

Plain City Commission
Minutes of Meeting
December 9, 2021

Minutes of the Plain City Planning Commission Meeting held online December 9, 2021 at 7:00 p.m.-virtually broadcast via ZOOM.

Present:	Vice-Chair	Shawna Faulkner
	Commissioner	Jarod Maw
	Commissioner	Rob Ortega
	Commissioner	Blake Jenkins

Excused:	Chairman	Blake Neil
	Commissioner	Dustin Skeen

Staff: Dan Schuler, Melissa Miller

Attendees: Allan Housley, Parker McGarvey, Patricia Watkins, David Watkins, Mike Neal, Jeff Hales, Candace Baird, Adams Family

Welcome: Commissioner Faulkner

Pledge of Allegiance: Commissioner Maw

Moment of Silence/Invocation: Commissioner Jenkins

1. Roll Call:

Vice-Chair Faulkner directed roll call and indicated Commissioner Skeen was excused as was Chairman Neil due to the passing of his wife. Commissioner Faulkner extended condolences on behalf of the Planning Commission to Chairman Neil.

2. Opening Statement:

Commissioner Faulkner read the Opening Statement.

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

Commissioner Maw disclosed that he was participating as part of the team in the design of the amphitheater being considered for development in the city.

4. Public Comments:

None offered.

5. Approval of Minutes for November 11, 2021:

Commissioner Faulkner found one misspelling of Commissioner Ortega's last name to be corrected.

Commissioner Ortega motioned to approve the Meeting Minutes for November 11, 2021. Commissioner Jenkins seconded the motion. Vote: Commissioners Ortega, Jenkins and Maw voted aye. Motion carried.

6. Technical Review Report:

Commissioner Faulkner indicated there was a small agreement that Matt Dixon had with a neighbor regarding some property that ended with a private quit-claim deed. This agreement would not need to be reviewed by the Planning Commission.

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7. Legislative Items:

Public Hearing: Robert Dodgen property- Rezone Petition from RE-20 to RE-18.5 -3186 W North Plain City Rd - 9.87 acres

Commissioner Jenkins motioned to open the Public Hearing of the Robert Dodgen property- Rezone. Commissioner Maw seconded the motion. Vote: Commissioners Ortega, Maw and Jenkins voted aye. Motion carried. Commissioner Faulkner invited the first speaker to introduce herself. Candace Baird asked that the property be rezoned to 10 lots. Ms. Baird stated the need for more housing. Commissioner Faulkner reminded Ms. Baird that tonight's comments were only about the rezone.

Patricia Watkins asked for clarification regarding the blue lines on North Plain City Road. She stated there were other blue lines drawn on the map she had where no roads were currently present and wanted to know if these lines indicated future roads. Commissioner Maw stated that the map she had looked like a current zoning map. Ms. Watkins asked if there was a road that would be approved in the rezone. Commissioner Maw stated he would have to look at the key. Commissioner Faulkner stated she believed it was just a future land use where a road may go eventually. Ms. Watkins wanted to know if this road had already been approved and asked about including public comment since the road provides frontage along the property that is being rezoned. Ms. Watkins stated that is a concern since the road is small and there is a "tremendous" amount of traffic. Commissioner Maw asked for clarification about the road she was speaking about and Ms. Watkins indicated it was North Plain City Road and also the road that crosses it as well. Commissioner Maw stated that the road is a proposed future collector road. It has not been finalized for approval yet. Ms. Watkins asked if this would come up for public comment. Commissioner Maw stated the developer needs to provide the Planning Commission with their plan, but it wouldn't be something that would come up for public comment. Commissioner Maw indicated that during the General Plan update discussion next year, Ms. Watkins could get involved in the proposal of that road location and discuss it then. Commissioner Faulkner stated that nothing was approved and invited Ms. Watkins to provide more input on this when they update the General Plan. Commissioner Faulkner reminded Ms. Watkins that tonight's discussion was limited to the rezone of this property to make sure it matches the future land use map. Ms. Watkins indicated that her concern was lack of notice regarding their property and future roads. Commissioner Faulkner stated there was a lot of notice put out. Commissioner Maw stated the General Plan already indicated that a future road was on that plan. Ms. Watkins mentioned that she felt there was no concern about the heavy traffic on North Plain City Road.

Mike Neal addressed the commission and wanted to know how many homes would be included in this rezone. Commissioner Maw stated that this was not something that had to be disclosed at a rezone. Mr. Neal stated he was concerned about the number of cars being added to his street. Commissioner Maw stated the number of homes would be given to them when the developer brings in their proposal. Mr. Neal wanted to know if the number of homes would happen before or after the commission makes a decision on the rezone. Commissioner Maw stated it would probably happen afterwards and the developer would then come back with their plans. Mr. Neal wanted to know if this was something they should know beforehand and Commissioner Maw told him no, according to Utah State code. Mr. Neal then wanted to know if the developers could just add houses wherever they want. Commissioner Maw stated the plan would have to be approved first. Mr. Neal wanted to know the size of the lots on a project that had just been approved (West Park). Mr. Neal asked if the commissioners knew the size of the lots. Mr. Neal stated that if the lots in West Park were approved at RE-20 and now the commission was approving RE-18.5 then he wanted to know why. Commissioner Maw stated the general plan may have been revised. Commissioner Faulkner stated the petition for a rezone is being made in order to fit the current land use map. Mr. Neal asked for the commission to review the RE-18.5 zoning to find out when that went into effect. Mr. Neal indicated his concern about the amount of traffic on North Plain City Road and stated it is dangerous. Mr. Neal again asked how many homes would be built. Commissioner Maw reminded Mr. Neal that the discussion was only regarding the rezone from RE-20 to RE-18.5, which complies with the general plan and future map. The Planning

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Commission is bound to that and to determine whether or not the rezone complies with the General Plan. Commissioner Maw stated that legally this was the only issue that could be discussed. Commissioner Faulkner thanked Mr. Neal for his comments and stated they could be given to the developer. Mr. Neal asked when the next meeting for this property would be. Commissioner Maw stated that was unknown, but would be some time next year and Mr. Neal asked if it would be after the houses were already built.

Dave Watkins addressed the commission. Mr. Watkins stated his concern was with the road, not the rezone. He is worried about access to the road and about having to be forced to join the sewer system when his septic tank works perfectly well. Mr. Watkins asked about water usage since the drought has taken effect with new subdivisions popping up. Mr. Watkins wanted to know where the water would be coming from with the new subdivisions. Mr. Watkins also commented on widening the road and wanted to know if eminent domain was going to be employed to take property away in order to do it. Commissioner Maw stated those types of questions couldn't be answered by the Planning Commission and should be addressed with the City Council. Commissioner Maw encouraged Mr. Watkins to meet with council members or attend a council meeting to voice his concerns.

Commissioner Faulkner asked the Public Works Director, Dan Schuler, if he would like to comment on any of the concerns brought up. Mr. Schuler addressed the commission and stated that North Plain City road is also a concern of the city. Mr. Schuler stated he has received three separate grants to improve the road. This will be done in three phases beginning next year. The road will be widened to include curb, gutter and sidewalk. Mr. Schuler pointed out that the road will be expanded out to the existing ROW. Mr. Schuler explained that many people may not understand that the ROW is already in place. Mr. Schuler stated that the city does care about this particular concern and that it will be moving forward to address those needs.

Commissioner Maw motioned to close the Public Hearing of the Robert Dodgen Property. Commissioner Jenkins seconded the motion. Vote: Commissioners Maw, Ortega and Jenkins voted aye. Motion carried.

Discussion/Motion: Robert Dodgen property- Rezone Petition from RE-20 to RE-18.5 -3186 W North Plain City Rd - 9.87 acres

Commissioner Faulkner asked for comments regarding the rezone. Commissioner Jenkins stated that the rezone meets the future land use map and meets the current zoning and therefore, the commission could not say no to the rezone. Commissioner Maw agreed, stating the only way to say no would need good justification such as compromising the safety or welfare of the community, otherwise it has to be approved. Commissioner Jenkins stated that based on the zoning alone, he couldn't justify saying no to approval. Commissioner Maw agreed with Commissioner Jenkins. Commissioner Faulkner asked if Commissioner Ortega had any concerns or comments. Commissioner Ortega mentioned that the number of units would increase by one, but had no further comments.

Commissioner Jenkins motioned to recommend approval from City Council for the rezoning of the Robert Dodgen property from RE-20 to RE-18.5. Commissioner Maw seconded the motion. Vote: Commissioners Maw, Ortega and Jenkins voted aye. Motion carried.

Discussion/Motion: Zanna Child Annexation- 1055 N 5200 W - 13.4 acres

Commissioner Jenkins stated this property was an island that was completely boxed in by Plain City. He stated it made sense to annex the property into Plain City. Commissioner Faulkner asked for any further comments. There were none.

Commissioner Jenkins motioned for recommendation that the City Council approve the Zanna Child Annexation at 1055 N 5200 W. Commissioner Ortega seconded the motion. Vote: Commissioners Jenkins, Maw and Ortega voted aye. Motion carried.

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Discussion/Motion: Final Subdivision - Stillcreek Phase 3a - 21 lots

Jeff Hales addressed the commission. He stated he met with the Mayor and Dan Schuler to get a preliminary final in Phase 3. He's here tonight to talk about Phase 3a. Commissioner Maw asked if there were any comments from the Engineer. Commissioner Faulkner stated the Engineer was ready to sign off. There were just some street lights and LID that needed to be addressed. Mr. Hales stated he sent all up-to-date information to the Engineer. Commissioner Ortega stated after going through the packet, he could see that those things looked like they would be addressed and he felt good about it. Commissioner Faulkner asked about plans for open space. Mr. Hales said there was open space planned throughout the phases and would be more detailed. Mr. Hales stated Phase 4 would also open up more access points once they were closer to Farr West.

Commissioner Maw motioned for the recommendation of Final Subdivision for Stillcreek Phase 3a. Commissioner Jenkins seconded the motion. Vote: Commissioners Maw, Jenkins and Ortega voted aye. Motion carried.

8. Administrative Items:

Discussion/Motion: Chair and Vice Chair

Commissioners discussed the idea of tabling discussion until there was a full commission present. Commissioner Maw agreed that it should wait until the first part of next year.

Commissioner Jenkins motioned to table discussion on Chair and Vice Chair. Commissioner Ortega seconded the motion. Vote: Commissioners Maw, Jenkins and Ortega voted aye. Motion carried.

Discussion/Motion: Cancel Planning Commission Meeting - 12-23-2021

Commissioner Faulkner asked for a motion.

Commissioner Maw motioned to cancel Planning Commission Meeting on 12-23-2021. Commissioner Jenkins seconded the motion. Vote: Commissioners Maw, Jenkins and Ortega voted aye. Motion carried.

9. Report from City Council:

Commissioner Jenkins reported that he had missed council meeting and had nothing to report. Dan Schuler updated the commission. There was nothing for the commission to act on.

Commission Comments

Commissioner Maw shared the plans and design for the new amphitheater with the commission. Commissioner Faulkner thanked Melissa Miller for helping out with the minutes. She mentioned 2200 N and 3600 W and the construction happening there. She mentioned there is only one way in and out right now.

Commissioner Maw motioned to adjourn the meeting. Commissioner Jenkins seconded the motion. Vote: Commissioners Faulkner, Maw, Jenkins and Ortega 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 6
Oct 7	Oct 21	Nov 4	Nov 18	Dec 2	Dec 16

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Planning Commission Chair

Planning Commission Secretary