map. Chairman Neil commented on Mayor Beesley's suggestion that a large part of land, west of the Rail Trail, be preserved for agricultural zoning. He re-counted proposing that the area be an extension of a contiguous, low-density residential region. Changes to planned streets were discussed.

**Motion: Commissioner Maw motioned to recommend the Plain City General Plan, Future Land Use and Transportation Map, with amendments as discussed, to City Council for approval. Commissioner Carrigan seconded the motion. Vote: Commissioners Sparks, Maw, Carrigan, and Chairman Neil voted aye. Commissioner Faulkner voted nay. Motion carried.**

**c. Set Public Hearing: Panunzio Zoning Amendment – Approximately 1975 N 3900 W, RE-20 to RE-15.**

Chairmen Neil pointed out, the current General Plan (future land use map) identifies an area of the Panunzio property as “commercial” and the remainder as RE-20. Derek Moss displayed a portion of the property, identified as Wetlands. Jeff Hales described conditions of surrounding properties and delineated proposed roads through the development. Commissioner Sparks

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commented on compliance with existing General Plan guidelines. Chairman Neil suggested, the requested zoning is more aligned with General Plan updates, soon to be ratified. Jeff Hales asserted, higher-density development of land next to open space deemed “sensitive” is a good concept. Derek Moss explained, rezoning of the property will be necessary, if any of the proposed lots are sized to meet Medium Density Residential 1 or Medium Density Residential 2 standards. He indicated, an overlay zone has been drafted, that will allow for variation of lot sizes, provided that overall density criteria is maintained. He acknowledged, the proposed zoning amendment is not congruent with the current General Plan, but will match up with updates, when approved.

**Motion: Commissioner Carrigan motioned to set Public Hearing on Panunzio Zoning Amendment – Approximately 1975 N 3900 W, RE-20 to RE-15, September 27, 2018, contingent on the adoption of the updated General Plan. Commissioner Maw seconded the motion. Vote: Commissioners Sparks, Maw, Carrigan, Faulkner and Chairman Neil voted aye. Motion carried.**

**d. Discussion/Motion: Proposed Annexation Zoning Recommendation – Christensen Property, approximately 2700 W 2700 N**

Commissioner Sparks noted, PRUD is listed on the annexation application as an element of future development. She emphasized, PRUD provisions do not exist in Plain City zoning ordinance. Chairman Neil explained, separate application will be required for each zone requested. He clarified, application for PRUD will not be accepted, as it is no longer an available option. Commissioner Carrigan reviewed zoning amendment procedures. He asserted, the list of intended uses and proposed zoning designation(s), provided by the annexation applicant, cannot be approved through this Planning Commission action. Chairman Neil affirmed, the application terms have been reviewed by City Recorder, Diane Hirschi. Derek Moss indicated, the list of intended uses and proposed zoning was compiled from information received by the applicant at Technical Review and other preliminary meetings. He spoke of feedback from Planning Commissioners, City Councilmembers, and City staff, implying the land be annexed with agricultural zoning and then amended for other zones, as development progresses. He advised, the applicant may withdraw their petition if unfavorable zoning conditions are foreseen. Commissioner Faulkner suggested wording on the application be changed. Derek Moss described the Planning Commission’s role in recommending zoning to City Council. He remarked on previously reviewed concept plans for the property and the proposed assortment of zoning designations. Developer, Boyd Brown explained, when the application for annexation of the Christensen property was originated, the PRUD ordinance was part of Plain City code. He confirmed, zoning of the project was discussed, at length, in several review meetings. On Planning Commission recommendation, the application has not been finalized, pending adoption of updates to the General Plan. Mr. Brown indicated, if City Council decides to annex the property with agricultural zoning, a work session with the Planning Commission, to revise the current development plan, would be in order. He acknowledged, annexation of the Christensen property under agricultural zoning conditions is appropriate. Chairman Neil spoke of City Council’s authority to approve annexation and the process timeline. Commissioner Sparks clarified, Planning Commission action will be the recommendation of annexation under agricultural conditions, with future zoning amendment latitude, through established processes.

**Motion: Commissioner Faulkner motioned to recommend Proposed Annexation Zoning as A-1. Commissioner Carrigan seconded the motion. Vote: Commissioners Sparks, Maw, Carrigan, Faulkner and Chairman Neil voted aye. Motion carried.**

**e. Discussion/Motion: Commercial Permitted Uses**

Derek Moss mentioned the simplicity of the draft Commercial Permitted Uses ordinance. He referred to a printed copy, previously distributed to the Commission. He indicated, permitted apartments have been removed from commercial zones. He further explained, alternative residential uses in commercial zones will be provided for under a mixed-use overlay, to be discussed later in the meeting. Chairman Neil noted, ratification of this part of the ordinance has been hastened, at the request of Mayor Beesley and the City Council.

**Motion: Commissioner Maw motioned to recommend City Council approval of Commercial Permitted Uses ordinance change – removal of “Apartment Multi-Family” (and associated parking) from the list of approved uses. Commissioner Faulkner seconded the motion. Vote: Commissioners Sparks, Maw, Carrigan, Faulkner and Chairman Neil voted aye. Motion carried.**

**f. Presentation/Discussion: Mixed-Use Overlay Zone**

Derek Moss recognized past review of residential standards in commercial zones and described the intent of the Mixed-Use Overlay Zone as: to provide specifications for residential dwellings in commercial zones, and to allow and regulate adjustments of minimum lot size requirements. He advised, application of the overlay must be in accordance with General Plan Future Land Use Map stipulations. He recapped previous discussion on residential features within commercial zones, including maximum unit size, height restrictions, setback requirements, and adequate parking provisions. He pointed out terms to balance residential and commercial uses within a proposed overlay area. He described overlay applications in medium-density residential zones.

**g. Set Public Hearing: Mixed-Use Overlay Zone**

**Motion: Commissioner Maw motioned to set Public Hearing on the Mixed-Use Overlay Zone ordinance for September 13, 2018. Commissioner Carrigan seconded the motion. Vote: Commissioners Sparks, Maw, Carrigan, Faulkner and Chairman Neil voted aye. Motion carried.**

**8. Report from City Council:**

Commissioner Leonardi provided a written report:

Zions Public Finance presented new impact fee \$228.79, current impact fee \$90.00 She explained that Plain City will double in size. If the impact fee increased, then city needs to spend money in 6-10 years. Money can only be spent on new facilities or a fire truck valued at ½ million dollars or more. Don Weston challenged her numbers. If Plain City doubles, there will be two calls per day – will there be a need for a second fire station? Buddy Sadler wants information on leasing a fire truck and paying the lease fee with impact fees.

Motion to table: This gives Zions more time to gather information.

October 4 – Public Hearing for Impact Fees.

Approved Pappegeorge Estates RE 20 2 RE 15

Land application commitment: Randy Marriott: The City requested an agreement between Plain City and Randy Marriott. Randy will utilize the water created from sewer ponds. He will use the water for pastures. A 20-year agreement with an additional 20-year option. Land will be put into a trust with the land to remain agricultural. Upfront costs to be determined by J-U-B.

Amount of water = 1 second feet, 400,000 gallons per day, or 200 pounds of phosphorous per day. Plain City will apply for a loan to have sewer flow to Central Weber Sewer.

General plan to go back to Planning Commission to accept Council changes

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Council comments:

Brad Searle: Voiced concern over lack of landscaping at Kent's. Check out development agreement and enforce.

Don Weston: Voiced Concerns on update of stop signs for Pioneer Road. Public Works said signs have been ordered.

Buddy Sadler:

1. Does the city want a trail system? If so, let's start acquiring property – ie; power corridor.
2. Make a decision on Don Weston's involvement in sewer issues and support unanimously versus the apparent unrest among council members.
3. Increase the square footage of homes in commercial ordinance from 1500 sq feet to 1600 or 1700 sq ft

Mayor thanked public works, parks and recreation & fire department.

### **9. Commission Comments:**

Commissioner Sparks had no further comment.

Commissioner Maw reported meeting with the Urban Design Assistance Team. He indicated, they are eagerly awaiting finalization of the Plain City General Plan and Future Land Use Map updates. He assured delivery of the information, as soon as possible. He reported citizen complaints regarding road construction on 2200 North Street. He noted, concerns ran the gamut – from safety to work quality.

Commissioner Carrigan invited commissioners and others present, to drive through the Stillcreek (Phase II) PRUD. He cited the development as an example of a well-constructed and properly managed PRUD.

Commissioner Faulkner reported vandalized and missing "No Parking" signs on 4100 West Street.

Chairman Neil referenced minutes from the previous Planning Commission Meeting, noting, the charge of an Ombudsman is to weigh the cause of both parties, in a dispute. Typically, he asserted, both sides are heard simultaneously, in a face-to-face meeting with the Ombudsman. He voiced appreciation for Commissioner Leonardi's efforts to present code, governing the disputed conditions. He commented on undue hardship concerns that were implied during discussion on the proposed Wade Estates subdivision. He explained terminology: "Master Plan", "General Plan", and "Future Land Use Map".

### **10. Adjournment**

**Motion: Commissioner Maw made motion to adjourn at 8:23 p.m.**

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

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**2018**

<u>Neil</u>	<u>Carrigan</u>	<u>Faulkner</u>	<u>Maw</u>	<u>Sparks</u>	<u>Leonardi</u>
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Planning Commission Chair

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Planning Commission Secretary

