

Plain City Commission
Minutes of Meeting
January 23, 2025

Plain City Planning Commission met in a regular meeting at City Hall on Thursday, January 23, 2025, also accessible via ZOOM beginning at 7:00p.m.

Excused: Chairman Jenkins

Present: Commissioner Maw
Commissioner Neil
Commissioner Faulkner
Commissioner Skeen
Commissioner Ortega

Staff: Tammy Folkman, Dan Schuler

Attendees: Cody Taylor, Mark Peterson, Matt Fox, Adam Favero, Trent Meyerhoffer

Zoom Attendees: Carl Miller, Mike Phillips, Joe Marsh

Welcome: Commissioner Maw

Pledge of Allegiance: Commissioner Skeen

Moment of Silence/Invocation: Commissioner Faulkner

1. Roll Call: Commissioner Maw directed roll call. Commissioners Maw, Skeen, Faulkner, Ortega, Neil were all present. Chairman Jenkins is excused.

2. Opening Statement: Commissioner Maw

3. Ex Parte: none at this time

4. Public Comments: none at this time

5. Approval of Meeting Minutes for January 23, 2025

Commissioner Faulkner motioned to approve meeting minutes for January 23, 2025 adding no changes to the ordinance just the application. Commissioner Skeen seconded the motion. Commissioners Maw, Neil, Skeen, Faulkner, Ortega voted aye. The motion carried.

6. Technical Review Report: no review

7. Legislative Items:

Discussion/Motion: to amend definition for Frontage in Title 11-Subdivision Regulations, Chapter 1 Definitions, Chapter 12- Sign Regulations Definitions 10-12-2, Chapter 2 section 10-2-1: Definitions

Commissioner Faulkner thought we weren't changing the definitions; we were just changing the setbacks from frontage to front lot line. Tammy mentioned when we had the public hearing in December this got tabled so there was never a motion to approve this definition change. Commissioner Faulkner said we need to

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do another public hearing on setbacks to indicate front lot line instead of frontage because the definition is different.

Commissioner Skeen to recommend to city council approval to amend definition for Frontage in Title 11- Subdivision Regulations, Chapter 1 Definitions, Chapter 12- Sign Regulations definitions 10-12-2, Chapter 2 section 10-2-1: Definitions. Commissioner Faulkner seconded the motion. Commissioners Maw, Neil, Faulkner, Skeen, Ortega all voted aye. The motion carried.

Discussion: General Plan

Commissioner Maw mentioned having the tasks and deliverables handout, he was wondering if we need to advertise for this. Tammy mentioned this handout came from Hansens who will be helping us. She also mentioned we are waiting to hear about a grant, we will know in April if we get it or not. Commissioner Maw wanted to know if any one wanted to add anything to this list. Commissioner Neil would like to look at doing a better zoning map for the general plan and make sure it is more detailed. Tammy still has the list of people who would like to participate on the general plan. Commissioner Faulkner was wondering how we choose who helps. It was suggested maybe doing an interview process or having more than one committee. Commissioner Maw would like the person in charge of each committee come and report to planning and city council. Commissioner Faulkner mentioned having focus groups as well. Tammy mentioned if we don't get the grant money, we still need to open the general plan and the Hansens will still help. Commissioner Neil mentioned we may have to update the lower income housing report.

8. Administrative Items:

Discussion: Matt Fox- Bona Vista

Matt Fox is here to talk about the Availability letter and Will Serve letter. Matt stated the Availability letter states there is water available and it outlines the criteria of what needs to happen. It is followed by a second letter which is the Will Serve letter that indicates Bona Vista is good with everything and fees have been paid. He suggested not putting anyone on the agenda until we have a will serve letter from Bona Vista, he indicated that shows that Bona Vista is good with everything. Bona Vista does require proof of secondary water. Matt did say the secondary water companies will give Bona Vista a letter stating the developer has done everything they need to do so they can get culinary water. Commissioner Neil mentioned if there is a new water company would Bona Vista accept their letter. Matt stated they would if there is sufficient water. He indicated they require 3-acre feet per acre irrigatable ground here. The other entities may require less but they would be liable for that irrigation. Tammy asked if a developer brings in an availability letter have, they already paid their fees. Matt indicated they are going to start having them pay the fees when they get the availability letter, he did say some of them have been overlooked. If a developer wants to go forward, they will need to pay fees when they get an availability letter. They will send it to engineering to make sure everything is up front, and make sure if water lines need to be upsized the developer is aware of it right from the start. Commissioner Neil asked Matt if Bona Vista had a question on these open reservoirs. He mentioned the biggest problem they have with HOA or private irrigation is fees not getting collected, or dissolved HOA's and pumps getting run down and not being taken care of, then they will supplement with Bona Vista. He did say this would be something Bona Vista and the city will need to look into to make sure it is a viable water source. Commissioner Faulkner is wondering if we need to put in our ordinance that it has to be a Bona Vista approved secondary source. Matt stated that would put pressure on them but he said however you want to do that would be fine. He did mention we already have an ordinance for secondary water. Commissioner Neil indicated it just names the two sources to get secondary water. Commissioner

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Skeen mentioned a scenario where a developer has to have a complete application and to have a complete application, they need a will serve letter and at this point they don't even know if the subdivision will get approved. To get secondary they will need to give up their water shares and then pay Bona Vista. Then find out they don't have a subdivision because they maybe can't get what they want or whatever. Matt indicated they should be in talks with Bona Vista that is where the availability letter would come in. Commissioner Faulkner stated at our first review the developer should have the availability letter then planning can look it over and let them know they will have to come back with a will serve letter. Commissioner Skeen mentioned before final they will bring back a will serve letter. Commissioners Neil and Ortega asked if it states this in the checklist for the subdivision application. Tammy stated it doesn't spell it out that they have to have a will serve letter. Commissioner Ortega is asking if they come in with an availability letter the first review and proceed but are not able to get the will serve, would this be grounds to reject the application. Commissioners agreed you can reject it without the will serve letter. Commissioner Faulkner mentioned they would not be able to get final without the will serve letter. There was some concern of what is a complete application. Commissioner Maw is wondering if we need to open the ordinance back up to make some changes.

First Review: Marsh Mountain View Subdivision Approx. 3450 W 2200 N, 31 Lots (Joe Marsh)

Cody Taylor is here representing Joe Marsh. Cody indicated comments from our engineer had been addressed. He did say the Geo Tech report was being checked on. He did say the comments were sent today to our engineer. Commissioner Faulkner stated we like to hear the engineers' comments before our meeting, if they were sent the same day there is no way we can look at them. Commissioner Maw did say this is the first review. Commissioner Faulkner wanted to know what the front lot line is for lot 25. Cody indicated they would need to add a dimension on the north of the property line for that lot. He said C9 is not on the list but C10 is on there. Commissioner Faulkner was wondering if there was a plan to put a duplex on that lot. Cody indicated he did not know. Joe said he has not decided what lots would be the best for a duplex or if he is going to do a duplex on any of them. Commissioner Skeen asked about the irrigation ditch. Cody mentioned it is being proposed to be piped. He stated it comes down the lot line of 10 and 11 into the cul-de-sac east of the property line from lot 15 then heads straight south. Commissioner Faulkner wanted to know where they will connect to the culinary water north or south. Cody said it will connect on the north side and run down straight through to the south side down 3425 West. Commissioner Faulkner mentioned the neighborhood to the south is where she lives it is a U-shaped neighborhood the water for this neighborhood was brought in from the south and it was capped at the end of each street. She indicated a former planning commissioner told her this information; the intention was when development came to the north they would connect those capped water sources. Cody did say it is connecting to 2200 North. Commissioner Faulkner doesn't see how it could connect because it is a different water supplier. She did mention the water pressure in that neighborhood is low because it doesn't continue. She would like to know by the next meeting what is going to happen with this. Joe stated he is not sure how another subdivision relates to his subdivision; he understands the concern he believes it is secondary water not culinary. He feels if there are going to be engineering fees, he feels it should be on the other subdivision not on his. Commissioner Faulkner doesn't disagree with Joe, she just feels it needs to be addressed so our city knows what's going on and if it is something the city needs to pay for it just needs to be addressed and connected. Dan mentioned speaking with Pineview and that line does not loop through and they were waiting for the other development to come in so they could have that connectivity into the other subdivision. It is stubbed out at the intersection that goes into the field, it was highly recommended for them to go through Pineview. Joe stated he may be going with

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Mountain View. Commissioner Maw asked Joe why he would go with Mountain View. Joe indicated Jeff Hales was instrumental in helping him get the water shares he needed. He also said the fees for Pineview are higher than Mountain View. Commissioner Skeen asked if there was a letter from Plain City Irrigation. He wanted to know if they had seen the proposed reroute and approved it. Joe stated he has asked them before and they said they were not aware of the pipe going through the property. Commissioner Neil mentioned it would be good to have documentation from the irrigation company saying they are aware of the pipe and it is okay. Commissioner Skeen doesn't think the irrigation pipe has been abandoned. Commissioner Maw mentioned this is just the first review he also mentioned the updated drawings that were sent in today. Commissioner Neil asked Joe if he heard the discussion on the Bona Vista water letters. Joe mentioned it was not clear on the checklist but Tammy told him he would need an availability at first and for final he will need a will serve letter. He also said he has paid the fees and has had it reviewed but he has not gotten the secondary yet. Commissioner Skeen asked about the cul-de-sac length. Cody stated they were going to try and get an exception request he said by adding the knuckles it creates a turnaround for the fire truck. He did say he was going to try getting an exception letter. Commissioner Maw would like Cody to put his responses to our engineers' comments on the same page, he said it would be helpful. Commissioner Faulkner indicated the cul-de-sac cannot be over 600 feet.

9. Report from City Council: Commissioner Ortega

Commissioner Ortega mentioned at city council they approved the annexation for AJS investments, they approved conditional final for phase three River Crossing and Pappy's Estates.

10. Commission Comments:

Commissioner Neil mentioned Tammy's email regarding the Jackson property about the development agreement. He stated we met with Jackson and Pat Burns on April 25 2024, he was surprised to see their engineers there and he said they decided to work with our legal on the development agreement. He stated that someone from city council and planning were to meet with legal to go over the development agreement with recommendations he is not aware of this ever happening. He feels there is a lot of issues regarding the agreement. He mentioned the water issue and it not being in our ordinance he is not sure how to proceed with this. Dan stated he went through the development agreement a couple times he said it is one sided there was nothing in there to cover the city. He did reach out to legal and legal was stumped of why they were sending it to him. Dan mentioned he has never seen a plan saying this is phase one or phase two. He felt there were too many holes in it. He said how can you have a development agreement when nothing is planned out. Commissioner Skeen mentioned Jacksons coming in and getting feedback from planning and then he said planning caught wind they were working with legal and he was confused on how it was going to work where they bypassed planning. He feels like legal is kicking it back to planning. He said it sounds like they need to come in and just start the process. Tammy stated she told them that, but they wanted to come in and talk with planning. They have not rezoned or filed a subdivision application or paid fees. Commissioner Faulkner mentioned having had Craig Call come talk about a development agreement. Craig stated it is very difficult to do those without the city becoming at risk if any part of the agreement is misunderstood, they can sue the city. She mentioned how do we approve something that doesn't meet our ordinances, she stated in her opinion it has to go to city council and she hopes that city council will recognize the concerns with it.

11. Adjournment

Commissioner Skeen moved to adjourn the meeting at 8:04pm. Commissioner Neil seconded the motion. Vote: Commissioners Maw, Neil, Faulkner, Skeen, Ortega voted aye. Motion carried.

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City Council Meeting: February 6 – Chairman Jenkins

2025

MAW	NEIL	JENKINS	ORTEGA	SKEEN	FAULKNER
~~JAN 2~~	~~JAN 16~~ Ortega	FEB 6	FEB 20	MAR 6	MAR 20
APR 3	APR 17	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