

Plain City Planning Commission
Minutes of Meeting
September 9, 2021

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

Present:	Chairman	Blake Neil
	Commissioner	Dustin Skeen
	Commissioner	Jarod Maw
	Commissioner	Rob Ortega
Excused:	Vice-Chair	Shawna Faulkner
	Commissioner	Blake Jenkins
Staff:	Mike Kerswell, Dan Schuler	

Attendees: Mark Staples, Jake Jones, Tom Favero, Steve Diamond, Con Wilcox, Shannon Nielson, Tyler Nielson, Joe Marsh

Welcome: Chairman Neil

Pledge of Allegiance: Commissioner Maw

Moment of Silence / Invocation: Mike Kerswell

1. Roll Call:

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

2. Opening Statement:

Chairman Neil read the Opening Statement.

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

None reported.

4. Public Comments:

None offered.

5. Approval of Meeting Minutes for August 26, 2021

Commissioner Ortega motioned to approve the Meeting Minutes for August 26, 2021. Commissioner Skeen seconded the motion. Vote: Commissioners Ortega, Maw, Skeen and Chairman Neil voted aye. Motion carried.

6. Technical Review Report

Chairman Neil reported that Visionary Homes presented a concept for a subdivision to be located on the Stimpson family property. He noted that the area is designated Critical/Sensitive land on the Future Land Use Map. He reported that Lync Construction was scheduled for an ancillary review of Burns Plain City but did not show up.

7. Administrative Items:

Discussion / Motion: Preliminary Subdivision – Bar W Ranch, app. 3600 N 4550 W

Land owner, Con Wilcox described the location and configuration of the proposed subdivision. He notified that the project engineer is out of town and has not fully responded to the City Engineer's preliminary memorandum on Bar W Ranch. He surmised that the application will be tabled pending comments from his engineer. Chairman Neil commented on development access points. He informed that a sixty-foot right of way will be required. Mr. Wilcox commented on the future Burns Plain City subdivision, noting that Bar W Ranch access location(s) will be influenced by the final layout of adjoining developments. Chairman Neil pointed out that there's an established well in the path of a planned road through the Burns Plain City subdivision. He stated that the original parcel number written on Mr. Wilcox's application has been discontinued and advised that the form be amended to show updated information. Commissioner Maw spoke of sensitive land conditions that must be addressed by the project engineer.

Commissioner Maw motioned to table Preliminary Subdivision – Bar W Ranch, until the project engineer reviews and responds to the City Engineer's memorandum. Commissioner Ortega seconded the motion. Vote: Commissioners Skeen, Maw, Ortega and Chairman Neil voted aye. Motion carried.

Discussion / Motion: Preliminary Subdivision – Wheatgrass Estates, app. 3875 W 2800 N

Developer, Steve Diamond commented on the City Engineer's memorandum on application materials submitted for the Preliminary Wheatgrass Subdivision. He noted that a special exception for an extended cul-de-sac street will be sought from the City Council, upon Commission acceptance of the final plat. Chairman Neil reported that the City Engineer recommends preliminary approval of this subdivision. Commissioner Skeen indicated that the road through the development is shown to be fifty feet wide and not having sidewalks. Steve Diamond specified that the road will be built to the Plain City Public Works Standards for Rural Streets. Commissioner Skeen contended that the presented plat does not comply with the ordinance for Rural Residential Subdivisions. Steve Diamond affirmed that the layout was reviewed by the City Engineer and commented on the Rural Street:

The developer is proposing a rural road section. The use of this road section in this area should be approved by the City.

He indicated that the Mayor, the Public Works Director and the City Engineer have implied that the rural street design is appropriate for this subdivision. He stated that he's not opposed to putting a sidewalk in. He mentioned that that a sidewalk will be placed at the front of the subdivision, along North Plain City Road. Public Works Director, Dan Schuler told of the serviceability of the rural street scheme in this circumstance. He agreed that code compliance should be verified. He contemplated installation of walking path along the roadway in lieu of a conventional sidewalk. Commissioner Maw concurred that the presented plat does not meet Rural Residential Subdivision requisites.

Commissioner Maw motioned to table Preliminary Subdivision – Wheatgrass Estates, until the project engineer coordinates with the City Engineer on use of the Typical Rural Street Standard. Commissioner Skeen seconded the motion. Vote: Commissioners Skeen, Maw, Ortega and Chairman Neil voted aye. Motion carried.

Discussion / Motion: Preliminary Subdivision – Diamond E, app. 3200 W 2600 N

Nilson Homes representative, Jake Jones described the location and configuration of the proposed subdivision. He acknowledged that the plat was designed with extensive input from the Plain City Public Works Director and Engineer. He referred to the City Engineer's most recent memorandum, recommending that the Commission approve the preliminary subdivision. Commissioner Skeen asserted that the proposed development has the same fifty-foot rural street issue as does the Wheatgrass subdivision. Jake Jones indicated that the developer will provide curb, gutter and sidewalk along the road in question. He stated that

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the road width is patterned after the West Park Village subdivision, which was approved by the City Council (as recommended by the Planning Commission). Commissioner Skeen noted; the main road that goes through the subdivision dead ends into property that may never be developed. He also advised that the roads in this development could one day be outlets for the high-density JDC Ranch project, to the north. Nilson Homes representative, Mark Staples indicated that the streets in/through the Diamond E subdivision will not serve as a primary access to any future community. He stated that the JDC Ranch properties are in unincorporated Weber County and will be subject to County zoning and building regulations. He maintained that the presented plat represents phase one of a larger development. Commissioner Skeen predicted that traffic flow hindrances will result from the proposed access arrangement. He recommended all roads within Diamond E be built to the typical sixty-foot ROW standard. Mark Staples remarked on an intended dedicated canal easement and the potential impact on future lot owners if it's adjusted to allow for wider roads. He reiterated that the fifty-foot road was used in the layout after clear indication from the City Engineer, Public Works Director and Mayor Beesley that the concept is appropriate. He noted that West Park Village was readily approved by the Planning Commission and City Council, with the same rural street specification. Dan Schuler exclaimed that he is 100% in favor of incorporating the fifty-foot street standard in this subdivision. He expressed his preference for curb, gutter and sidewalk along the road being discussed. He cited proof that narrow roads slow traffic flow through a subdivision. He spoke of maintenance cost savings attributable to narrower roadways. He submitted that unfavorable on-street parking might be discouraged where rural-standard streets are located. Jake Jones informed that the Plain City Public Works Standards direct:

Rural Street section may be used:

- *In cul-de-sacs*
- *On small residential roads less than 1000' long*
- *As approved by City Staff and confirmed by the Planning Commission*

Commissioner Maw echoed Commissioner Skeen's contention that the presented plat does not comply with the ordinance for Rural Residential Subdivisions. Dan Schuler pointed out that there's a difference between the Rural Residential Subdivision ordinance and the Rural Street standard. Commissioner Skeen questioned if the rural-standard street, depicted on the presented plat, meets the quoted conditions. Jake Jones reaffirmed; the City Engineer recommended that the Planning Commission approve the preliminary plat. Dan Schuler proposed that the developer provide a drawing of the overall subdivision – showing all phases – for better assessment of future connectivity. Mark Staples indicated that the first phase of Diamond E is a stand-alone development. He agreed to install curb, gutter and sidewalk along 3225 West Street. Commissioner Maw stated that he wants to see the curb, gutter and sidewalk drawn on the plat before he recommends final approval of the subdivision. Commissioner Ortega asserted that he will not recommend the subdivision for approval if it does not meet the ordinance. Chairman Neil reasoned that the fifty-foot street is acceptable as long as curb, gutter and sidewalk are specified on the plat. He proposed that the subdivision be put on the October 14th agenda for Preliminary and Final approval.

Commissioner Maw motioned to table Preliminary Subdivision – Diamond E, pending additional research regarding appliance of the rural road width standard and an updated plat drawing that shows curb, gutter and sidewalk along 3225 West Street. Commissioner Ortega seconded the motion. Vote: Commissioners Skeen, Maw, Ortega and Chairman Neil voted aye. Motion carried.

Discussion / Motion: Strategic Planning

Chairman Neil outlined subtasks that the Planning Commission can do to help in the City Council's strategy for improving public education of land use laws, rules and regulations. He suggested that the matter be postponed so that all commissioners can participate in the discussion.

Commissioner Maw motioned to table Discussion / Motion: Strategic Planning. Commissioner Skeen seconded the motion. Vote: Commissioners Skeen, Maw, Ortega and Chairman Neil voted aye. Motion carried.

Plain City Planning Commission
Minutes of Meeting
September 9, 2021

8. Legislative Items:

Discussion: Petition for Annexation – Joe Marsh – approx. 2200 N 3450 W

Chairman Neil reviewed the annexation process and commented on the Petition for Annexation, received from Joe Marsh. He indicated the reason this item is on the agenda item is for information purposes. Commissioner Maw expressed approval of the action.

9. Report from City Council:

Commissioner Skeen reported that the Zoning Amendment of MR Wilde & Son's/Wilcox Property, approximately 4277 W 3600 N (from A-1 to RE-30) was approved. He informed that an ROW and Utilities Improvement Agreement for the Skeen subdivision was accepted, as well as the Petition for Annexation – Joe Marsh.

10. Commission Comments:

Commissioner Maw requested that an electronic copy of packet information – namely maps and diagrams, be sent to commissioners regularly. Land Use Specialist, Mike Kerswell agreed to provide the digital information prior to each meeting. Commissioner Ortega yielded. Commissioner Skeen verified the stipulated width of pavement on Typical Rural Streets. Dan Schuler relayed further details about Public Works Standards for Typical Rural Streets. He noted; the right of way is specified fifty feet, but the paved portion starts eleven feet in, on each side. Standard Plain City roadway requirements were deliberated at length. Commissioner Skeen challenged staff's authority to override ordinances on street specifications. He questioned the City Council's prerogative to circumvent ordinances on street specifications with development agreements. Chairman Neil stated that the City Council is a legislative body and the land use authority. Dan Schuler explained how the City Council uses development agreements as a tool to negotiate for features they deem beneficial to the City. Commissioner Maw proposed that the mentioned allowances for deviation from city code through use of development agreements be examined during a scheduled work session with the City Council. Chairman Neil announced that the September 23rd Planning Commission meeting will be dedicated to Utah Land Use Law training. He reminded the Commission about a work meeting on Accessory Dwelling Units that will be hosted by the City Council –Thursday, September 16th at 6:00 pm.

11. Adjournment:

Motion: Commissioner Maw motioned to Adjourn at 8:48 p.m. – Commissioner Ortega seconded the motion. Vote: Commissioners Maw, Ortega, Skeen, 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