

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
SEPTEMBER 1, 2022

The City Council of Plain City convened in a regular meeting at City Hall, 4160 W 2200 N in Plain City, on Thursday, September 1, 2022 also accessible via ZOOM beginning at 7:00 p.m.

Present:	Mayor Jon Beesley, Jed Jenkins, Rachael Beal, Buddy Sadler, Todd Skeen
Excused:	Councilmember Luigi Panunzio
Staff:	Diane Hirschi, Melissa Miller, Dan Schuler
Present:	Melinda Jensen, Jerry Moaney, Marlene Westbrook, Mike Westbrook, David Brown, Rob Ortega, Alan Yorgason, Jack R Howell, Shanna Howell, Jarod Maw, Rick Scadden, Jeff Hales, Glen Remy, Brandon Toyn, Derrick Kennedy, Nicole Bradford, Cody Rhees, Jerrie Denniston
Also Present via Zoom:	Brandon Richards, Marci D, Jeremy Bell

Call to Order:	Mayor Beesley
Pledge of Allegiance:	Councilmember Beal
Invocation/Moment of Silence:	Councilmember Sadler

Approval of Minutes from August 18, 2022

Councilmember Sadler moved to approve the minutes from August 18, 2022. Councilmember Beal seconded the motion. Councilmembers Jenkins, Beal, Sadler and Skeen voted aye. The motion carried.

Comments: Public

Derek Kennedy addressed the council regarding city code questions. He wanted clarification on subdivisions 11-5-3-a1(a) with frontage and existing streets. Mayor Beesley stated his questions would be better suited to a meeting with him and the city attorney so there would be more time to discuss it and work through it.

Melinda Jensen also addressed the council regarding the amenities being considered in the Stillcreek subdivision. She is concerned about the raising of HOA fees being proposed by Visionary Homes to cover the cost of the amenities that could possibly include a clubhouse, pool, gym, ball courts, etc. Melinda stated the proposed increase could be anywhere from \$50-\$70 and she doesn't believe the fees are fair to her or the rest of the community, claiming that several residents besides herself also do not want these amenities. Melinda stated she has read through several months of minutes and believes the council is for these amenities. She is worried about how an increase in HOA fees will affect the residents if the housing market crashes again, stating that there may not be enough residents left to pay for them. Melinda pointed out that the community in Stillcreek is diverse in both age and income. She is worried that high HOA fees may impact a resident's ability to sell their property. She is also concerned about the city council being given final approval of any amenities that are implemented. She believes that if the city has final say, they should be responsible for maintaining them. Her concern is that HOA fees will continue to rise to cover liability issues if certain amenities are built, such as a BMX bike park, etc. She mentioned the most recent brochures being used by Visionary Homes does not include any type of amenities. Melinda stated she would like to see the creation of a sub-HOA for those who have been promised amenities so that they may form a membership and pay the extra fees themselves. She asked the mayor and city council not to force the amenities on the residents of Stillcreek. Mayor Beesley stated when the subdivision was created, the amenities were part of the developer agreement. He stated the city is bound to that agreement. Melinda stated she was told by the original developers that the amenities were not required and were just a possibility. Councilmember Sadler stated that what she was told is wrong and the development agreement was approved before any construction was started. Mayor Beesley stated that agreement included one major amenity (such as a clubhouse). Melinda requested that the council have the city attorney review the agreement to determine if it still had to be enforced. Councilmember Sadler stated the city attorney reviewed it during the construction of Phase 2 and he said the developer must "absolutely" included amenities. Melinda pointed out that they built a park. Mayor Beesley stated the park was built and will be city owned once the council accepts it. Melinda stated she would like to see the developer agreement changed. She stated she read that if there is a 67% vote within the HOA that the agreement can be amended. Councilmember Sadler confirmed that, but stated there was also a time limit. Melinda stated that the expiration was back in December of 2018. Councilmember Sadler continued that the developer met with the council a month before the expiration date and had it extended for another 10 years. Melinda requested to review this agreement stating she believed if the developer turned over the agreement before December 2018 that it would nullify the agreement and the HOA. Mayor Beesley asked Melinda to fill out a GRAMA request to access those documents.

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Report from Planning Commission

Jarod Maw addressed the council. The commission discussed Brinley Acres and they recommended final approval. They also discussed the conditional use of the Senior Overlay on the S-Curve development and the commission recommends approval. A public hearing was held for Taylor Farms where there was a lot of comments and concerns from citizens regarding density and facilitation of the development. The commission was concerned that the rezone did not apply to the future land use map therefore, they recommend a denial. The commission approved the revisions for the Town Center development. The preliminary hearing for the Sagecreek subdivision was also approved. Councilmember Sadler inquired about the discussion on Sagecreek. Jarod stated there was concern about the road being able to sustain the development. They discussed the ownership of a well on the property and how best to protect the owner of that well and the easement involved with it. There were some concerns over the wetlands study. He also mentioned a signed report from the Geotech engineer stating every plat would be tested due to wetlands and floodplains issues. There were also several ditches that need to be coordinated with the irrigation company and the development. The developer wanted to move to a final approval, but the commission stated they tabled approval on Phase 1 until their concerns have been addressed. There was also some discussion regarding the General Plan. Jarod mentioned the American Institute of Architects (AIA) would like to offer a design assistance team in conjunction with the plan. The AIA is waiting until a survey is conducted before starting.

Discussion: Connex Update

David Brown displayed a digital map for the council to view which showed areas of completion, partial completion and those yet to be started. He discussed the progress of the fiber internet installation and mentioned they are waiting on core fiber connection and a centralized cabinet being installed. Most of the construction on the cabinet has been completed and that will open up service for more residents. He stated the aerial crew has basically finished their portion and the underground crews are continuing to work. David stated they are also waiting on Rocky Mountain Power to approve their construction in certain areas, which can take up to 45 days for approval, but they will not have to wait on the electronics. Councilmember Sadler asked for additional clarification on some of the map areas. David said they are doing well and anticipates finishing within the next year. Mayor Beesley asked about the "loop" and how it was progressing. David stated the construction is not quite finished, but connection can still be done before it is finished. He stated the loop will run through several different cities, but it will not diminish speeds. He mentioned that customers will be able to get service through Connex or another provider of their choosing. David reiterated that completion was still roughly a year out and Councilmember Sadler mentioned that residents are "getting tired of waiting". Councilmember Beal asked if 2600 North was part of the loop and David mentioned that if the ring is built using the main core line, then 2600 North would be part of it. David stated they do keep an updated map on their website. The council thanked David for his update.

Discussion: Amphitheater Update

Mayor Beesley invited Glen Remy to speak on the amphitheater. Mayor Beesley reminded the council that the RAMP grant request submitted earlier this year was denied. Glen reported on the Plain City Pops Concert. Councilmember Sadler stated the concert was very good and commended Mr. Remy for their hard work. Mayor Beesley stated he spoke with Glen and Dan Schuler about some different options. They discussed some mobile stages and the pricing for each, which ranges anywhere from \$120k to \$220k. He reminded the council that they had previously approved \$300k towards an amphitheater. If the council were to approve a mobile stage, the extra funds could be used for lighting and sound needs. He stated some options should be put together for the council to consider. Councilmember Beal asked for more details on the mobile stages. Councilmember Skeen asked Glen if he would prefer a fixed site or a mobile stage. Glen stated his preference would be a fixed stage, but he understands the benefit of a mobile stage as well and said he would prefer something over nothing. He also mentioned the stage could be made smaller. Councilmember Skeen reminded the council that one of the "stumbling blocks" for grant approval was the need to obtain written letters of support by every neighbor surrounding the park. He also mentioned a mobile stage would be faster to obtain. Glen agreed and mentioned it would not take up as much space as well. Mayor Beesley asked the council for their thoughts. Councilmember Sadler stated he would like to see it move forward and apply for the RAMP grant again. He mentioned that they should look at moving the stage between the football and baseball fields. Councilmember Beal reminded the council the issue of neighboring homes would still need to be resolved first. Glen suggested that the council possibly construct a smaller stage using the approved funds and then apply for grants to help with lighting, sound equipment, etc. Councilmember Beal also brought up North Ogden City's legal issues with their amphitheater and stated if the amphitheater is going to be built then it the city might as well go big. Mayor Beesley invited Alan Yorgason to share his thoughts. Alan said he is excited about a permanent structure and the possibilities for the Pops concert and other activities as well. He believes getting neighboring homes to support the amphitheater is possible. He said a mobile stage would be better than nothing, but is hoping for a permanent structure. Mayor Beesley mentioned that Glen and Melissa Miller created a list of possible activities that could be implemented with

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the addition of an amphitheater. Alan spoke of the Ed Kenley Amphitheater in Layton that has a wide variety of events and activities and the enjoyment the community receives from it. Mayor Beesley asked the council for their comments or questions. Councilmember Jenkins stated that he would have a hard time voting for something that was not permanent. The council thanked Glen and Alan for their comments.

Discussion/Motion: Ordinance – Amend Zoning Map – Brynlee Acres – 3459 W No. Plain City Rd – RE-20 & A-1 to RE-18.5
Mayor Beesley discussed the amended zoning for Brynlee Acres and asked the council for their input or questions. Councilmember Jenkins stated that it would be difficult to deny if the zoning is in conjunction with the Future Land Use Map. Councilmember Sadler stated he would have no problem approving it, but believes a new traffic study should take place before any future subdivisions are approved in this particular area.

Councilmember Beal moved to approve Ordinance #2022-11 Amending the Zoning Map for Brynlee Acres from RE-20 & A-1 to RE-18.5. Councilmember Jenkins seconded the motion. Councilmembers Jenkins, Beal, Sadler and Skeen voted aye. The motion carried.

Discussion/Motion: Ordinance - Conditional Use Permit w/Senior Overlay – 2800 W 2600 N - Randy Marriott/Jeff Hales
Councilmember Sadler mentioned that the overlay zone requires a development agreement, which is stated in the ordinance, and it would not be right for the council to pass it without one. He invited Jeff Hales to discuss this with the council. He also asked Jeff about the open common areas and wanted to know if there were plans for something other than parking. Mayor Beesley reminded Councilmember Sadler that the discussion was to approve the overlay, not the subdivision. Councilmember Sadler stated that the overlay should not be granted until the council is happy with it, stating that the council's control is based on the overlay itself. Jeff Hales stated the overlay was examined in Technical Review and asked Councilmember Sadler if he was unhappy with the design. Councilmember Sadler stated the council shouldn't grant the overlay until they are satisfied with the design, the roads, the open space, etc. He said the overlay should also include a developer's agreement so there is proof of what both parties agree to, along with drawings of what will be built. Jeff stated there is a standard developer's agreement that acts as a template. He stated they attach the senior overlay ordinance to that template and that serves as the document(s) that Councilmember Sadler is requesting. Councilmember Sadler stated the official document is still necessary for the council to review in order to make any changes as needed. Jeff pointed out the senior overlay already includes what has been approved to be built, but Councilmember Sadler countered that the overlay must be presented in order to approve it. He also stated the council has the right to hold a public hearing on the overlay before approval. Jeff stated he was sent back to the Planning Commission for a public hearing and was never informed of the need for the documents Councilmember Sadler is now asking for. Councilmember Sadler stated he had hoped the Planning Commission would have resolved all of this before sending it back to the council for approval. Jeff stated the matter is a very simple boilerplate that was already agreed to in Technical Review and follows what the ordinance already states. Councilmember Sadler stated the ordinance also states the developer agreement shall be required. He also asked Jeff if private yards would be included. Jeff told him that it would mirror the Town Square development. Councilmember Sadler suggested the addition of a bowery. Jeff and the council discussed options of where they could include one or two of them. Councilmember Sadler apologized for the misunderstanding, stating he thought Planning Commission would have handled it. He suggested bringing the design, developer agreement and engineering altogether in order to get the conditional use permit approved. Mayor Beesley stated to bundle everything together and take care of it in one meeting. Mayor Beesley asked about the possibility of a community garden area. Jeff said that would be something to consider. Councilmember Skeen mentioned that he has also thought about that as well in one of the open spaces. Councilmember Sadler asked about the percentage of open space available. Mayor Beesley said the ordinance states how much is required. Councilmember Sadler stated it is 15%, not including parking lots, wetlands, etc. He asked that the engineer review it to make sure the open space percentage is met. Jeff stated he would work on that. Mayor Beesley thanked Jeff for his willingness to work with the council.

Councilmember Sadler moved to table the Conditional Use Permit w/Senior Overlay – 2800 W 2600 N. Councilmember Jenkins seconded the motion. Councilmembers Jenkins, Beal, Sadler and Skeen voted aye. The motion carried.

Discussion/Motion: Final Approval – Town Center Business Plaza – 2404 N 4350 W – 5 lots

Mayor Beesley stated there were some big changes regarding what was previously approved versus what the council is reviewing now. He stated it was approved for the lease of the buildings with a single owner. He stated Cody Rhees would now like to sell three of the four buildings. Cody stated the original plan was always designed to sell the buildings, but it was never subdivided that way. He stated the property plat had four different addresses and was approved through Planning Commission. He is now going through a subdivision process with the Planning Commission. Mayor Beesley stated he discussed this issue with the City Attorney along with some other details that have given him some concern. He

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mentioned item #14 on the POA agreement regarding utilities. Mayor Beesley stated every building should be charged separately for each connection and assess their own impact fees. He spoke with Dan Schuler regarding the tie in of each building and he approved the tie in. Cody stated he believed impact fees were paid on each building. Mayor Beesley stated the city would double check on that. Mayor Beesley asked about #15 and wanted to know if that meant city receptacles or a dumpster. Cody stated he perceives these buildings to be office use only so city receptacles would be used. He stated there are currently two Bona Vista water meters and stated he would be happy to pay any overage without putting meters on each building. Mayor Beesley stated he was okay with it if Bona Vista approved it, but did mention that if the property falls into foreclosure, the city assumes responsibility of the property and it could cause some billing issues. Cody stated the agreement includes verbiage in paragraph #14 that waives Plain City Corporation of any responsibility. Mayor Beesley also asked about #18 regarding sidewalk maintenance and repair. He believes everything should be included under the POA and not on individual building owners. Mayor Beesley stated his understanding is that building owners in a POA own sheetrock to sheetrock, while the POA is owned from the studs to the exterior. He asked Cody to define what is owned so there is no question going forward. Mayor Beesley asked about the common areas and maintenance verbiage. Cody stated three of the four building must agree to maintenance before any action is taken. Mayor Beesley stated he would rather the POA own all of it and be responsible for any repairs. Cody stated he would be happy to change the verbiage on it. Mayor Beesley asked about #21 regarding rights to enforce. The verbiage states provisions would be enforced by the city. Mayor Beesley asked Cody if provisions should instead be enforced by the POA. Cody stated the city has been referenced several times at the Planning Commission's request, but the right to enforce is granted to both the city and the POA. By including the city, it allows the city the flexibility to enforce any provisions. Councilmember Sadler asked if every lot has a separate tax ID. Cody stated there are two currently. Cody stated he is asking for five separate tax IDs. Councilmember Sadler also asked why separate water meters are not being required. He pointed out that the council recently required another development to install separate meters on their properties and believed that they should require them for Mr. Rhees' development in order to be consistent. Cody stated Bona Vista was not requiring it and the city engineer is not asking for them as well. Councilmember Sadler stated the issue comes when the water bill isn't paid and the water cannot be shut off. He said it should be required for consistency. Councilmembers Beal and Skeen agreed. Cody asked Councilmember Sadler to reference the city ordinance. Councilmember Sadler stated a lot cannot be built upon without having a water meter. Mayor Beesley asked the city attorney, Brandon Richards, for his comments. He asked if there was anything that would prevent the city from requiring separate meters. Brandon stated he would review the ordinance and see what is required. Cody agreed with that. Mayor Beesley stated there were several changes that needed to be made and Brandon will review the water meter issue as well. Cody and Brandon discussed needed verbiage for the changes to the POA.

Councilmember Jenkins moved to table final approval of the Town Center Business Plaza – 2404 N 4350 W. Councilmember Beal seconded the motion. Councilmembers Jenkins, Beal, Sadler and Skeen voted aye. The motion carried.

Discussion/Motion: Resolution – Revised Fee Schedule Regarding Garbage Can Prices and Engineering Fees

Mayor Beesley stated garbage cans have increased by \$7 and engineering has gone up by \$9. Councilmember Sadler wondered if the Senior Center rental fees should be increased as well. Councilmember Beal asked if that should be added as an agenda item. Councilmember Sadler stated the fee schedule discussion could include anything. Councilmember Beal asked why the rental fees should be considered. Councilmember Sadler stated it was just a thought since it hasn't been looked at in a while. Diane Hirschi stated the entire fee schedule would be reviewed. Councilmember Beal suggested looking at the fee schedule for the senior center rental separately as its own agenda item.

Councilmember Beal moved to approve Resolution 2022-07 for revising the Fee Schedule Regarding Garbage Can Prices and Engineering Fees. Councilmember Sadler seconded the motion. Councilmembers Jenkins, Beal, Sadler and Skeen voted aye. The motion carried.

Motion: Approval of Business License

New

Lauren Bryan Therapy

Lauren Bryan

online mental health therapist

Councilmember Sadler moved to approve the business license as presented. Councilmember Jenkins seconded the motion. Councilmembers Jenkins, Beal, Sadler and Skeen voted aye. The motion carried.

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Motion: Approval of Warrant Register

See warrant register dated 08/11/2022 to 08/31/2022. **Councilmember Jenkins moved to approve and pay the bills as presented. Councilmember Beal seconded the motion. Councilmembers Jenkins, Beal, Sadler and Skeen voted aye. The motion carried.**

Report from City Council

Councilmember Beal stated the separate meter might become an issue and suggested adding it to their agenda for discussion. She mentioned advertising signs posted on public utilities and stated they are not allowed. She mentioned all-ability type playground equipment and wanted to know if it can be required at all parks. Mayor Beesley stated the council had that ability, but should be cognizant of the cost as well.

Councilmember Sadler stated the council should continue looking for venues for an all-ability park. He also mentioned the UCLT Conference in October and wondered if city council should be canceled. Mayor Beesley and Brandon Richards discussed the requirements needed to cancel a city council meeting. Mayor Beesley will look into it further.

Councilmember Skeen mentioned the bathrooms in the four facilities he inspected looked great. He stated he spoke with Lonnie and thanked him for his work. He mentioned that Lonnie was feeling a little "stretched" and asked Mayor Beesley if there was any possibility of adding a part-time position to assist Lonnie. Mayor Beesley suggested that Lonnie use the Kubota instead of riding his bicycle to help reduce the amount of time it is taking him. Dan Schuler stated he would like the opportunity to speak with Lonnie if there are issues to help him resolve them first. He stated Lonnie should be communicating with him so he has a chance to address any problems. Councilmember Skeen also mentioned the press box had been tagged with some graffiti.

Mayor Beesley reminded the council that hunting season is upon us and shotguns will be fired. He also spoke about the 40th Anniversary of the Fire Department and invited the council and the public to come out and support them. He mentioned the department has grown and offers classes as well. He stated that the department has been a great benefit to the city. Councilmember Sadler stated there will be food, games, rides and more and also extended the invitation to attend.

Mayor Beesley also thanked those residents who have been following the directions on the blue cans. He would like to discuss this issue in-depth again. He will ask EconoWaste to send this "shit" to the transfer station. He mentioned his frustration with those who have used the can to discard everything from carpet to hypodermic needles and stated no employee should have to sift through it. He also mentioned that no one would consider using it for compost. He believes that the initial idea for this program was admirable to help fund the landfill, but it is clearly not working and more discussion is needed to determine whether it should continue.

Lastly, he and Diane Hirschi reminded the public to visit the city's new website.

At 8:45 p.m. Councilmember Skeen moved to adjourn and was seconded by Councilmember Jenkins. The vote was unanimous.

City Recorder

Mayor

Date approved _____

NOTICE OF DECISION

Plain City, Weber County, Utah

On August 25, 20 , the Plain City Planning Commission recommends
[X] Approval, [] *Approval with condition(s), [] Disapproval, [] Tabled
of an application for Town Center Business Plaza approx. 2404 N 4350 W 5 lots,

received from (Applicant): Cody Rhees Construction

This Notice of Decision formally concludes the Planning Commission's involvement with the application for the above-mentioned land use case. Copies of the Order are available at City Hall.

Applications that have been deemed complete and have not been pursued with reasonable diligence before the appropriate board shall expire after six (6) months. The applicant will have to submit a new application and fees to restart the process, subject to all new zoning restrictions and subdivision regulations then in existence. Any party of record may appeal this decision to the City Council within 10 days of the Order approval date.

City Official

*Condition(s)/Notes:

Commissioner Neil motioned to recommend City Council approval of Town Center Business Plaza approx. 2404 N 4350 W 5 lots

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

Motion carried.

9-1-22 tabled - Cody work with Brandon on changes to the POA

APPLICATION FOR A PLAIN CITY SUBDIVISION

Subdivision Name Town Center Business Plaza Date Submitted 8/12/2022
Address of Subdivision 2404 N 4350W Plain City, UT No. of Units or Lots 5 (4+1CA)

List all Parcel Numbers included in development: 24-031-0005, 24-031-0003

Owner Name Cody Rhees Const. Full Address 2414 N 4350W Plain City UT 84404
Phone # 801-458-4868 Cell # _____ Email Cody@HeritageCraftHomes.com

Subdivider's Name Cody Rhees Const Full Address 2414 N 4350 W Plain City, UT 84404
Phone # 801-458-4868 Cell # _____ Email _____

Name of Intended Escrow Holder NONE Address _____

Contact Name NONE Phone # _____ Email _____

Surveyor's Name Mike Wageman Address _____ Phone # 801-725-8395

Engineer's Name Greg Day Address _____ Phone # 801-814-1778

Have all property taxes, interests and penalties been paid? _____ (no approval given until paid in full.) UCA 10-9a-603(3)

Secondary Water Available? NO Contact _____ Phone # _____

Secondary Water System in Place? NO Type _____ Phone # _____

Culinary Water Available? YES Type Bona Vista Water Dist Phone # _____

Sewer Connection Available? YES Contact Plain City Corporation Type Gravity

Is Property in a Flood Hazard Area? NO Flood Zone _____ Lowest Elevation _____

Access Road above 4215' Elevation? Yes Source Gis

Please describe any agreements, rights-of-way, easements etc, which could affect this site: (Use other side if needed)

* See attached letter

Describe history of parcel being subdivided, approximate dates and acreage of past land divisions: (Use other side if needed)

* See attached letter

The above information is true and accurate to the best of my knowledge.

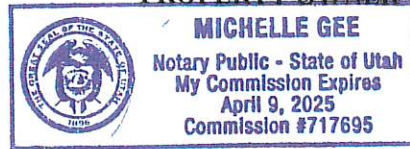
8/12/2022 Date CR, PJ Signature

Office Use Only

Subdivision Filing Fee: 200.00 + 250.00 (lots) PC Preliminary Approval Date: _____
Subdivision Engineering Fee: — PC Final Approval Date: _____
Number of Copies: _____ CC Final Approval Date: _____

AFFIDAVIT

STATE OF UTAH)
) ss
COUNTY OF WEBER)



I (we), Michelle Gee, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I also acknowledge that I have received written instructions regarding the process for which I am applying and the Plain City Planning staff has indicated they are available to assist me in making this application.

Michelle Gee
(Property Owner)

Michelle Gee
(Property Owner)

Subscribed and sworn to me this 12th day of August, 2022.

Michelle Gee
(Notary)
Residing in Weber County, Utah

My commission expires: 4-9-25

AGENT AUTHORIZATION

I (we), _____, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) _____ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Agent)

(Property Owner)

Dated this _____ day of _____, 20_____, personally appeared before me

_____, the signer(s) of the above agent authorization who duly acknowledged to me that they executed the same.

(Notary)

Residing in Weber County, Utah

My commission expires: _____

PLAIN CITY
DEVELOPMENT REVIEW AND SUBDIVISION INSPECTION FEE SCHEDULE

A. SERVICE (REVIEW) FEES

- | | |
|-----------------------|---|
| 1. Subdivision Filing | \$200.00 plus \$50.00 per lot <u>\$450.00</u> |
| 2. Engineering | \$105.00 per lot <u>4 Lots & 1 common area (5)</u>
Developer will be responsible for all engineering fees above those paid at filing. |
| 3. Planner Fees | Developer is responsible for all planner review fees (over one hour) incurred on behalf of the subdivision. |
| 4. Legal Fees | Developer is responsible for all legal review fees (over one hour) incurred on behalf of the subdivision. |

All submittals will be assessed a review fee on an hourly basis at the non-negotiable hourly rate of the City Engineer. Review costs can be kept to a minimum if the engineer for the developer is thorough in the original plat and plan preparation, is thoroughly familiar with the subdivision ordinance and associated checklist, and is responsive to the review comments. All review costs associated with each subdivision shall be paid in full prior to final approval by the governing body. ***All engineering fees associated with each subdivision are the developer's responsibility to pay in full.***

8/12/2022
Date


Signature

B. USER FEES:

- | | |
|---|------------------------------|
| 1. General Plan Amendment Request | \$200.00 |
| 2. Rezone Request | \$200.00 |
| 3. Conditional Use Permit | \$200.00 |
| 4. Request to Appear Before
Appeal Board | \$200.00 |
| 5. Request for Annexation | \$1000.00 |
| 6. Copies | \$0.15 per copy (8 1/2 X 11) |

General plan and zoning maps are online at www.plaincityutah.org

LOCATED IN THE NORTHEAST QUARTER, SECTION 32,
TOWNSHIP 7 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN
PLAIN CITY, WEBER COUNTY, UTAH

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE 4 NEW BUILDABLE LOTS FOR FUTURE COMMERCIAL PROPERTY FROM THE EXISTING TWO PARCELS.

THE BASIS OF BEARING FOR THIS SURVEY WAS ESTABLISHED USING FOUND WEST WITHNESS CORNER TO THE NORTHEAST CORNER OF SECTION 32 AND THE WEST REFERENCE MONUMENT TO THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN AS SHOWN ON THIS SURVEY PLAT.

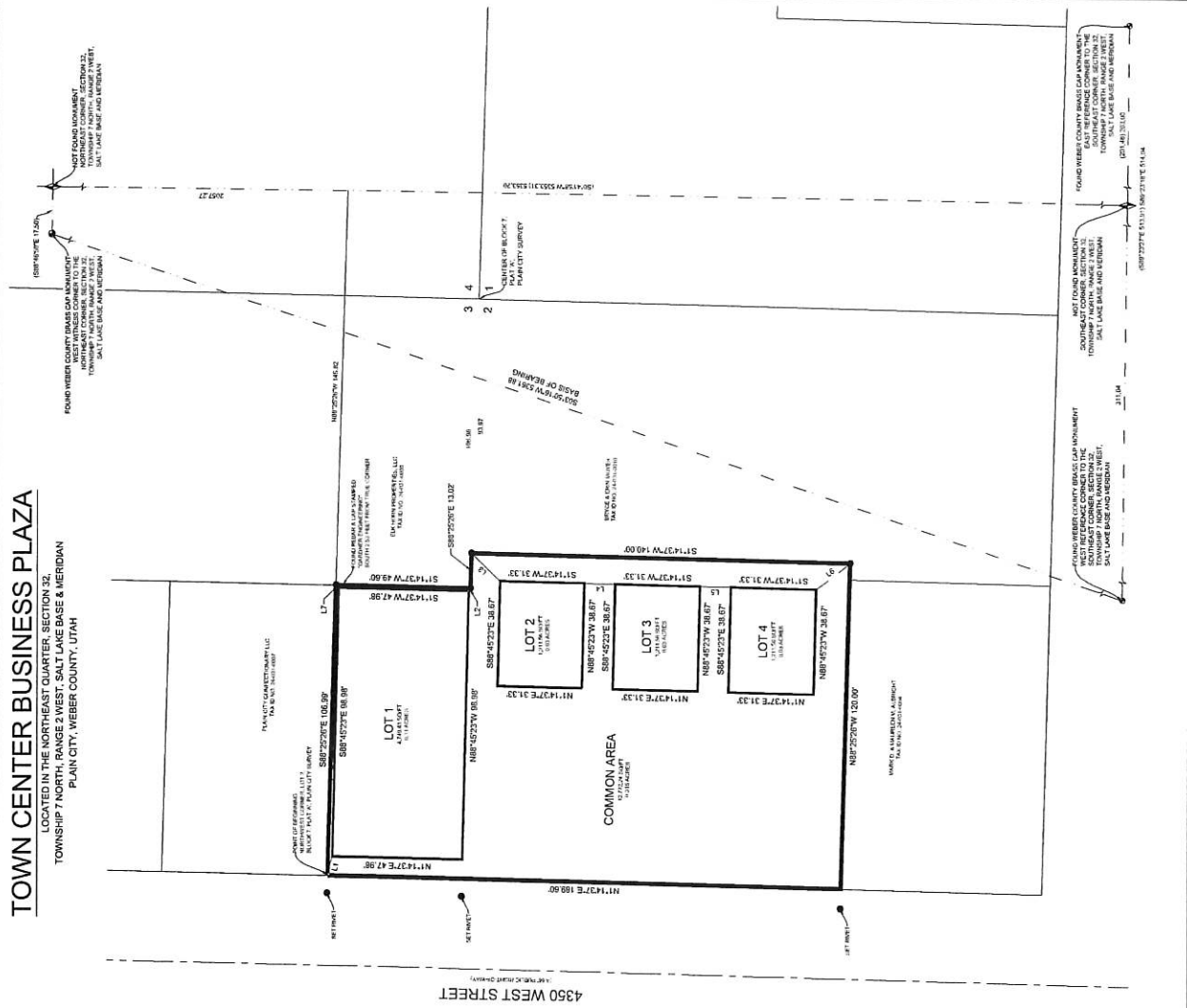
Icon	Icon Name	Icon Description
	Lightning Bolt	Lightning Bolt
	Fire	Fire
	Water	Water
	Wind	Wind
	Earth	Earth
	Air	Air
	Fire and Lightning	Fire and Lightning
	Fire and Water	Fire and Water
	Fire and Earth	Fire and Earth
	Fire and Air	Fire and Air
	Fire, Lightning, and Water	Fire, Lightning, and Water
	Fire, Lightning, Water, and Earth	Fire, Lightning, Water, and Earth
	Fire, Lightning, Water, Earth, and Air	Fire, Lightning, Water, Earth, and Air

I HEREBY CERTIFY THAT THIS PLAN COMPLIES WITH THE MINIMUM CONDITIONS OF THE PLAIN CITY ORDINANCES THIS OFFICE IS REQUIRED TO REVIEW AND APPROVE.

APPROVED BY THE PLAIN CITY ATTORNEY'S OFFICE

THIS PLAN AND ANY DEDICATIONS OFFERED HEREIN ARE APPROVED AND ACCEPTED BY THE
MAYOR OF PLAIN CITY THIS _____ DAY OF _____, 2022.

I HEREBY CERTIFY THAT THIS PLAN COMPLIES WITH THE MINIMUM CONDITIONS OF THE PLAIN CITY ORDINANCES THIS OFFICE IS REQUIRED TO REVIEW AND APPROVE.



MICHAEL W. KANEVSKY DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR AND THAT I WOULD LICENSE NO. 06111596 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE ORDER HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AND HAVE MARKED SAID TRACK OF LAND INTO LOTS, AND EASEMENTS TO BE KNOWN AS TOWN CENTER BUSINESS PLAZA AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STATED ON THE GRADING AS SHOWN ON THIS PLAT AND THAT THIS IS TRUE AND CORRECT.

[illegible][illegible]

CODY RHEES CONSTRUCTION, INC.

BY _____

STATE OF UTAH } S.S.

ON THE _____ DAY OF _____, A.D. 2022 PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED
NOTARY PUBLIC, _____, WHO BEING BY ME DULY SWORN DID SAY
THAT HE/SHE/THEY IS/ARE THE _____ OF _____, BY AUTHORITY
OF THE MEMBERS OR ITS ARTICLES OF ORGANIZATION, AND HE/SHE ACKNOWLEDGED TO ME THAT SAID
IDENTIFIED ENTITY COMPANY EXERCISED THE SAME

NOTARY PUBLIC

LOCATED IN THE NORTHEAST QUARTER, SECTION 32,
TOWNSHIP 7 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN
PLAIN CITY, WEBER COUNTY, UTAH

UTAH LAND SURVEYING, LLC



1359 FAIRWAY CIR
FARMINGTON, UT 84025
PHONE 801.725.8395
mikew@utahlandsurveying.com

www.utahlandsurveying.com



Memorandum

To: Diane Hirschi, City Recorder
Plain City Corporation

From: Brad C. Jensen, P.E.
Wasatch Civil Consulting Engineering

Date: August 26, 2022

Subject: Town Center Business Plaza, Revised Plat

We have reviewed the revised plat for the Town Center Business Plaza and have the following comments

1. Regarding the utilities that have been installed as part of this project.
 - a. It is our understanding that there are currently 2 water meters on the site. One meter is serving the larger building while the other is serving the 3 smaller buildings. Since the smaller building will not have their own individual water meters, a property owners association (or other approved instrument) should be established that will handle the water billing and maintenance. Another option would be to install 2 more water meters so each of the smaller buildings have individual meters.
 - b. It is our understanding that there is a single sewer connection that serves the 3 smaller buildings. Similarly, a property owners association (or other approved instrument) should be established that will own and maintain the common sewer service laterals.
 - c. The storm water facility constructed as part of this development should be maintained by a property owners association (or other approved instrument).
2. Other site facilities (parking lot, curbing, landscaping, etc.) located in the Common Area should be owned and maintained by a property owners association (or another approved instrument).

Once these items have been resolved to the satisfaction of the City Council, we recommend approved of the revised plat. If you have any questions or require additional information, feel free to call.

City Council Agenda 10/6/22

Cody Rhees <cody@heritagecrafthomes.com>

Wed 9/28/2022 4:26 PM

To: Diane Hirschi <dianeh@plaincityutah.org>

Cc: Gregory Day <gregoryb81@gmail.com>; Jed Parry <jed@heritagecrafthomes.com>

 2 attachments (2 MB)

Bona Vista Billings.pdf; Town Center Business Plaza Owners Association Agreement 9.6.22.pdf;

Diane,

Will you please ensure that the final plat approval for the Town Center Business Plaza POA is on the next City Council Agenda once more.

I have received no feedback from anyone on this, and look forward to having it back on the agenda. I am ready to get it approved.

Please find the attached Bona Vista Water bills and an edited POA Agreement that should meet any discussed items from the last meeting.

Thank You,

 created with
[MySignature.io](https://www.mysignature.io)

Cody Rhees, President
Heritage Craft Homes
Site:
www.heritagecrafthomes.com
Address: 2414 N 4350 W |
Plain City

 created with
[MySignature.io](https://www.mysignature.io)
 created with
[MySignature.io](https://www.mysignature.io)



Phone: (801) 621-0474

Office Hours: 9 am to 5 pm Weekdays

Email: customerservice@bonavistawater.com

Pay Online: www.bonavistawater.com



3423 *****SCH 5-DIGIT 84404

8

TOWN CENTER BUSINESS POA LLC
2414 N 4350 W
PLAIN CITY UT 84404-9618

PREVIOUS		CURRENT		MULTIPLIER	USAGE
DATE	READING	DATE	READING		
07/22/2022	29,530	08/24/2022	29,545	10	150

Customer Message

Protect tomorrow by using less water today!

Bona Vista Water is excited to announce the award of \$1.5 million in ARPA funding. These funds will be put towards the design and build of a new storage tank to help the District remain compliant with State directives.

A late payment charge of 1% will be charged on the delinquent balance per month.

▲ Detach Here and Return Lower Portion with Your Payment ▲



Bona Vista Water District
2020 West 1300 North
Farr West, UT 84404

ACCOUNT NAME: TOWN CENTER BUSINESS POA LLC

SERVICE ADDRESS:

2404 NORTH 4350 WEST

Account Number	22.0760.1
----------------	-----------

Service Address	2404 NORTH 4350 WEST
-----------------	----------------------

Balance Summary as of 08/31

Previous Balance	
Payments Received	48
Current Charges	
Adjustments	

Amount Due

Last Payment Received:	4
Date Received:	08/0

Account Summary

Water	
Sewer	
Garbage	
Recycling	
Yardwaste	
Storm Water	
Penalty	
Late Notice Fee	

Current Charges	
-----------------	--

AUTO PAY

Past Due Amount	Due on or Before
Past due amount, if any is due by the to avoid shut off and additional fee	
Current Charges	Due on or Before
48.84	09/30/20
Total Due	Account Number



Phone: (801) 621-0474
Office Hours: 9 am to 5 pm Weekdays
Email: customerservice@bonavistawater.com
Pay Online: www.bonavistawater.com



3422 *****SCH 5-DIGIT 84404

8

TOWN CENTER BUSINESS POA LLC
2414 N 4350 W
PLAIN CITY UT 84404-9618

PREVIOUS		CURRENT		MULTIPLIER	USAGE
DATE	READING	DATE	READING		
07/27/2022	0	08/26/2022	3,730	10	37,300

Customer Message

Protect tomorrow by using less water today!

Bona Vista Water is excited to announce the award of \$1.5 million in ARPA funding. These funds will be put towards the design and build of a new storage tank to help the District remain compliant with State directives.

A late payment charge of 1% will be charged on the delinquent balance per month.

▲ Detach Here and Return Lower Portion with Your Payment ▲



Bona Vista Water District
2020 West 1300 North
Farr West, UT 84404

ACCOUNT NAME: TOWN CENTER BUSINESS POA LLC

SERVICE ADDRESS:

2384 NORTH 4350 WEST

Account Number	22.0753.2
Service Address 2384 NORTH 4350 WEST	
Balance Summary as of 08/31	
Previous Balance	
Payments Received	
Current Charges	
Adjustments	
Amount Due	
Last Payment Received:	
Date Received:	
Account Summary	
Water	
Sewer	
Storm Water	
Penalty	
Late Notice Fee	
Current Charges	11

Past Due Amount	Due on or before
Past due amount, if any is due by the to avoid shut off and additional fees	
Current Charges	Due on or before
188.63	09/30/20
Total Due	Account Number

Town Center Business Plaza Property Owners Association LLC
CCR'S, Agreement and Ownership Designation

KNOWN BY ALL MEN THESE PRESENTS: That the undersigned is the legal said beneficial owner of a certain tract of land in Weber County, State of Utah, hereafter known as the Town Center Business Plaza which is described below;

PART OF LOT 3, BLOCK 7, PLAT A, PLAIN CITY SURVEY, WEBER COUNTY, UTAH: BEGINNING AT THE SOUTHWEST CORNER OF LOT 3, BLOCK 7, PLAT A, PLAIN CITY SURVEY, WEBER COUNTY, UTAH, AND RUNNING THENCE NORTH 49.6 FEET; THENCE EAST 6.5 RODS; THENCE SOUTH 49.6 FEET; THENCE WEST 6.5 RODS TO THE PLACE OF BEGINNING. WEBER COUNTY PARCEL 24-031-0005

PART OF LOT 2, BLOCK 7, PLAT A, PLAIN CITY SURVEY, WEBER COUNTY, UTAH: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT, AND RUNNING THENCE EAST ALONG THE NORTH LINE OF SAID LOT 120 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID LOT, 140 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID LOT, 120 FEET; THENCE NORTH ALONG THE WEST LINE OF LOT 2, A DISTANCE OF 140 FEET TO THE PLACE OF BEGINNING. WEBER COUNTY PARCEL 24-031-0003

WHEREAS: The undersigned is about to sell/buy the property described heretofore, which desires to subject said land to the following Covenants, Conditions, and Restrictions; and the acceptance of any deed or conveyance thereof by the Grantee(s) herein, and their heirs, executors, administrators, successors, and assigns, all constitute there covenant and agreement with the undersigned and with each other, do accept and hold the property described or conveyed in or by such deed or conveyance subject to said Covenants, Conditions, and Restrictions as agrees to operate as follows;

1. USE OF LAND: No lot shall contain more than the 4 approved structures.
2. APPEARANCE OF THE EXTERIORS OF THE BUILDINGS: No Owner shall change the appearance of the building without prior approval from ALL other owners in Owners Association
3. BUILDING LOCATION: All buildings ~~shall be~~ **have been** located as per approved site plans and consistent with Plain City ordinances, so as not to be in violation with Plain City building department. In no event shall any building, including eaves or steps, encroach on any other lot, or POA space.
4. NUISANCES: No noxious or offensive activity shall be carried upon any lot, portion of the property, nor shall anything be done that may become an annoyance to the surrounding neighborhood.
5. OIL AND MINING OPERATIONS: No oil drilling, quarrying, or mining operations of any kind shall be permitted on, **or within** ~~in~~ any lot. No wells, tunnels, or mineral excavation is permitted.
6. BOATS, RV'S, AND MOTOR VEHICLES: No boats, motorcycles, ATV's, Trailers, Busses, Motor Homes, Campers, or other vehicles, shall be stored upon any lot or OA area. Inoperable motor vehicles are not permitted to be stored on any portion of any lot or **POA** ~~OA~~-area, and are not allowed to be stored on public roadways fronting property for any length of time.
7. WALLS, FENCES, AND OTHER BARRIERS: All walls, fences, and barriers shall be approved by all owners of the POA prior to install, as well as an approval from Plain City Corporation.
8. SIGNS: No billboard or sign of any kind shall be erected, posted, painted, or displayed on, or above, any lot. No sign of any kind, except for signs for advertisement of a lot, or property for sale or rent, limited to one sign per lot, will be permitted. Signs by the developer for the advertisement of the development and/or the initial sale of the lots or

Town Center Business Plaza Property Owners Association LLC

CCR'S, Agreement and Ownership Designation

buildings, shall be excluded from this restriction. Any **Permanent** Sign on a building will need to be permitted by Plain City Corporation prior to installation. See Plain City Corporation Code for information on sign approvals.

9. TRUCKS AND TRAILERS: Trucks and trailers with an overall length, or combined length of 26 feet or more and commercial trucks and trailers with a gross vehicle weight of 26,000 pounds (considered commercial class A vehicle) or more are not allowed to be parked, placed, or stored on any lot or POA area, or upon roadway fronting property.
10. SITE REVIEW: Prior to the commencement of alteration of any building, plans and/or construction drawings shall be submitted and approved by the Developer, Property Owners Association, and Plain City Corporation. No Construction in this plaza will be permitted without obtaining the necessary permits and approvals from Plain City, POA, and Developer. The cost of such approvals and permits shall be borne by the seeker of permit or approval.
11. ROOF MOUNTED EQUIPMENT: Solar panels, heat pumps, air conditioning units, antennas, and satellite dishes, shall be mounted only if they cannot be viewed from the street directly in front of the business' on said lots within the POA.
12. DAMAGE: Any inflicted damage on existing improvements such as streets, gutters, sidewalks, landscaping, etc. By purchaser of any particular building must be repaired and the costs of repair shall be borne by the purchaser at his/her own expense. This also includes damage to landscaping, and other existing structures. Any dirt, gravel, or landscape materials, or other materials placed or spilled on the road during any construction shall be removed at the cost and/or expense of the lot owner, and returned to the pre-existing condition.
13. DISCLAIMER OR LIABILITY: Notwithstanding and information given by Developer (Declarant) regarding soils and subsurface water conditions, whether it be oral or written, Declarant hereby disclaims any responsibility for soil conditions, surface flooding, ditch overflow, runoff, acts of god, and/or subsurface water conditions, and hereby advises buyers and subsequent owners to obtain their own necessary engineering and soils information regarding the same, before construction or improving said property, and hereby denies any liability thereof. Declarant also denies liability thereof to concurrent lot owners that may acquire a property that has not been diligently and thoughtfully constructed, and has potential to flood.
14. UTILITIES: Culinary water is provided by Bona Vista Water. The Sewer is provided by the Plain City treatment facility and paid for on Bona Vista Water bill. Sewer Mainline lateral shall be maintained by the POA, and has been installed with a top end cleanout for maintenance purposes. The Storm Water Facilities including large underground detention basins, and gravel basins, are the responsibility of the POA to maintain. The POA will be responsible to pay for all water, sewer, and garbage collection bills, and will be split between all owners of the Property Owners Association fairly and equally. Natural gas is provided by Questar Gas and can be obtained directly with them. Power is provided by Rocky Mountain Power and can be obtained directly with them. The secondary purpose within this section is to provide Plain City Corporation with a full waiver of all responsibility within the boundaries of the recorded plat.

Town Center Business Plaza Property Owners Association LLC

CCR'S, Agreement and Ownership Designation

15. GARBAGE: No part, or portion of, any property shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste. Such rubbish, trash, and debris may only be stored in sanitary containers and disposed of regularly and properly. It is the responsibility of the POA to arrange garbage haul off weekly.
16. FRONTING STREET: The roadway fronting the property is a UDOT Highway, and shall be maintained by UDOT. Sidewalks fronting property shall be the responsibility of the POA to keep clear of snow and debris.
17. COMMON AREA: The common area as indicated on the recorded plat, within the boundaries of the recorded plat shall be recorded and owned by the POA, also known as "Town Center Business Plaza POA LLC"
- ~~18. SIDEWALKS: Contractor shall install initial building sidewalks. It is the obligation of the building owner to ensure both physically and financially that the sidewalk is free of defects and lot owner assumes all obligation to replace sidewalk and concrete building approaches at the request of the city, POA, or developer, which has defects, or is damaged at any time. All drive approaches and parking areas shall be the responsibility of the POA to Maintain.~~
19. DEFINITION OF PROPERTY: The building envelope is equal to the actual dimension of real property owned, from the Exterior Brick/Siding in, is owned and maintained by the property owner, all property outside the building, including sidewalks, drive areas, common areas, and landscaping is owned by the POA, and maintained by such.
20. MAINTENANCE: POA will assume the responsibility to maintain and care for common property. A minimum of 75% of owners shall be in agreeance to maintain or service any common property, prior to any money being spent as an association. All owners of property agree to split this cost 25% each as the common areas and parking areas shall be for equal share and use. Should an owner not be willing to pay his/her portion of the maintenance fees incurred, any other owner can file a lien on the property equal to the costs paid for other owner/s.
21. LANDSCAPING: 100% of landscaping is to be completed prior to a certificate of occupancy of the building. All landscaping must include 2" caliper ornamental trees consistent with Plain City Standards in all parking areas, as well as shrubs in the other common area of the lot. Xeriscaping shall be placed in all areas possible to avoid over usage of water. The POA will be responsible to maintain all landscape areas of the property.
22. RIGHTS TO ENFORCE: Excluding provision 20 **23** of these covenants, the provisions contained in this Declaration shall be enforceable by the City Officials, Land Developer, Declarant, or by their legal representatives. Failure to enforce any of said restrictions shall in no way prevent enforcement of any or all other restrictions herein the declaration of any restrictions to be invalid by court proceeding and shall not invalidate any other restriction/restrictions unless specifically specified.
23. DURATION: All of the covenants and restrictions set forth in this declaration shall take effect at all times against said property owners thereof or any subsequent owner(s) thereof, for a period of (45) Years from the date of adoption. Said covenants shall then be automatically renewed for successive periods of (10) years. Said Covenants and restrictions, may be altered, modified, or changed by a written agreement of three-

Town Center Business Plaza Property Owners Association LLC

CCR'S, Agreement and Ownership Designation

fourths (3/4) of the lot owners of the subdivision. Said changes cannot include easements, or other areas dedicated for public use, or POA areas. In addition, Declarant of these Covenants, Conditions, and Restrictions, may add additional restrictions as may be deemed necessary to and from the protection of other property owners in the subdivision.

24. USES: All uses of Buildings must be approved by Property Owners Association, and Plain City Corporation and have a business license issued prior to occupancy. Uses shall also be limited to Office space primarily, as well as a small, non-invasive retail shop, Clinic, or Dental Clinic, Beauty Shop, or Medical Office, with an emphasis on low impact traffic businesses to not distract from the neighborhood atmosphere within the surrounding area.

In Witness Whereof, the parties hereto have executed this covenant this ____ day of _____, 2022

Cody Rhees, Developer, Declarant
Cody Rhees Construction, Inc.
2404 N 4350 W Plain City, UT 84404

State of Utah)

ss

County of Weber)

On the ____ day of _____, 2021 personally appeared signee of the forgoing instrument, who duly acknowledged to me that they executed the same.

Notary Public

Residing at _____

My Commission Expires _____

Town Center Business Plaza Property Owners Association LLC
CCR'S, Agreement and Ownership Designation

These 4 Owners hereby agree to all the terms of this agreement and shall be responsible to pass along the requirements if the property is sold or transferred to another owner.

PROPERTY OWNER 2404 NORTH

PROPERTY OWNER 2392 NORTH

PROPERTY OWNER 2384 NORTH

PROPERTY OWNER 2370 NORTH

NOTICE OF DECISION

Plain City, Weber County, Utah

On September 9, 20 22, the Plain City Planning Commission recommends
☒ Approval, ☐ *Approval with condition(s), ☐ Disapproval, ☐ Tabled
of an application for MRB Subdivision 2466 N 4100 W,
received from (Applicant): Bret Folkman

This Notice of Decision formally concludes the Planning Commission's involvement with the application for the above-mentioned land use case. Copies of the Order are available at City Hall.

Applications that have been deemed complete and have not been pursued with reasonable diligence before the appropriate board shall expire after six (6) months. The applicant will have to submit a new application and fees to restart the process, subject to all new zoning restrictions and subdivision regulations then in existence. Any party of record may appeal this decision to the City Council within 10 days of the Order approval date.

City Official

*Condition(s)/Notes:

Commissioner Jenkins motioned to approve of the Subdivision amendment – Approximately 2466 N 4100 W. Commissioner Neil
seconded the motion. Vote: Commissioners Neil, Skeen, Maw and Chairman Faulkner voted aye. Motion carried.



Memorandum

To: Tammy Folkman, Land Use Specialist
Plain City Corporation

From: Brad C. Jensen, P.E. 
Wasatch Civil Consulting Engineering

Date: October 6, 2022

Subject: MRB Subdivision First Amendment

We have reviewed the submitted plat for the MRB Subdivision, First Amendment and have no concerns. We recommend approval of the submitted subdivision amendment for the MRB Subdivision.

If you have any questions or require additional information, feel free to contact me.

APPLICATION FOR
AMENDMENT TO A SUBDIVISION

Subdivision Name MRB Subdivision Zone RE-15 Date Submitted 8-23-22

Address of Subdivision Approx. 2466 N 4100 W Plain City, UT

No. of Units or Lots being affected by the amendment: 2

Owner Name Bret + Tammy Folkman Full Address 2510 N 4100 W

Phone # 801-644-4621 Cell # Same Fax # _____

Subdivider's Name Owner Full Address _____

Phone # _____ Cell # _____ Fax # _____

Please describe any agreements, rights-of-way, easements etc, which could affect this amendments:

none

Describe the amendment to the subdivision plat:

Combining Parcel 240720004 and 240720001 into one parcel

The above information is true and accurate to the best of my knowledge.

Aug 31, 2022
Date

Bret Folkman
Signature

Office Use Only

Subdivision Amendment Fee: _____

Number of Copies: _____

PC Approval Date: _____

CC Approval Date: _____

AFFIDAVIT

PROPERTY OWNER

STATE OF UTAH)

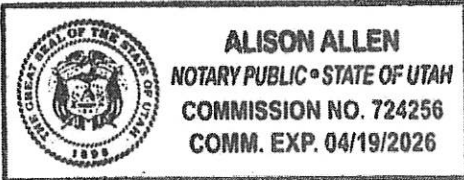
) ss
COUNTY OF WEBER)

I (we), Bert Folkman + Tammy Folkman, being duly sworn, depose and say that I (we) am (are) the owner(s) of property identified in the attached application and that the statements herein contained and the information provide the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I also acknowledge that I have received written instructions regarding the process for which I am applying and the Plain Planning staff has indicated they are available to assist me in making this application.

Bert Folkman
(Property Owner)

J. Folkman
(Property Owner)

Subscribed and sworn to me this thirty first day of August, 2022.



Alison Allen
(Notary)
Residing in Weber County, Utah

My commission expires: 04/19/2026

AGENT AUTHORIZATION

I (we), _____, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) _____ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Agent)

(Property Owner)

Dated this _____ day of _____, 20_____, personally appeared before me

_____, the signer(s) of the above agent authorization who duly acknowledged to n that they executed the same.

(Notary)

Residing in Weber County, Utah

My commission expires: _____

PART OF THE NW 1/4 OF SEC. 33 T.7N., R.2W., S.L.B. & M.

72

MRB SUBDIVISION

IN PLAIN CITY

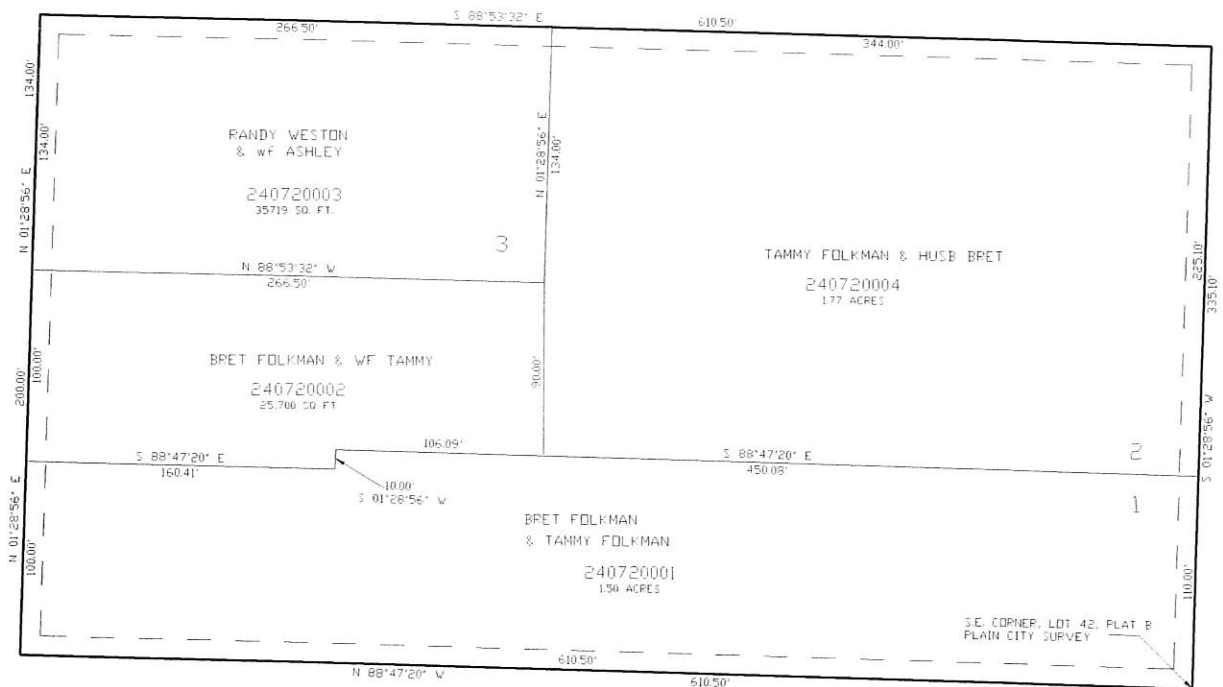
TAXING UNIT: 21

SCALE 1" = 50'

SEE PAGE 52

4100 WEST STREET

SEE PAGE 50



SEE PAGE 50

SEE PAGE 50

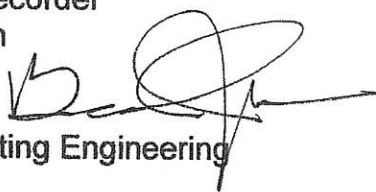
FOR COMPLETE ENG. DATA SEE
ORIGINAL DEDICATION PLAT IN
BOOK 44 PAGE 41 OF RECORDS.

10' UTILITY & DRAINAGE EASEMENTS EACH
SIDE OF PROPERTY LINES AS INDICATED
BY DASHED LINES EXCEPT AS OTHERWISE
SHOWN.



Memorandum

To: Diane Hirschi, City Recorder
Plain City Corporation

From: Brad C. Jensen, P.E. 
Wasatch Civil Consulting Engineering

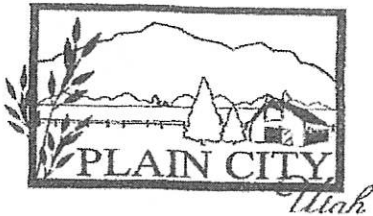
Date: September 30, 2022

Subject: Brook Haven Subdivision, Final Acceptance

We have reviewed the final acceptance request for the Brook Haven Subdivision in Plain City. We concur with the recommendation submitted by Dan Schuler of Plain City Public Works (attached). Consequently, we recommend granting final acceptance to Brook Haven Subdivision. Once final acceptance is granted, all remaining escrow funds can be released to the Developer.

If you have any questions or require additional information, feel free to contact me.

still owes \$157.50 in engineering fees



9/26/2022

RE: Brook Haven Subdivision

Builder: RJT

Subject: Request for final completion:

On 7/15/2021 Brook Haven Subdivision was granted Conditional final. 9/23/2022 I completed a final inspection on all improvements in place and at this time, I recommend to the City Council that RJT/Brook Haven Subdivision be granted final acceptance after completing the 1-year warranty period and release the remainder of escrow monies +10% contingency of \$44,974.39. If you have any questions please call.

Sincerely,

Daniel Schuler

Public Works Director

385-466-1079

dans@plaincityutah.org



Memorandum

To: Diane Hirschi, City Recorder
Plain City Corporation

From: Brad C. Jensen, P.E.
Wasatch Civil Consulting Engineering

Date: September 30, 2022

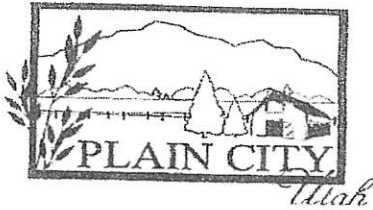
Subject: S-Curve Subdivision, Phase 2, Conditional Final Acceptance

We have reviewed the conditional final acceptance request for the S-Curve Subdivision, Phase 2. We concur with the recommendation submitted by Dan Schuler of Plain City Public Works (attached). Consequently, we recommend granting conditional final acceptance to S-Curve Subdivision, Phase 2.

However, as indicated on the report letter from Dan Schuler, the subdivision improvements in this development have been installed for approximately 5 years. Since the constructed improvements have held up well (with some subsequent repairs following installation), we recommend waiving the 1-year warrantee period and granting final acceptance.

If the City Council elects to grant final acceptance, all remaining escrow funds can be released to the Developer. However, if conditional final approval is granted, all funds in excess of the 10% contingency may be released to the developer. The contingency funds will then be retained for the duration of the 1-year warrantee period.

If you have any questions or require additional information, feel free to contact me.



9/29/2022

RE: S-Curve Phase 2

Contractor/Developer: Jeff Hales

Subject: Escrow release & Conditional Final request

I have reviewed the request for conditional final and conducted a field inspection at S-Curve Phase 2 Subdivision at approx. 2450 North 2850 West on 9/23/2022 and verified the completion of all items listed on the punch list & have been fixed/installed and completed to city standards.

At this time, I recommend the subdivision known as S-Curve phase 2 started in 6/27/2016 be granted conditional final acceptance Starting the one-year warranty period releasing the remaining escrow amount. If City Council sees fit to wave the one-year warranty period, due to the time frame (5- years old+) of the project.

Current Escrow amount showing:

\$134,242.00 + 10% Contingency of \$129,068.19 = \$263,310.16

If you have any questions or concerns, please contact me at your earliest convenience.

Sincerely,

Daniel Schuler

Public Works Director

Plain City Corp.

385-466-1079

dans@plaincityutah.org



Memorandum

To: Diane Hirschi, City Recorder
Plain City Corporation

From: Brad C. Jensen, P.E.
Wasatch Civil Consulting Engineering

Date: September 30, 2022

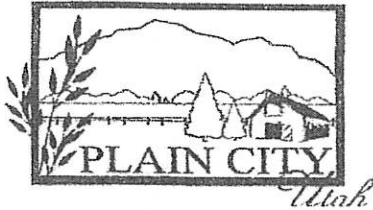
Subject: **S-Curve Subdivision, Phase 3, Conditional Final Acceptance**

We have reviewed the conditional final acceptance request for the S-Curve Subdivision, Phase 3. We concur with the recommendation submitted by Dan Schuler of Plain City Public Works (attached). Consequently, we recommend granting conditional final acceptance to S-Curve Subdivision, Phase 3

However, as indicated on the report letter from Dan Schuler, the subdivision. The improvements in this development have been installed for approximately 5 years. Since the constructed improvements have held up well (with some subsequent repairs following installation), we recommend waiving the 1-year warrantee period and granting final acceptance.

If the City Council elects to grant final acceptance, all remaining escrow funds can be released to the Developer. However, if conditional final approval is granted, all funds in excess of the 10% contingency may be released to the developer. The contingency funds will then be retained for the duration of the 1-year warrantee period.

If you have any questions or require additional information, feel free to contact me.



9/29/2022

RE: S-Curve Phase 3

Contractor/Developer: Jeff Hales

Subject: Escrow release & Conditional Final request

I have reviewed the request for conditional final and conducted a field inspection at S-Curve Phase ~~X~~³ Subdivision at approx. 2450 North 2750 West on 9/23/2022 and verified the completion of all items listed on the punch list & have been fixed/installed and completed to city standards.

At this time, I recommend the subdivision known as S-Curve phase 3 started in 10/7/2016 be granted conditional final acceptance Starting the one-year warranty period releasing the remaining escrow amount. If City Council sees fit to wave the one-year warranty period, due to the time frame (5- years old+) of the project.

Current Escrow amount showing:

\$47,992.16 + 10% Contingency of \$53,237.36 = \$101,229.52

If you have any questions or concerns, please contact me at your earliest convenience.

Sincerely,

Daniel Schuler

Public Works Director

Plain City Corp.

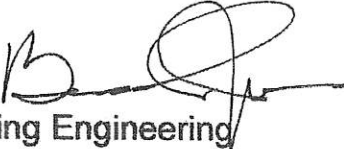
385-466-1079

dans@plaincityutah.org



Memorandum

To: Diane Hirschi, City Recorder
Plain City Corporation

From: Brad C. Jensen, P.E. 
Wasatch Civil Consulting Engineering

Date: October 7, 2022

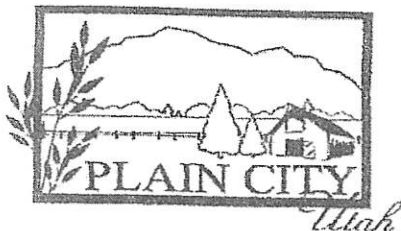
Subject: Stillcreek Village, Phase 2, Conditional Final Acceptance

We have reviewed the conditional final acceptance request for the Stillcreek Village, Phase 2. We concur with the recommendation submitted by Dan Schuler of Plain City Public Works (attached). Consequently, we recommend granting conditional final acceptance to Stillcreek Village, Phase 2.

However, as indicated on the report letter from Dan Schuler, the subdivision improvements in this development have been installed for approximately 5 years. Since the constructed improvements have held up well (with limited repairs following installation), we recommend waiving the 1-year warrantee period and granting final acceptance.

If the City Council elects to grant final acceptance, all remaining escrow funds can be released to the Developer. However, if conditional final approval is granted, all funds in excess of the 10% contingency may be released to the developer. The contingency funds will then be retained for the duration of the 1-year warrantee period.

If you have any questions or require additional information, feel free to contact me.



10/5/2022

RE: Still Creek Phase 2

Contractor/Developer: JC Aland

Subject: Escrow release & conditional final/final request

I have reviewed the request for conditional final/final and conducted a field inspection at Still Creek Phase 2 Subdivision at approx. 3375 West North Plain City Rd. on 10/4/2022 and verified the completion of all items listed on the punch list & have been fixed/installed and completed to city standards.

At this time, I recommend the subdivision known as Still Creek phase 2 started on 4/21/2017, be granted conditional final acceptance Starting the one-year warranty period releasing any remaining escrow amounts. If City Council sees fit to wave the one-year warranty period, due to the time frame (5 years old+) of the project, and allow final acceptance.

Current Escrow amount showing:

10% Contingency of \$274,152.10 shown on escrow sheet.

If you have any questions or concerns, please contact me at your earliest convenience.

Sincerely,

Daniel Schuler

Public Works Director

Plain City Corp.

385-466-1079

dans@plaincityutah.org

Plain City Project Punch List

Project Name: STILLCREEK phase 1 and Phase 2

Contractors Name: JC Aland

Start Date of Subdivision: 4/21/2017

Date of substantial completion inspection: 12/20/2020

Date of punch list: 1/11/2021

City representative: Daniel Schuler

Contractors representative: JC Aland

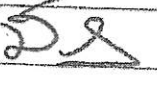
The following is a list of items within the scope of work for the project, but not limited to, that require correction or completion prior to:

 Escrow release.

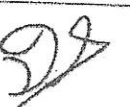
XXX Conditional final.

XXX Final completion.

A detailed description for each item is provided below. Upon completion the city representative and the contractors shall inspect the work performed and initial that each item has been completed to plan and City Standards and accepted. (Use additional pages as necessary).

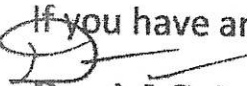
Description of items needing completion	%	City Representative	Inspected & completed
City Park landscaping, grass in basin has a lot of areas, holes, uneven ground that need fixed/repared/replaced.	85%	D Schuler	
Clean and Video Inspection of Sewer-Phase 2	100%	D Schuler	
Clean and Video inspection of storm drain line and boxes - Phase 2	100%	D Schuler	
File NOT for SWPPP and clean up all BMP's	100%	D Schuler	
Fix all sidewalks and curb n gutter sections within Phase 2 That has settled, Broken. Sections are marked out with paint.	100%	D Schuler	

Plain City Project Punch List

Fix broken items on bathroom in park, lights, drinking fountains need bolted/secured on wall.	100%	D Schuler	
Complete all fence, both sides along walking path.	100%	D Schuler	
Complete walking trail/path with asphalt within project boundaries.	100%	D Schuler	
Pay for crosswalk painting completed on 1/12/2021 and buy and install signage for crosswalk next to park area.	100%	D Schuler	
Landscaping along 3350 W next to detention area North of mailboxes and sidewalk.	100%	D Schuler	
Install 2 nd fencing along South entrance of PRUD/HOA development in phase 1 parcel A, along North Plain City Rd, as shown per plans.	100%	D Schuler	
Parcel A, complete all Landscaping and make sure area has proper drainage. Complete all landscaped area on the South entrance of PRUD/HOA development in phase 1 along North Plain City Rd, as shown per plans.	100%	D Schuler	

The Subdivision STILLCREEK Village, was started on 4/21/2017. After completing a field inspection on 12/20/2020 for the project STILLCREEK Village Phase 2 for improvements needing completed from the last punch list generated. Items inspected are listed above but not limited to depending on video inspection of sewer, storm and phase 1 items being signed off by PRUD/HOA Assoc. for the uncompleted items listed on the plans.

If you have any questions please contact me.


Daniel Schuler

Public Works Director

385-466-1079

dans@pliancityutah.org