

Plain City Planning Commission
Minutes of Meeting
April 8, 2021

Minutes of the Plain City Planning Commission Meeting held online April 8, 2021 at 7:00 p.m. – virtually broadcast via ZOOM.

Present: Chairman Blake Neil
Vice-Chair Shawna Faulkner
Commissioner Rob Ortega
Commissioner Blake Jenkins

Excused: Commissioner Jarod Maw
Commissioner Dustin Skeen

Staff: Mike Kerswell, Dan Schuler

Attendees: Tom Favero, Tina Favero, Brad Orton, Charlene Orton, Jory Wahlen, Jim Flint, Shad Christensen, James Farrell, Cody Rhees, Rich Skeen, Adams Family, East Family, Michelle, Shane Skeen

Welcome: Chairman Neil

Pledge of Allegiance: Mike Kerswell

Moment of Silence / Invocation: Chairman Neil

1. Roll Call:

Chairman Neil directed roll call and indicated; Commissioners Faulkner, Jenkins, Ortega and Chairman Neil were present. Commissioners Maw and Skeen were excused.

2. Opening Statement:

Chairman Neil read the Opening Statement.

3. Ex Parte Communication or Conflicts of Interest to Disclose:

None presented.

4. Public Comments:

None offered.

5. Approval of Meeting Minutes for March 25, 2021

Commissioner Jenkins motioned to approve the Meeting Minutes for March 25, 2021. Commissioner Faulkner seconded the motion. Vote: Commissioners Faulkner, Jenkins, Ortega and Chairman Neil voted aye. Motion carried.

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6. Technical Review Report

Chairman Neil reported that the property owner, Elaine Winegar and real estate agent, John Hansen, enquired what can be done with sixteen parcels below the bluff. He listed numerous issues that were discussed. He noted that questionable culinary and secondary water provisions to the area were examined during the meeting. He indicated plans for a single-family dwelling on Todd Field's property were reviewed. He spoke of an existing home on the parcel that does not have an official certificate of occupancy. He reported that Rob Checketts wants to divide his three-acre parcel into three lots. He acknowledged that zoning requirements can be met but frontage on one of the proposed lots was inadequate. He indicated that Shad Christensen ask for feedback on his development plans. He noted that traffic flow and phasing concepts were deliberated.

7. Legislative Items:

Set Public Hearing: Zoning Amendment – Orton property, approximately 4400 Pioneer Rd. (RE-20 to RE-18.5 with Residential Overlay Zone)

Land Use Specialist, Mike Kerswell clarified; the Residential Overlay is only applicable to properties that are zoned as RE-18.5, RE-15 and R-1-11, after the review and recommendation by the Planning Commission and review and approval by the City Council. Commissioner Jenkins confirmed that the Orton parcel is 12,438 square feet in area. Chairman Neil indicated that the lot size conforms with R-1-11 zoning as well as Residential Overlay Zone development standards.

Chairman Faulkner motioned to Set Public Hearing: Zoning Amendment – Orton property for May 13, 2021. Commissioner Ortega seconded the motion. Vote: Commissioners Faulkner, Jenkins, Ortega and Chairman Neil voted aye. Motion carried.

Developer, Cody Rhees stated that the Ortons do not need a zoning change in order to build on this existing lot. He referred to definitions in the Plain City code (10-2-1):

LOT - A parcel of land occupied or to be occupied by a main building or group of buildings (main or accessory), together with such yards, open space, lot width and lot area as are required by this title and having frontage upon a street.

He advised that the Orton's parcel meets the requirements for a legal building lot, in its current state. He commented on spot-zoning implications and pointed to several properties in Plain City that do not comply with established zone standards, yet contain dwellings. Commissioner Ortega proposed involving the City Attorney in deciding if the Ortons need a Zoning Amendment to build a single-family home on their lot. Chairman Neil agreed with Cody Rhees' assessment. He indicated that an application for the Zoning Amendment and associated filing fee have been received. He suggested that the Ortons might withdraw their application after the City Attorney reviews the matter. Property owner, Brad Orton stated that he submitted the application on recommendation from the City Recorder and Land Use Specialist. He expressed willingness to abide by the required process. He explained that he has a sewer connection to the lot in question and is working out water provisions. Commissioner Faulkner recommended that Mr. Orton refrain from withdrawing his application pending further research by the Commission and a finding by the City Attorney. Cody Rhees referred to definitions in the Plain City Code (10-2-1):

FRONT LOT LINE - The property line of the lot toward which the front line of a main building faces or may face, which abuts a public dedicated street, a right of way approved by the board of adjustment, or a street made public by right of use. Usually, this front lot line is established by measuring a distance of thirty-three feet (33') back from the center of the existing pavement, at which point the building inspector would determine the front yard setback requirement.

Commissioner Faulkner commented on reduced set back parameters stipulated by the Residential Overlay Zone ordinance. Cody Rhees indicated that all residential zones require a thirty-foot front setback. He identified exceptions for areas with historically different site development standards. He stated that the rear setback in residential zones is thirty feet. He conveyed side setback requirements.

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Public Hearing: Zoning Amendment – Cody Johnson, approximately 2779 W 1900 N (RE-20 to RE-15)

Chairman Jenkins motioned to open the Public Hearing: Zoning Amendment – Cody Johnson, approximately 2779 W 1900 N (RE-20 to RE-15). Commissioner Ortega seconded the motion. Vote: Commissioners Faulkner, Jenkins, Ortega and Chairman Neil voted aye. Motion carried.

No public input was offered.

Chairman Faulkner motioned to close the Public Hearing: Zoning Amendment – Cody Johnson, approximately 2779 W 1900 N (RE-20 to RE-15). Commissioner Ortega seconded the motion. Vote: Commissioners Faulkner, Jenkins, Ortega and Chairman Neil voted aye. Motion carried.

Discussion / Motion: Zoning Amendment – Cody Johnson, approximately 2779 W 1900 N (RE-20 to RE-15)

Commissioner Jenkins indicated that he has no qualms with the proposed Zoning Amendment. Commissioner Faulkner remarked on adjacent homes and queried about the size of neighboring lots. Applicant, Cody Johnson described how the affected parcels will be developed with the revised zoning. He noted that there is nearby land that is zoned RE-15.

Commissioner Jenkins motioned to recommend City Council approval of the Zoning Amendment – Cody Johnson, approximately 2779 W 1900 N (RE-20 to RE-15). Commissioner Faulkner seconded the motion. Vote: Commissioners Faulkner, Jenkins, Ortega and Chairman Neil voted aye. Motion carried.

Discussion / Motion: Zoning Amendment – Favero Property, approximately 1295 N 4700 W (A-2 to RE- RE-30)

Commissioner Faulkner verified that a Public Hearing was held for this application. Chairman Neil indicated that this application has been amended to comply with General Plan specifications. Applicant, Tom Favero outlined changes made to the application and made known his intended plans for remaining parcels. He commented on previous concepts for Favero Farms. He echoed Councilmember Sadler's opinion that the General Plan/Future Land Use Map is a guide, by design, that affords relative flexibility to land use decision makers in consideration of varying circumstances. Commissioner Faulkner recognized the adaptable virtues of the Future Land Use Map, advising that there must be good reason for any variation. Tom Favero commented on financial ramifications related to property tax and inheritance tax. Commissioner Jenkins noted that there are six parcels listed on the application for RE-30 zoning. Tom Favero requested that two properties on the application be considered for RE-15 and RE-18.5 zoning. Chairman Neil expressed approval of the arrangement proposed on current application. He proposed a transitional plan for the remaining parcels – from RE-18.5 to RE-15. Tom Favero remarked on overlay potentials for the intermediate lots. Commissioner Jenkins spoke favorably of the intended residential development that will provide various lot sizes and/or public amenities, including the preservation of open space and the development of parks, trails, and other open space. Commissioner Faulkner suggested a new application be submitted specifying parcels to be rezoned to RE-18.5. Tom Favero agreed to submit an amended application for the remaining parcels. Commissioner Faulkner considered how the development can connect to existing and planned parks and trails. She emphasized; an objective of the Residential Overlay Zone is to promote development of pathways and open space, and will solely be considered for areas comprising or adjacent to existing or proposed pathway corridors. She commented on the exchange of open space for granted site development standard exceptions under the Overlay. She indicated that any developed open space will be dedicated to the City, subject to approval by the City Council, and made available for public use.

Commissioner Jenkins motioned to recommend City Council approval of the Zoning Amendment – Favero Property, approximately 1295 N 4700 W (A-2 to RE-30) for Land Serial Numbers 15-027-0029, 15-027-0030, 15-027-0057 and 15-027-0059. Commissioner Ortega seconded the motion. Vote: Commissioners Faulkner, Jenkins, Ortega and Chairman Neil voted aye. Motion carried.

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Discussion / Motion: Zoning Amendment – Favero Property, approximately 1295 N 4700 W (A-2 to RE- RE-15)

Commissioner Faulkner motioned to table the Zoning Amendment – Favero Property, approximately 1295 N 4700 W (A-2 to RE- RE-15) for Land Serial Numbers 15-017-0034, 15-017-0005, 15-017-0002, 15-017-0035, 15-017-0036, 15-017-0037, 15-017-0038, 15-016-0049, 15-027-0034 and 15-027-0058. Commissioner Jenkins seconded the motion. Vote: Commissioners Faulkner, Ortega, Jenkins and Chairman Neil voted aye. Motion carried.

Discussion / Motion: Preliminary Subdivision – Skeen Subdivision, approx. 2200 N 3600 W

Chairman Neil reported that City Engineer, Brad Jensen has concerns about this project that arose after his initial review. Jory Wahlen, representing the City Engineer, identified a thin strip of property on the west side of the Skeen property that will need to be acquired as part of the 3600 West Street widening project. He assumed that the Acquisition Agent has addressed this with the owners. He reviewed the memorandum on this development, issued by Brad Jensen. Property owner, Rich Skeen mentioned the engineer's comment – number 8. He questioned the claim that the existing drain line was intended to drain a burrow ditch. He said the pipe was approved as part of the stormwater management system for Country Roads subdivision. He recounted that the drain line was intended to serve the north facing lots, along 2200 North Street and was installed by Marriott Construction. He proposed that further investigation be done to verify original drainage plans. Commissioner Faulkner advised that the City Engineer has deemed the existing 12-inch pipe may be inadequate, regardless of historical assessments. Jory Wahlen acknowledged that a minimum 15-inch pipe is the current standard for storm drain lines. Public Works Director, Dan Schuler indicated that it's in the best interest of the City to retain or detain stormwater within the subdivision. He submitted that current standards should not conceded. Jory Wahlen agreed with Dan Schuler's observations. He noted that the historical design and intent of the 12-inch pipe can be researched for comprehension of outmoded practices, but the City Engineer's demand for replacement will presumably not be waived. Rich Skeen sought verification that the pipe in question is actually undersized. Jory Wahlen indicated that he has not measured it. Dan Schuler informed that the inspected portion of the drain line appears to be 12-inch or smaller. Project Engineer, Jim Flint agreed to reverify the size of the pipe. He explained that the line is burried deep and will perform as well or better than a larger pipe that is placed at a shallower depth. He advised judicious consideration of verifiable calculations before strict compliance with the current sizing chart is demanded. Jory Wahlen concurred that hydraulic calculations can be reviewed and maintenance factors related to the smaller diameter pipe weighed up. Commissioner Jenkins commented on a purported sewer line that was installed to service a property, south of the Skeen parcels. Commissioner Faulkner indicated that the public sewer system does not extend to that property. Property owner, Shane Skeen inferred that the City Engineer's memorandum comprises statements and recommendations for minor adjustments to the plan. He indicated that much of the requested information has been compiled. He enquired about drawing details, essential to preliminary approval of this plat. He pointed out that the overall concept meets zoning regulations. Dan Schuler asked about particulars related to recommended on-site detention/retention provisions. He remarked on low-impact development (LID) standards. Shane Skeen spoke of the constancy of elevation of the land within the subdivision. Jim Flint recognized the challenge of the runoff management. He contemplated installing minor detention/retention ponds on each lot to handle the expected flow. He asked if preliminary approval might be granted, conditional upon the addressing of concerns listed in the memorandum. Rich Skeen commented on items in the City Engineer's memorandum that will be addressed when this application is presented for final approval. Dan Schuler stated that he wants to see amended drawings, prior to preliminary approval. Jory Wahlen stated that stormwater detention/retention arrangements must be settled before the City Engineer can comfortably recommend preliminary approval. Commissioner Faulkner asserted that a response to each item in the engineering comments (for preliminary subdivision approval) should be provided to the Commission before the application is advanced to the next step in the process. Rich Skeen sought clarification about the process. Chairman Neil reviewed subdivision approval progression. He affirmed that

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the Planning Commission will be attentive to the written recommendations by the City Engineer. Jim Flint referred to improvement plans, submitted with the preliminary plat for the Skeen Subdivision. He suggested that the City Engineer's memorandum is more applicable to elements required for final approval.

Commissioner Faulkner motioned to table Discussion / Motion: Preliminary Subdivision – Skeen Subdivision, approx. 2200 N 3600 W. Commissioner Ortega seconded the motion. Vote: Commissioners Faulkner, Jenkins, Ortega and Chairman Neil voted aye. Motion carried.

Discussion / Motion: Preliminary Subdivision – Plain City Fields, approx. 2200 N 3600 W

Chairman Neil informed that the City Engineer's memorandum on this application reflects many of the issues stated in the Skeen Subdivision Preliminary Review. He noted that preliminary approval was not expressly recommended. Jim Flint informed that improvement plans, submitted with the preliminary plat for the Plain City Fields Subdivision, show important road details. He commented on a road dedication parcel, annotated on the presented plat. Jory Wahlen advised that a thin strip of property on the west side of the road will need to be acquired as part of the 3600 West Street widening project. Dan Schuler indicated that three developments in this area are being designed as a bundle, corresponding with the 3600 West Street widening project. He touched on hazards related to the planned interdependency. He explained that each subdivision cannot be approved as a standalone development unless provisions for stormwater detention/retention are found within the boundary.

Commissioner Jenkins motioned to table Discussion / Motion: Preliminary Subdivision – Plain City Fields, approx. 2200 N 3600 W. Commissioner Ortega seconded the motion. Vote: Commissioners Faulkner, Ortega, Jenkins and Chairman Niel voted aye. Motion carried.

Discussion / Motion: Final Subdivision – Taylor Parks Three, approx. 3850 W 2200 N

Commissioner Jenkins commented on community amenities that this development will provide, including a valuable pedestrian passageway. Cody Rhees indicated that he's excited to provide a safe route for children that walk to Plain City Elementary. Commissioner Ortega remarked on an added northern stub road. Jim Flint asked how the developer is fulfilling LID requirements. Dan Schuler explained that testing provided evidence that LID is not feasible on this piece of land. He informed that an existing detention basin in an adjoining subdivision will be enlarged to handle runoff from Taylor Parks Three.

Commissioner Ortega motioned to recommend City Council approval of the Taylor Parks Three Subdivision. Commissioner Faulkner seconded the motion. Vote: Commissioners Faulkner, Jenkins, Ortega and Chairman Neil voted aye. Motion carried.

8. Report from City Council:

Commissioner Faulkner reported that amending the General Plan was a topic of discussion during the Public Comments section of the meeting. She noted that the RE-20 zone has not been eliminated from Plain City code but is not supported in any density category listed on the Future Land Use Map. She reported that the Favero zoning amendment –A-2 to RE-15 was approved. She indicated that final approval of the Palmer Heritage Subdivision was granted. She reported that a public hearing for amendments to the Residential Overlay Zone was set for May 6, 2021 and the amendment to the Plain City ordinance regarding organization of Planning Commission Officers was approved. She gave details on a resolution that was adopted for a cooperative agreement with UDOT concerning new sidewalk. She reported that the Council donated \$1000 to Communities that Care. She notified that dates and times for the Easter scavenger hunt and relaunch of the Plain City Green Waste Program were announced. She informed that Councilmember Skeen reported that the new restroom and press box facility at Lee Olsen Park (north side) has been erected. She reported that Councilmember Sadler proposed that a clause stating that the City Council “may hold a Public Hearing” be included in the Residential Overlay Zone ordinance (10-20-8).

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9. Commission Comments:

Commissioner Faulkner had no further comment. Commissioner Jenkins requested information about the sidewalks mentioned in the City Council report. Dan Schuler described the location of the sidewalks which will be paid for, in part, by a UDOT grant. Commissioner Ortega and Chairman Neil had no further comment.

10. Adjournment:

Motion: Commissioner Jenkins motioned to Adjourn at 8:47 p.m. – Commissioner Ortega seconded the motion. Vote: Commissioners Faulkner, Jenkins, Ortega and Chairman Neil voted aye. Motion carried.

2021

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

Planning Commission Chair

Planning Commission Secretary

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Minutes of the Plain City Planning Commission Meeting held online April 22, 2021 at 7:00 p.m. – virtually broadcast via ZOOM.

Present: Chairman Blake Neil
Vice-Chair Shawna Faulkner
Commissioner Jarod Maw
Commissioner Dustin Skeen
Commissioner Rob Ortega

Excused: Commissioner Blake Jenkins

Staff: Mike Kerswell, Dan Schuler, Brandon Richards

Attendees: Tom Favero, Tina Favero, Brad Orton, James Farrell, Shad Christensen, Adams Family, Marci Doolan, Rex Quilter, Steve Diamond

Welcome: Chairman Neil

Pledge of Allegiance: Mike Kerswell

Moment of Silence / Invocation: Commissioner Skeen

1. Roll Call:

Chairman Neil directed roll call and indicated; Commissioners Faulkner, Maw, Skeen and Chairman Neil were present. Commissioner Jenkins was excused. Commissioner Ortega joined the meeting after roll call.

2. Opening Statement:

Chairman Neil read the Opening Statement.

3. Ex Parte Communication or Conflicts of Interest to Disclose:

Commissioner Faulkner reported that Steve Diamond questioned her about scheduling a discussion on revising cul-de-sac standards for Planning Commission meeting.

4. Public Comments:

None offered.

5. Approval of Meeting Minutes for April 8, 2021

Chairman Neil indicated that his comment, recorded on page 2 of the minutes, should include descriptive identifiers - *property owner* (Elaine Winegar) and *real estate agent* (John Hansen).

Commissioner Maw motioned to approve the Meeting Minutes for April 8, 2021. Commissioner Faulkner seconded the motion. Vote: Commissioners Faulkner, Skeen, Maw and Chairman Neil voted aye. Motion carried.

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6. Technical Review Report

Chairman Neil reported that Jared Hadley presented plans to build on a lot located at 930 N 5200 W. He informed that the one-acre parcel meets zoning requirements. He commented on issues related to a county road that impacts the property. He reported that the Robson Farms subdivision was reviewed.

7. Administrative Items:

Discussion: Building Permit - Orton property, approximately 4400 Pioneer Rd.

City Attorney, Brandon Richards stated; after reviewing the matter, he finds that the parcel in question qualifies as a legal building lot. He indicated that the property does not have to be rezoned, as it meets frontage requirements for the assigned zone and will accommodate a dwelling within RE-20 site development standards. He commented on the lot ownership history, asserting that the parcel will essentially be grandfathered into compliance under the established zone. Commissioner Faulkner noted that a local developer listed a number of applicable codes that sustain the legality of this piece as a building lot, at a previous Planning Commission meeting. She asked if the cited ordinances were considered by the City Attorney in his finding. Brandon Richards said that he doesn't have a record of the specified codes but is willing to apply them for future reference. Commissioner Maw verified that a grandfather clause is pertinent in this case. Chairman Neil instructed Mike Kerswell, Land Use Specialist, to contact the Ortons and relay the opinions expressed by the Commission and City Attorney.

Discussion / Motion: Preliminary Subdivision – Robson Farms, approx. 3626 W 1975 N

Chairman Neil referred to the overall subdivision concept, noting that the project will be developed in phases. Developer, Shad Christensen described the location of Phase 1 of the subdivision. He explained that the lot on the corner of 3600 West Street and 1975 North Street (lot 20) will be included in Phase 3. He remarked on the ongoing efforts to widen 3600 West Street. He pointed out, there will be an access from 3600 West Street to the on-site detention/retention basin. He affirmed that the stormwater management system has been sized to meet the needs of the 24 lots within Robson Farms. He commented on intended lot sizes and density parameters. Commissioner Maw queried if 2100 North Street will be a continuation of an existing stub road to the west. Shad Christensen confirmed that 2100 North Street will be a through street, intersecting 3600 West Street. Commissioner Faulkner asked if the City Engineer's concerns about Low-Impact Development (LID) requisites have been addressed. She requested information about an existing house on lot 3. Public Works Director, Dan Schuler detailed how LID specifications will be applied to this subdivision. He noted that LID compliance will be checked at a point closer to the commencement of project construction. He advised that test results may prove the implementation of LID standards infeasible for the area. Shad Christensen commented on existing and planned fire hydrant placement. He informed that the house on lot 3 is in the process of being renovated.

Commissioner Faulkner motioned to approve the Preliminary Subdivision – Robson Farms, approx. 3626 W 1975 N. Commissioner Skeen seconded the motion. Vote: Commissioners Faulkner, Skeen, Maw and Chairman Neil voted aye. Motion carried.

Discussion / Motion: Preliminary Phase 1 – Robson Farms, approx. 3626 W 1975 N

Shad Christensen spoke of actions taken to improve street lighting. He told of new storm drainage calculations that have been submitted to the City Engineer. He assured that a fire hydrant is located within 500 feet of the farthest lot in Phase 1.

Commissioner Skeen motioned to approve Preliminary Phase 1 – Robson Farms, approx. 3626 W 1975 N. Commissioner Maw seconded the motion. Vote: Commissioners Faulkner, Skeen, Maw and Chairman Neil voted aye. Motion carried.

8. Legislative Items:

Discussion / Motion: Zoning Amendment – Favero Property, approximately 1295 N 4700 W (RE-30 to RE-18.5)

Chairman Neil reported; in a discourse with Mike Kerswell and him, Brandon Richards advised that deviation from the General Plan/Future Land Use Map, in this regard, would set a detrimental precedence. He conveyed Brandon Richards' recommendation that the proposed zoning arrangement be considered as part of a specific General Plan amendment or overall update, as it does not meet current guidelines.

Commissioner Skeen commented on Public Hearing requirements in the General Plan Amendment process. Chairman Neil indicated that a limited General Plan adjustment can be recommended by the Planning Commission. Commissioner Skeen reasoned that authorizing specialized General Plan amendments is a course of action which will lead to something unacceptable in the future. Chairman Neil stated that Brandon Richards alluded the time is right to open the General Plan up for a full update. He noted that the Planning Commission would initiate an update by presenting elements deemed advisable to change to the City Council. Commissioner Faulkner mentioned costs involved in overhauling the General Plan. Chairman Neil asked Mike Kerswell to research expenditures for the 2018 update. He requested that discussion on the proposed update be put on the agenda for next Planning Commission meeting. Commissioner Faulkner evoked; RE-30 zoning was approved for this parcel at the last City Council meeting. Commissioner Skeen indicated that the Future Land Use Map designates RE-30 zoning for this parcel. Chairman Neil talked about two parcels that were previously approved for RE-15 zoning. He referred to a map that he prepared, outlining zones – current, proposed and as prescribed on the Future Land Use Map. Commissioner Maw asserted that there is not a good reason to rezone parcel 15-027-0057. Commissioner Skeen stated that amendments should follow General Plan directives. He counseled; desired changes that are not in line with the current General Plan should only be considered when a comprehensive update is deliberated. He voiced agreement with much of the conceptualized plan for the Favero property. Commissioner Faulkner explained that public workshops and public consultation meetings are held prior to taking significant action toward General Plan adjustments. She contemplated measures to more broadly notify the public. She prompted; a zoning amendment application can be forwarded to the City Council, even if the Planning Commission recommends denial.

Commissioner Maw motioned to recommend City Council denial of the Zoning Amendment – Favero Property, approximately 1295 N 4700 W (RE-30 to RE-18.5) for Land Serial Number 15-027-0057.

Commissioner Faulkner seconded the motion. Vote: Commissioners Faulkner, Skeen, Maw and Chairman Neil voted aye. Motion carried.

Discussion / Motion: Zoning Amendment – Favero Property, approximately 1295 N 4700 W (A-2 to RE- RE-15)

Property owner, Tom Favero marked out an area of intended commercial zoning, shown on the Future Land Use Map directly across the street (4700 West Street) from his property. He asserted that guidelines in the General Plan stipulate zoning under the highest density category for developments that border commercial sectors. He contended that parcels west of 4700 West Street, extending to land that is currently zoned RE-15, should be eligible for medium to high density housing. He explained that the RE-18.5 zoning request, recommended for disapproval at present, was submitted in response to the Planning Commission's appeal for transitional zoning. He commented on the prohibitive lay of the land. He touched on parks and trails that might be offered through application of an overlay. He noted that mixed-use and other higher-density development in the area probably won't materialize for some time. He disagreed with requiring low-density zoning along 4700 West Street, directly across from an area of intended commercial space. He spoke of 2006 General Plan specifications for his property that were significantly changed in the 2018 update. He

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contended; Plain City has historically fostered one-third to one-half-acre lots. He stated that he'll take the matter up with City Council, regardless of the Planning Commission's inflexible stance. He commented on a proposed Weber County General Plan update, disputing that the County would offer a better arrangement than what presently exists in the Plain City General Plan. Commissioner Maw sought a reference for the claim that the Plain City General Plan specifies high-density next to commercial zones. Tom Favero read from the General Plan land use category descriptions:

***High Density Residential** – this land use category is for housing with up to ten units per acre, is often near commercial development and could include various lot sizes and various housing types.*

Commissioner Maw indicated that there is no such specification in Plain City zoning ordinances. Commissioner Skeen echoed Brandon Richards' warning that deviation from the General Plan/Future Land Use Map would set adverse precedence. Tom Favero reiterated that the General Plan is a statement of priorities and values to be used to guide public decision making - designed to manage change, not to address specific pieces of property in detail or provide for specific zoning. Chairman Neil reviewed the General Plan amendment process. He stated that the proposed zoning changes are not necessarily unacceptable, but protocol must be followed. Commissioner Faulkner explained that the Commission is diligently considering a proper avenue to achieve the proposal brought to them. Tom Favero indicated that property near 1500 North Street, on 5100 West Street is designated for medium-density residential development on the Future Land Use Map, yet sensitive land conditions make building in the area unfeasible. He expressed his opinion that his property along 4700 West Street is better suited for medium-density residential zoning. Commissioner Maw supposed that a notable number of residents would argue that larger lots and expanses of open space is more appropriate at the city entrance. Tom Favero inferred that he is being punished for keeping his farmland. He stated that he could have sold his property to developers in 2006, when the General Plan stipulated RE-15 zoning over all of it. He notified that his lawyer and other professionals have been employed to resolve issues related to his ground, caused by the 2018 Plain City General Plan update. He commented on support for environmental protection, demonstrated through the observation of Earth Day. He spoke of moving his farming operations from Plain City. He put forward that every land owner should be allowed to set the zoning of their property (RE-15, R-1-11, RE-18.5) as they see fit. He suggested that more affordable housing options, including apartments, are needed in the growing community.

Commissioner Faulkner motioned to recommend that City Council deny the Zoning Amendment – Favero Property, approximately 1295 N 4700 W (A-2 to RE- RE-15) for Land Serial Numbers 15-017-0034, 15-017-0005, 15-017-0002, 15-017-0035, 15-027-0034, 15-017-0036, 15-017-0037, 15-017-0038, 15-016-0049 and 15-027-0058. Commissioner Maw seconded the motion. Vote: Commissioners Faulkner, Skeen, Maw and Chairman Neil voted aye. Motion carried.

Discussion / Motion: Ordinance Amendment - Cul-De-Sac Length

Commissioner Faulkner reviewed the process for lining up agenda items. She noted that a Special Exception ordinance was recommended by the Planning Commission but rejected by the City Council. She presumed that the Council does not want to consider any revision of the existing standard. Commissioner Maw indicated that councilmembers were not convinced by provided evidence that the established ordinance should be changed. Commissioner Faulkner remarked on stub roads and dead-ends that exist in Plain City. She advised that many other cities have updated stipulations that allow longer streets that terminate in a cul-de-sac and questioned if the decision to increase the limit represents a logical modernization of antiquated codes. Developer, Steve Diamond explained that the City Council did not like the Special Exception ordinance because it perceivably placed a burden on them to make decisions based on criteria that might be subject to interpretation. He suggested that councilmembers will be open to increasing the cul-de-sac standard if the maximum length is distinctly specified and backed by compelling evidence that the change is of benefit to the City. He spoke of affirmation given by the Fire Chief that the proposed cul-de-sac length does not impact fire safety. He commented on snow removal concerns voiced by the Public Works Director. Chairman Neil acknowledged that the Fire Chief's assessment dispelled fire safety apprehensions.

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Commissioner Maw mentioned anxieties expressed by Dan Schuler (Public Works Director) regarding maintenance of longer cul-de-sac roads. Dan Schuler submitted; if the standard is changed for one developer, an undesired precedence will be set for future applicants with expectations of preferential treatment. He agreed with the City Council's insistence that a new maximum cul-de-sac length be conclusively spelled out in an ordinance and justifiable as a positive change for the entire city. He stated that maintenance encumbrances compound with increased cul-de-sac street length. He said that an additional fifty feet would not significantly affect snow removal undertakings. He asserted that conceptual drawings, prepared by Steve Diamond, illustrate there is a design solution that does not require a code amendment. Steve Diamond speculated that an extended cul-de-sac maximum street length will prove essential to other projects in the future. Commissioner Faulkner indicated that such an amendment would be justifiable if it provides for better subdivision design. She advised that the proposed code change should not be rejected because of equivocal predictions that it will lead to a chain reaction. She remarked on the Ordinance for Cul-De-Sac Special Exceptions, drafted by the Commission and ineffectively recommended for City Council approval. Commissioner Skeen commented on areas of town that will require adjustment of the standard to be properly developed. He restated endorsement of the Ordinance for Cul-De-Sac Special Exceptions. Dan Schuler supported Commissioner Skeen's views. Mike Kerswell agreed to provide findings from research on the matter for discussion at the next Planning Commission meeting.

Commissioner Skeen motioned to table Discussion / Motion: Ordinance Amendment - Cul-De-Sac Length. Commissioner Faulkner seconded the motion. Vote: Commissioners Faulkner, Skeen, Maw and Chairman Neil voted aye. Motion carried.

9. Report from City Council:

Commissioner Faulkner reported that zoning amendments were approved for Cody Johnson and Tom Favero. She indicated that final approval of the Taylor Parks 3 subdivision was granted, as recommended by the Planning Commission. She noted that final acceptance of Taylor Parks Phase 2 was also granted. She gave an update on points raised about a pending construction agreement with Connex Fiber. She reported that a resolution adopting a fee schedule for ordinance violations was approved by the Council. She stated that Councilmember Weston informed that blue waste receptacles were taken to the Weber County Transfer Station the initial week of the Green Waste Program, to avoid dumping household garbage inadvertently deposited in them at the City landfill. He spoke of measures taken to inform the public about program details and noted that an unacceptable amount of household garbage has been found in green waste cans over following weeks. She reported that Councilmember Skeen announced that construction of the new restroom/press box facility at Lee Olsen Park is on schedule and the building should be ready for the May 3rd baseball opener. Councilmember Beal thanked Recreation Director, Colette Doxey, for organizing the Easter Scavenger Hunt. She voiced appreciation to volunteers that helped with the event.

10. Commission Comments:

Commissioner Skeen commented on current fiber-optic internet service in Plain City. Commissioner Maw reported issues related to a dilapidated property across the street from his brother's house, near Chairman Neil's home. He suggested that the matter be taken up by Code Enforcement. Chairman Neil affirmed that a formal complaint has been filed with the City. Dan Schuler indicated that his department will resolve the reported problems. Commissioner Faulkner stated that she did not receive a sticker for her green waste container. She indicated that the cans are not being used properly due to a lack of public instruction on the program. She advised that a better effort to educate all residents is required. She verified that Commissioner Maw will be attending the May 6th City Council meeting. Chairman Neil offered no further comment.

Plain City Planning Commission
Minutes of Meeting
April 22, 2021

11. Adjournment:

Motion: Commissioner Faulkner motioned to Adjourn at 8:51 p.m. – Commissioner Maw seconded the motion. Vote: Commissioners Faulkner, Maw, Skeen, Ortega and Chairman Neil voted aye. Motion carried.

2021

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

Planning Commission Chair

Planning Commission Secretary