

Plain City Commission
Minutes of Meeting
April 10, 2025

Plain City Planning Commission met in a regular meeting at City Hall on Thursday, April 10, 2025, also accessible via ZOOM beginning at 7:00p.m.

Present: Chairman Maw
Commissioner Ortega
Commissioner Neil
Commissioner Faulkner
Commissioner Skeen
Excused Commissioner Ableman

Staff: Tammy Folkman, Dan Schuler

Attendees: Michele Scadden

Zoom Attendees: Jon Southern, Rick Scadden, Mike Phillips, Rick Taylor

Welcome: Chairman Maw

Pledge of Allegiance: Commissioner Ortega

Moment of Silence/Invocation: Commissioner Faulkner

1. Roll Call: Chairman Maw directed roll call. Commissioners Skeen, Faulkner, Ortega, Neil, and Chairman Maw were all present. Commissioner Ableman was excused.
2. Opening Statement: Chairman Maw
3. Ex Parte: Commissioner Neil mentioned talking to the bank manager in Plain City about the process on rezones. He indicated it was more of an educational discussion; she wanted to make sure we recognized the flooding issues. He invited her to come participate on the general plan when it opens up. Chairman Maw mentioned getting a call from a developer who was interested in participating on the general plan, he is representing the Favero property. Commissioner Faulkner wanted to know if he lived in the city. Chairman Maw stated he does not. He wasn't sure if you could say only city residents could participate. Commissioner Ortega was wondering if we were going to have a public meeting for the general plan, he was thinking the man could come to one of those meetings and give his comments. Commissioners stated the public meetings are just input from the public.
4. Public Comments: none at this time
5. Approval of Meeting Minutes for March 27, 2025
Commissioner Faulkner motioned to approve meeting minutes for March 27, 2025. With one correction on a name. Commissioner Ortega seconded the motion. Commissioners Ortega, Neil, Skeen, Faulkner and Chairman Maw voted aye. The motion carried.
6. Technical Review Report: IHC
Chairman Maw stated they met with Incline Architects on the IHC building going in on the S-Curve. He did say the zoning was appropriate the building meets the height limits and setbacks were good. There is an

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open area, he mentioned not wanting to have a field of weeds. They talked about drive approaches and utilities. They want to have it as a maintenance access on 2550, they will gate the access and have it for delivery only. Chairman Maw showed a site plan for the IHC building. There are 37 staff stalls and 30 standard patient stalls. The entrance lines up with the Nilson home project across the street. It shows three units for now with room to expand to two more units.

7. Legislative Items:

Discussion: Development Agreement Ordinance

Chairman Maw asked if there was anything else on the development agreement that needed to be added. Commissioner Neil wanted to know if we wanted to add a time frame. Reviewing it maybe when we open the general plan roughly every 5 to 7 years. Commissioner Faulkner pointed out that it says the development agreement does not run with the property (example- if property or a portion of property was sold to another developer, they would need to do a new development agreement). Commissioner Neil mentioned doing a 5-year review with a 10-year expiration.

Chairman Maw suggested this,

11-9-7 DEVELOPMENT AGREEMENT TIMELINE

1. *Any incomplete development shall be subject to review after 5 years from initiation. Agreement shall be reviewed by land use authority at that time.*
2. *All development agreements shall be deemed expired after 10 years. Developer shall submit a new agreement at that time.*

He was hoping the Hansen Group could help with the wording. Commissioner Ortega is wondering why we would do a review after 5-years; he wondered if we could end that agreement after 5-years. He doesn't understand the purpose of the review. He feels it doesn't give us any teeth after 5-years if we don't like the way it is going. He feels if it is a 100 plus acre agreement it might take more than 10-years. Chairman Maw asked if this would be okay. *All development agreements shall be deemed expired after 10-years. Developer shall submit a new development agreement at that time.* Commissioner Ortega suggested after 5-years we could give them some goals so at the 10-year mark it would still be valid and if they met their goals, it could be extended. Dan is wondering if we review the development agreement in phases. Commissioner Skeen read 11-9-4 (D) *In accordance with Utah Code §10-9a-532(2)(f), development requirements, regulations, or controls described in a development agreement do not run with the land and are enforceable only against the parties to the contract.* He wanted to make sure everyone agreed with this. Commissioner Ortega is wondering about if the owner of a business passes away would the agreement still be valid. Commissioner Faulkner thought if that happened, they would have to sell the property and a new agreement would have to be made. She thought we should clarify this with Jacob, also make sure on 11-9-4 (D) that this also applies to businesses.

Discussion: Building Regulations Ordinance

Commissioners all thought this ordinance looked good.

Motion: Set public hearing for Development Agreement Ordinance and Building Regulations Ordinance on April 24, 2025

Commissioner Faulkner motioned to set a public hearing on April 24, 2025 for Development Agreement Ordinance and Building Regulations Ordinance. Commissioner Skeen seconded the motion. Commissioners Ortega, Neil, Faulkner, Skeen and Chairman Maw voted aye. The motion carried.

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8. Administrative Items:

Discussion/Motion: Lot Line Adjustment (parcels 15-006-0048, 15-006-0065) 2983 W 1900 N Rick Taylor
Commissioner Faulkner asked if he was just adding the little sliver in the back. She was wondering what the reason was for doing this. Rick mentioned the old fence line was assumed to be the property line but it is not, so he adjusted it with his mother's property to keep his sprinklers in his yard.

Commissioner Neil motioned to approve the lot line adjustment for parcel 15-006-0048 and 15-006-0065 located at 2983 W 1900 N. Commissioner Ortega seconded the motion. Commissioners Ortega, Neil, Faulkner, Skeen and Chairman Maw voted aye. The motion carried.

Discussion/Motion: 3rd Final Review for Brynlee Acres approx. 3415 W North Plain City Rd 42 lots-Rick Scadden

Michele is here representing Brynlee Acres, she read a letter prepared by Rick Scadden.

Over the course of this project, we have worked diligently to meet all the requirements and address concerns raised during the earlier stages. I am pleased to report that we have successfully resolved all public works comments. Additionally, we have secured all necessary will serve letters from the relevant utility entities. We have met or acceded the requirements for final approval that was outlined by city staff. Given that we have met all criteria and addressed all issues brought before us. We respectfully ask for your vote in favor of granting final approval for Brynlee Acres. Thank you for your time and consideration, we are excited to move forward and contribute positively to the community.

Chairman Maw asked if we have received all the Will Serve letters, which he stated are in our packet along with the engineer's comments. Commissioner Faulkner feels this is a great project. Commissioner Skeen asked about the stub road. Commissioner Faulkner mentioned we asked them to take it out.

Commissioner Faulkner motioned to approve final review for Brynlee Acres approx. 3415 W North Plain City Road 42 lots. Commissioner Neil seconded the motion. Commissioners Ortega, Neil, Faulkner, Skeen and Chairman Maw voted aye. The motion carried.

9. Report from City Council: Chairman Maw

Chairman Maw mentioned at city council Jeremy Beal submitted a letter to the council. He indicated that Jeremy is Councilwomen Beal's husband. The letter talks about the house located on the south side of 2600. He mentioned a letter someone submitted about it being too close to the road. He said the letter from Jeremy was read in response to the letter that was submitted to the city. He stated there were a lot of comments about the Winegar project, he mentioned a lot of people were concerned about roads, sidewalks, safety and flood property. He stated that Olrich and Associates was approved as the auditor for a five-year span for the city. He stated the warrant register was approved. Lift station 9 had some revisions it has been taken care of. He stated Commissioner Favero talked about the council projects in Weber and Davis counites. Commissioner Beal talked about the Western Weber Businesses that care, she also talked about the easter egg hunt. The Mayor talked about Central Weber Sewer raising their fees.

10. Commission Comments:

Commissioner Faulkner mentioned the city council she went to the mayor said he would like planning to look at conditional uses on agriculture A-1,2 also to put a timeline on a DADU on how long you can live in it while building your main dwelling. Commissioner Neil is wondering what the mayor is looking for on conditional uses in A-1,2. Commissioner Faulkner thinks the mayor is looking to put a DADU on them and that he wants to include them in the allowable zones for a DADU. Commissioner Neil mentioned putting it under the permitted uses. Commissioner Ortega indicated agriculture zones are not in the residential zones that allow a DADU so they would need to rezone their property to have a DADU. Chairman Maw

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mentioned there is nothing in our ordinance that says you need to contain the water on your property. Dan indicated it is a state ordinance. Chairman Maw asked Dan to give a recommendation on where to put it in our ordinance. Commissioner Neil asked Dan if he had a chance to go over the standard operation procedures for authorizing the Jackson water operation. Dan mentioned he and the engineer met and were going over where to put new items. Commissioner Faulkner stated we do need an official letter saying it is okay to resale the water.

11. Adjournment

Commissioner Skeen moved to adjourn the meeting at 8:17pm. Commissioner Neil seconded the motion. Vote: Commissioners Ortega, Neil, Faulkner, Skeen and Chairman Maw voted aye. Motion carried.

City Council Meeting: April 17- Commissioner Neil

2025

MAW	NEIL	ABLEMAN	ORTEGA	SKEEN	FAULKNER
~~JAN 2~~	~~JAN 16~~ Ortega	~~FEB 6~~	~~FEB 20~~	~~MAR 6~~	~~MAR 20~~
~~APR 3~~	APR 17 Faulkner	MAY 1	MAY 15	JUN 5	JUN 19
JUL 3	JUL 17	AUG 7	AUG 21	SEP 4	SEP 18
OCT 2	OCT 16	NOV 6	NOV 20	DEC 4	DEC 18

If you are unable to attend on your assigned night, please make sure someone goes in your place

Planning Commission Chair

Planning Commission Secretary