

PERRY CITY PLANNING COMMISSION

REGULAR MEETING AGENDA

March 7, 2019
7:00 pm regular meeting
3005 S 1200 W Perry, UT

Agenda items may vary depending on length of discussion, cancellation of scheduled items, or agenda alteration. Action on public hearing(s) will be later in the same meeting or at a subsequent meeting.

1. 7:00 p.m.- Call to Order and Opening Ceremonies

- A. Thought, Reading, or Invocation-Michelle Drago
- B. Pledge of Allegiance to the U.S.A.-Nicole Butler
- C. Declare Conflicts of Interest, If any

2. Public Hearings

Rules:

- (1) Please speak only once (maximum of 3 minutes) per agenda item.
- (2) Please speak in a courteous and professional manner.
- (3) Do not speak to specific member(s) of the Planning Commission, staff, or public (please speak to the Chair or to the Commission as a group).
- (4) Please present possible solutions for all problems identified.
- (5) Action may not be taken during this meeting if the item is not specifically on the agenda.

A. None

3. Land Use Applications

- A. Application for preliminary approval for the Paul Nelson Subdivision. Location: 1476 West 2950 South Perry Utah 84302. Applicant: Paul Nelson. Parcel # 02-034-0041 and 02-034-0101.
- B. Site Plan Application for Maverik. Location: 1674 West 1100 South Perry Utah 84302. Applicant: Spencer Anderson. Parcel # 03-236-0018, 03-236-0019, and 03-236-0033.
- C. Application for a Site Plan for a Leading Tech Shop. Location: 1835 South Hwy 89 Perry, Utah 84302. Applicant: Chris Forsyth. Parcel # 03-159-0057.

4. Land Use Ordinances, Zoning, Design Guidelines, General Plan, Etc.

A. None

5. Approval of the Minutes

- A. February 7, 2019 Regular Meeting Minutes
- B. Report by Commissioner regarding last Council Meeting.
- C. Make Assignments for Representative to Attend City Council Meetings. (March 14, 2019 and March 28, 2019)
- D. Assignments to Joint Advisory Board, April 9, 2019 7:00 p.m.

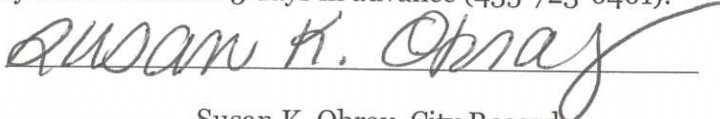
6. **Discussion**
 - A. Future Projects
 - B. Report on past-approved Planning Commission Agenda Items.

7. **Training**
 - A. Staff/Open Meetings Review

8. **Review Next Agenda and Adjourn**
 - A. Items for April agenda
 - B. Motion to Adjourn

Certificate of Mailing

The undersigned duly appointed official hereby certifies that a copy of the foregoing agenda was sent to each member and alternate member of the Planning Commission and other designated City Officials, and was posted in three locations: The Perry City Offices, Centennial Park, Perry City Park; and faxed to the Ogden Standard-Examiner, Box Elder News Journal; and posted on the State Website; on this 28th day of February, 2019. Any individual requiring auxiliary services should contact the City Offices at least 3 days in advance (435-723-6461).



Susan K. Obray, City Recorder

MEMORANDUM

TO: Perry City Planning Commission
Robert Barnhill, Perry City Planner
Susan Obray, Perry City Recorder

FROM: Brett M. Jones, P.E. 
City Engineer

RE: **PAUL NELSON SUBDIVISION – PRELIMINARY REVIEW**

Date: February 28, 2019

Our office has completed a review of the preliminary plat received for the proposed Paul Nelson Subdivision located at approximately 2950 South 1450 West. Our comments relative to the plat received are as follows:

PLAT

1. The Parcel Owner for parcel 02-034-0102 and appears to be incorrect. This should be fixed on the drawing and changed in the legal description.
2. We believe the Remainder Parcel Boundary Description should reference the Raylene Nelson Evans FKA instead of Paul Nelson ETAL.
3. We believe Evelyn Nelson ETAL is supposed to be Evelyn Johnson ETAL on parcel 02-034-0054.

SUBDIVISION IMPROVEMENTS

4. Subdivisions require installation of surface improvements and utilities in the public right-of-way fronting the development. The applicant will need to address paving, curb and gutter, sidewalk, storm drainage, secondary water, and street lighting for the subdivision. The applicant will need to submit improvement drawings showing the locations, grades, and design for these improvements. If the applicant desires to install some or all of these improvements at a later date, a deferral agreement will need to be reviewed and approved by the City.
5. Perry City ordinances and standards require storm water detention for developments greater than one acre. This development is unique, in that a 0.54 acre flag lot is proposed behind an existing residence. The applicant should consider how the remaining land to the east will develop and plan for detention and drainage, accordingly.
6. Our water model shows a 6" main servicing the proposed development with a 900 gpm fire flow. The minimum fire flow currently required for development is 1,500 gpm. This will need to be approved by the fire marshal.
7. The flag lot ordinance requires a turnaround for emergency vehicles. This will need to be addressed with the fire marshal.

Should you have further questions, please let us know.



SITE PLAN REVIEW APPLICATION

Perry City
3005 S 1200 W
435-723-6461

DATE: 2/21/2019 \$50 FEE PAID: Call: 801-936-1343 for Carla

NAME OF DEVELOPMENT: Maverik Perry Acquisition

ADDRESS OF DEVELOPMENT: 1674 West 1100 South

APPLICANT'S NAME: Spencer Anderson

APPLICANT'S ADDRESS: 135 East Center Street, North Salt Lake, Utah 84054

CONTACT PERSON: Spencer Anderson

CONTACT PERSON'S PHONE: 801-936-1343

PLEASE ATTACH LEGIBLE PLANS SHOWING COMPLIANCE WITH RELEVANT CITY CODES AND STANDARDS AND THE FOLLOWING APPLICABLE INFORMATION.

1. Existing and proposed contours at two-foot intervals.
2. Location of main and accessory buildings on the site and in relation to one another.
3. Height, bulk and character of building(s).
4. Off-site parking area(s) and striping patterns.
5. Traffic circulation features within the site.
6. All driveways.
7. Provisions for open space on site.
8. Signage plan.
9. Landscape plan.
10. Fencing.
11. Drainage flows and structures.
12. Location of all existing and proposed utility lines.
13. Vicinity of the site.
14. Property ownership and surrounding property owners.
15. Existing zoning classification(s).
16. Existing surrounding land uses.

Applicant's Signature  SPENCER ANDERSON Date: 2/21/2019

* DEADLINE APPLICATIONS
* Planning Commission
* City Council

FEB 21ST
MAR 7TH
MAR 14TH



SITE PLAN REVIEW APPLICATION

Perry City
3005 S 1200 W
435-723-6461

DATE: 2/19/19 \$50 FEE PAID: _____

NAME OF DEVELOPMENT: LEADING TECH SHOP

ADDRESS OF DEVELOPMENT: 1835 S. Hwy #89, Perry, Utah 84302

APPLICANT'S NAME: CHRISTIAN Forsyth

APPLICANT'S ADDRESS: 1835 So. Hwy #89, Perry, Utah 84302

CONTACT PERSON: CHRISTIAN Forsyth

CONTACT PERSON'S PHONE: CHRISTIAN Forsyth

PLEASE ATTACH LEGIBLE PLANS SHOWING COMPLIANCE WITH RELEVANT CITY CODES AND STANDARDS AND THE FOLLOWING APPLICABLE INFORMATION.


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14. Property ownership and surrounding property owners.
15. Existing zoning classification(s).
16. Existing surrounding land uses.

Applicant's Signature Christian Forsyth Date: 2/19/19

Utah Contractors License
9788429-5501

PLEASE TYPE OR PRINT CLEARLY & REMEMBER TO PRESS DOWN, YOU ARE MAKING SEVERAL COPIES
 *ALL ITEMS WITH AN ASTERISK MUST BE COMPLETED

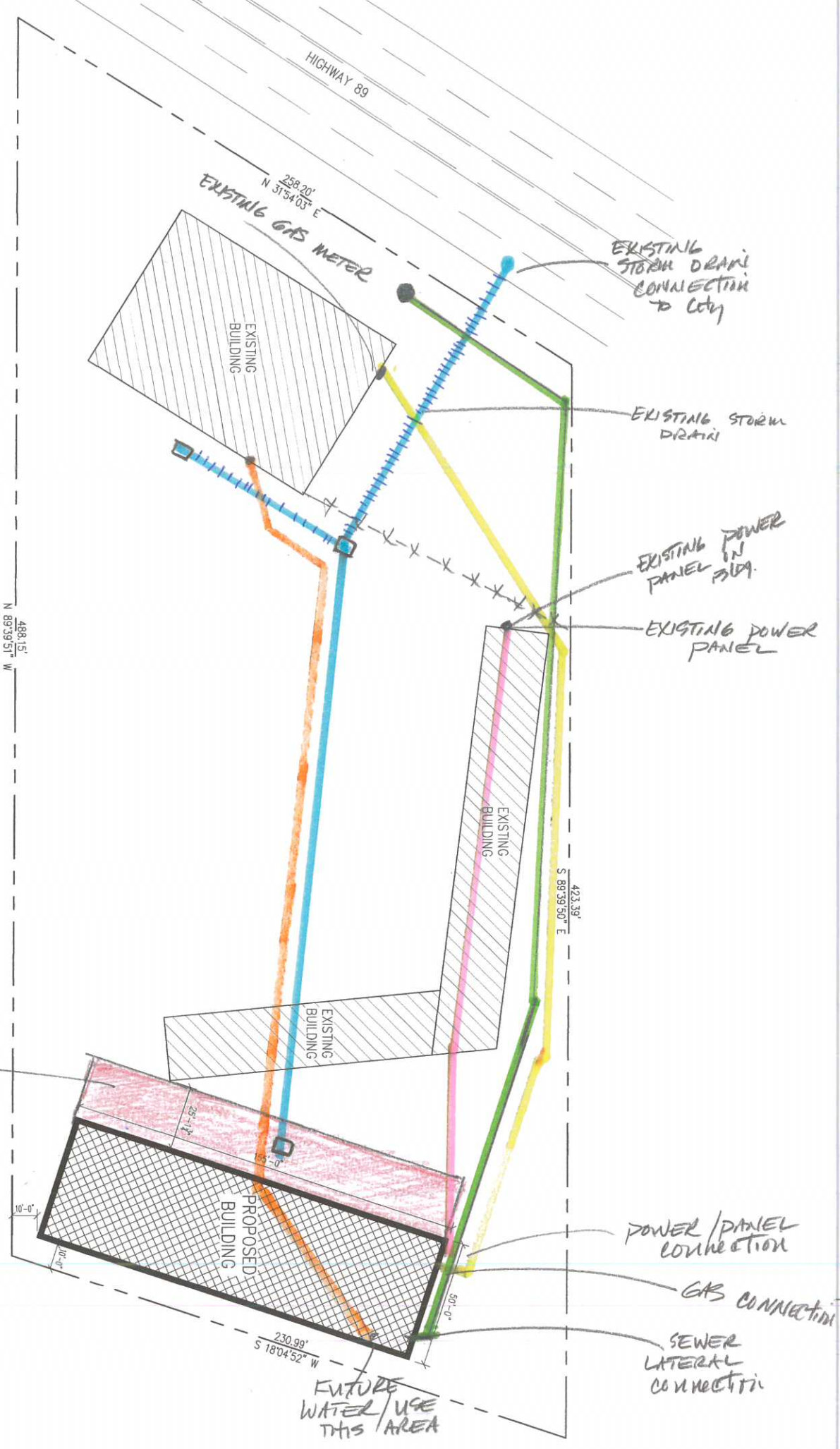
BOX ELDER COUNTY BUILDING PERMIT APPLICATION

*Date of Application 2019-02-20		*Date Work Starts		Receipt No.	Date Issued	Permit No.												
*Reason for Application Building remodel				BUILDING FEE SCHEDULE														
*Building Address 1674 West 1100 South				Square Ft. of Building 9155 *Valuation \$ 750,000														
Assessors Parcel No. 03-236-0018				<input type="checkbox"/> Rough Basement Building Fees														
*Total Property Area - In Acres or Sq. Ft.		*Total Building Site Area Used		<input type="checkbox"/> Finish Basement Plan Check Fees														
Business Name (if applicable) Maverik				Carport Sq. Feet Electrical Fees														
*Owner of Property Ed Olson		*Phone 801.648.2930		Garage Sq. Feet Plumbing Fees														
*Mailing Address 185 South State Suite 800		*City - Zip SLC 84111		No. of Building R. Value Mechanical Fees														
*Email ed.olson@maverik.com				No. of Stories Walls Roof Water Connection														
*Architect/Engineer Paul Warnock		*Phone 801.936.1343		No. of Dwellings R R Sewer Connection														
*General Contractor		*Phone		Type of Const. Occ. Group Electrical Connection														
*Business Address, City, State, Zip		*State License No.		No. of Bedrooms Maximum Occupancy State Fee														
*Email				Type of Construction: <input type="checkbox"/> Block <input type="checkbox"/> Brick <input type="checkbox"/> Brick Variation <input type="checkbox"/> Concrete <input type="checkbox"/> Frame <input type="checkbox"/> Steel Subtotal														
*Electrical Contractor		*Phone		IMPACT FEE SCHEDULE														
*Business Address, City, State, Zip		*State License No.		Storm Drain: Site Area _____														
*Email				Impervious Surface: _____														
*Plumbing Contractor		*Phone		Comments:														
*Business Address, City, State, Zip		*State License No.																
*Email																		
*Mechanical Contractor		*Phone																
*Business Address, City, State, Zip		*State License No.																
*Email																		
*Previous Usage of Land or Structure (Past 3 Years) Mercantile				Water Meter Size: Water Service Size:														
*Dwelling Units Now on Lot		*Accessory Buildings Now on Lot		Deposit Required: <input type="checkbox"/> Yes <input type="checkbox"/> No Amount: \$														
Type of Improvement/Construction: <input type="checkbox"/> Addition <input type="checkbox"/> Build <input type="checkbox"/> Convert Use <input type="checkbox"/> Demolish <input type="checkbox"/> Fence <input checked="" type="checkbox"/> Remodel <input type="checkbox"/> Repair <input type="checkbox"/> Sign				This application does not become a permit until signed below														
TIME		ZONE		Fire Marshal Approval:														
Date		Sub-Check By:		Fire Sprinkler: <input type="checkbox"/> Yes <input type="checkbox"/> No Hydrant GPM:														
<input type="checkbox"/> Disapproved <input type="checkbox"/> Approved				Plan Check OK by: Date														
<table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th colspan="4">Minimum Setbacks in Feet</th> </tr> <tr> <th>Front</th> <th>Side</th> <th>Side</th> <th>Rear</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>				Minimum Setbacks in Feet				Front	Side	Side	Rear					Signature of Approval: Date		
Minimum Setbacks in Feet																		
Front	Side	Side	Rear															
Comments:				<p>This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury.</p>														
				 <small>Key: M015920-07e96573c0ebc2a519a17</small>														
				Signature of Contractor or Authorized Agent														
				2019-02-20 Date														
				Signature of Owner (if Owner)														
				Date														

NOTE: 24 HOUR NOTICE IS REQUIRED FOR ALL INSPECTIONS

- PROPOSED SEWER
- POWER,
- STORM DRAIN
- WATER, 1" LINE
- GAS

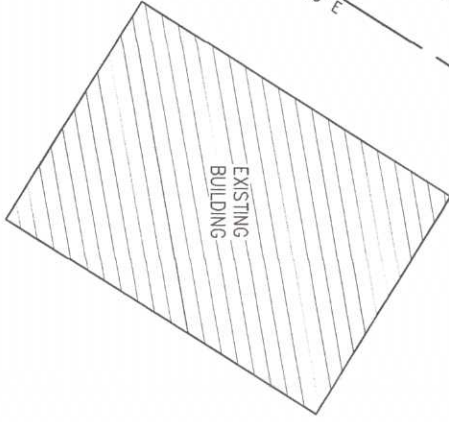
NORTH
 SITE PLAN
 SCALE 1" = 20'-0"



CONCRETE APPROX

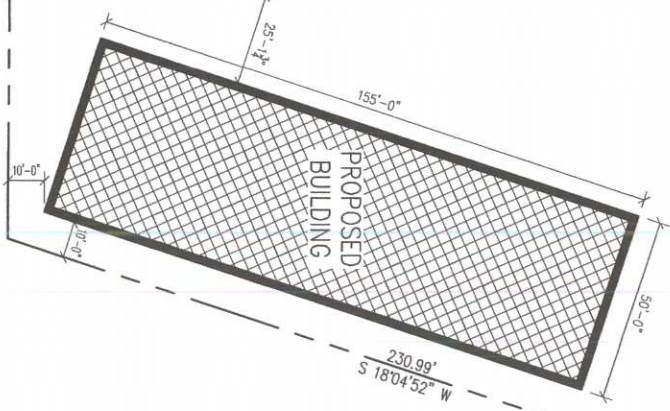
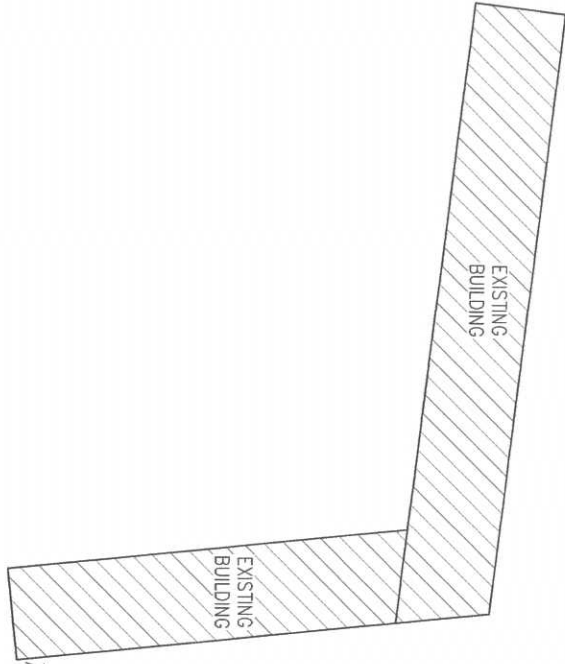
HIGHWAY 89

258.20'
N 31°54'03" E



488.15'
N 89°39'51" W

423.39'
S 89°39'50" E



230.99'
S 18°04'52" W

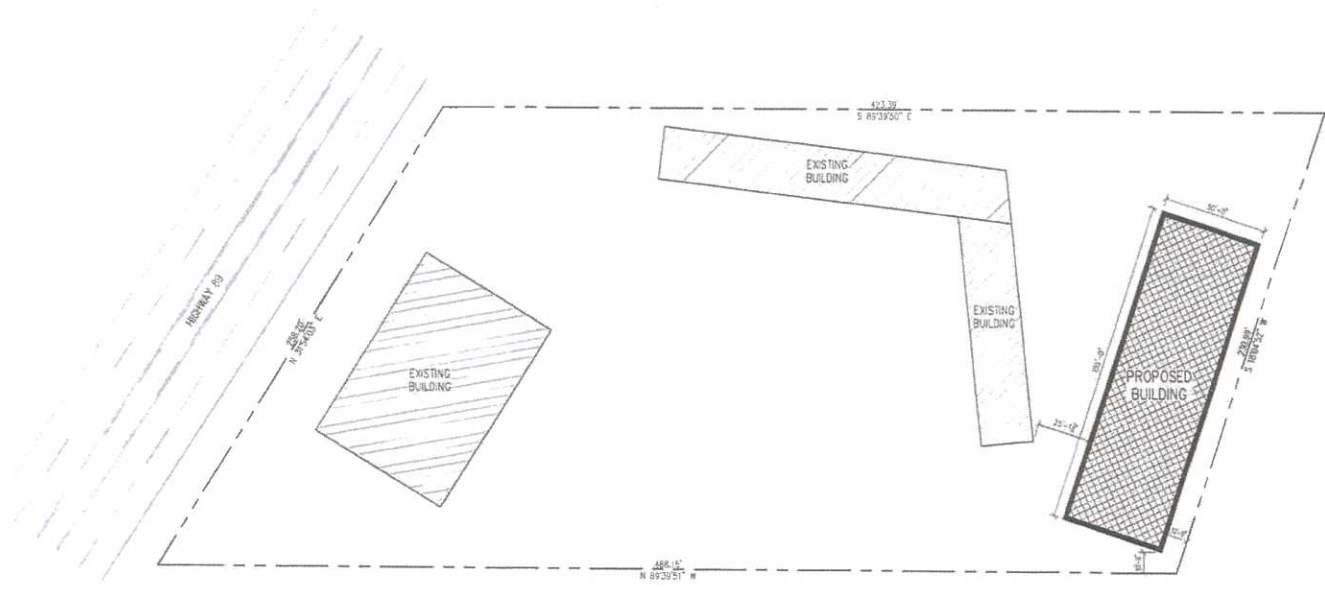


NORTH

SITE PLAN
SCALE: 1" = 20'-0"

LEADING TECH DEVELOPMENT

STORAGE/SHOP BUILDING
1835 SOUTH HIGHWAY 89
PERRY, UTAH



↑ NORTH
SITE PLAN
SCALE: 1" = 100'

1 **February 7, 2019**
2 **Planning Commission Meeting**
3 **3005 South 1200 West Perry UT 84302**
4 **7:00 p.m.**

5
6 **Commissioners Present:** Chairman Stuart Grover, Vice Chairman Michelle Drago, Commissioner Jan
7 Kerr, Commissioner Tresa Peterson (came at 8:05 p.m.), and Commissioner Nicole Butler

8
9 **City Staff Present:** Susan K. Obray: City Recorder, Robert Barnhill: City Planner

10
11 **Others Present:** Mayor Kevin Jeppesen, Todd Meyers Maverick Representative

12
13 **1. 7:00 p.m. - Call to Order and Opening Ceremonies**

- 14
15 **A. Thought, Reading, or Invocation-Commissioner Jan Kerr**
16 **B. Pledge of Allegiance to the U.S.A-Chairman Stuart Grover**
17 **C. Declare Conflict of Interest, if any-**
18 **None.**

19
20 **2. Public Comments and/or Public Hearings**

- 21 **A. Public Comment**
22 **No public comment received.**

23
24 **3. Land Use Applications**

- 25 **A. None.**

26
27 **4. Land Use Ordinances, Zoning, Design Guidelines, General Plan, Etc. -Recommendation to the**
28 **City Council.**

- 29 **A. Discussion/Action with Recommendation to the City Council to amend Ordinance**
30 **15.27.050.17 signage for Pointe Perry Development.**

31 Bob Barnhill reviewed the background information regarding Maverick purchasing the LW truck
32 stop and as part of that, they need a new sign. Maverick felt that the sign code was a bit
33 restrictive. Bob discussed the question being brought up about if the reason for the lower sign
34 was due to the wetlands near the location. He stated that the original developer had a permit
35 with the Army Core of Engineers. As part of their permit, the sign would be required to have
36 height limitations although there was not a set specification of height. Bob said that the
37 mitigation did not occur, the permit was not approved, and it is considered void. He informed the
38 Commissioners that there are some CC&R's recorded on the property that do limit the height to
39 40 feet. He discussed that there are various opinions about the CC&R's on the property, the City
40 Engineer thought that Perry City didn't need to enforce those and should move ahead with Perry
41 City code. However, our City Attorney felt differently and that it is something that we could and
42 should look at because Perry City owns several properties at the Pointe Perry Project, as does
43 Maverick, and could work together to have the code amended. Bob then suggested the Planning
44 Commission could present to City Council both options. Commissioner Grover asked about it
45 being two independent matters. Commissioner Kerr asked who wrote the original CC&R's and
46 there was discussion about the origination of it and who is responsible to rewrite the CC&R. Bob

47 then stated what Maverick proposed for their sign parameters, a height of 110 feet with a copy
48 area of 700 square feet per face for single tenant sign and 1100 square feet for multi-tenant sign,
49 or a three-sided portion of 425 square feet. Bob showed the Commission examples to view of
50 what the signs would look like and what Maverick is proposing. There was discussion about what
51 the sign would look like with some input from the Maverick representative Todd Meyers. Bob
52 explained what Perry City's current code is and compared to Brigham City and Willard City's code.
53 Bob encouraged the Commission to look at this not just for Maverick specifically but as a zone.
54 Todd Meyers from Maverick discussed other stores and signs and what visibility there is for
55 people looking to getting gas. He also brought up how it may increase business for other places in
56 Perry. Commissioner Drago wondered about the ordinance regarding the wording of a corner lot,
57 if they can have more than one sign. Bob stated that the ordinance does allow for more than one
58 sign and that if needed the Commission could look at changing that with the amendment. There
59 was discussion about the safety and how the wind would affect the sign. Commissioner Butler
60 wanted to see the whole zone that this would affect. Bob showed the map to the Commission and
61 showed it being west along the freeway. Chairman Grover discussed the ordinance wording and
62 what he researched with other signs with Bob and the Commissioners. Commissioner Butler
63 brought up form-based code and what they may be trying to accomplish in the future of Perry
64 City. The Commissioners discussed updating the reference code number and adding a sentence to
65 the ordinance that would limit the second sign allowed with corner lots to a smaller monument
66 style.

67
68 **Motion:** Commissioner Kerr moved to recommend to City Council the approval of the amendments of
69 the IC zone with changes as discussed. Commissioner Drago seconded the motion.

70 **Commissioner Grover, Yes**

Commissioner Peterson, Abstained

71 **Commissioner Drago, Yes**

Commissioner Butler, Yes

72 **Commissioner Kerr, Yes**

73 **Motion Approved: 4 Yes 1 Abstained**

74
75 **B. Discussion and recommendation to the City Council to amend the Perry Municipal Code**
76 **regarding Business License, Appeal and Variance Authority and other general land use code.**

77 Commissioner Grover reviewed the main changes that were being addressed. Commissioner
78 Drago questioned the new language regarding solicitors and home businesses. Bob Barnhill
79 explained that what she was reading were mostly definitions that had been moved and not
80 changed. Bob brought up a question that Commissioner Peterson had regarding non-conforming
81 uses. Bob stated that it used to be special uses and appeals board that would authorize special
82 uses. Bob suggested it should be staff, city council, or planning commission to review enlarging
83 or moving a structure that is non-conforming so that someone could appeal to special uses if
84 needed. The Commission reviewed and discussed who should approve the non-conforming use
85 and whether public should be notified. Commissioner Peterson brought up the wording of home
86 business license section of foot traffic and how they could make it clearer. The Commission
87 discussed what should be included or removed with the wording regarding home businesses.
88

89 **Motion:** Commissioner Peterson recommended Ordinance 18 E to the City Council with the
90 amendments that have been noted.

91 **Commissioner Grover, Yes**

Commissioner Peterson, Yes

92 Commissioner Drago, Yes Commissioner Butler, Yes
93 Commissioner Kerr, Yes
94 Motion Approved: 5 Yes 0 No
95

96 **5. Approval of the Minutes**

97 **A. January 3, 2019 Regular Meeting Minutes**
98

99 **MOTION:** Commissioner Peterson moved to approve the January 3, 2019 Planning Commission Meeting
100 Minutes with the correction of adding Commissioner Drago. Commissioner Drago seconded the motion.
101 Roll call vote.

102 Commissioner Grover, Yes Commissioner Peterson, Yes
103 Commissioner Drago, Yes Commissioner Butler, Yes
104 Commissioner Kerr, Yes
105 Motion Approved: 4 Yes 0 No
106

107 **B. Report by commissioner regarding last Council Meeting.**

108 Commissioner Butler went to the January 10th meeting and stated that the City Council
109 discussed purchasing property by Perry City Park. Bob showed the Planning Commission
110 the property that was discussed. She also told the Commission about the Fiscal Year
111 report that was given at the meeting. She also stated they approved the Wasatch Hills
112 Subdivision zone change that the Planning Commission had sent to the Council.
113 Commissioner Drago attended the January 24th meeting and discussed that Maverick had
114 come to that meeting to apply for a business license and the presentation. She talked
115 about the land swap at Pointe Perry being approved. She stated the City has received a
116 JAG grant. Chief Hancey hired some police officers the City had a need for. She also
117 informed the Commission that they are looking for someone to volunteer to help with
118 July 4th.
119

120 **C. Make Assignments for Representative to Attend City Council Meetings (February 28,
121 2019)**

122 Commissioner Grover stated that he would go to the City Council meeting on February
123 28th.
124

125 **6. Discussion**

126 **A. Future Projects**

127 Commissioner Grover discussed the number one priority on the Planning Commissions list they
128 made is the zone descriptions and land use charts clean-up. He highlighted the areas that he felt
129 needed attention. Commissioner Grover asked the Planning Commission to look at the
130 highlighted areas and made suggestions as they discussed the pertinent sections. He would like
131 the opinions from the Commissioners on which way they would like to go after they have a
132 chance to look through the list. The Commission discussed how to make the zone description in
133 the Perry Municipal Code easier to read and format more simplified.
134

135 **B. Report on past-approved planning Commission Agenda Items**

136 None.

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7. Training

A. Staff/Open Meetings Review

None.

8. Review Next Agenda and Adjourn

A. Items for March agenda

- Paul Nelson Subdivision

B. Motion to Adjourn

MOTION: Commissioner Butler moved to adjourn. Commissioner Kerr seconded the motion.

Motion Approved: All Commissioners were in favor.

DRAFT