

PERRY CITY PLANNING COMMISSION

REGULAR MEETING AGENDA

June 6, 2024

7:00 pm regular meeting

1950 S Hwy 89 Perry, UT

The meeting will be open to the public. Meetings will also be held online.
“Electronic Meeting” Web/Teleconferencing will be used.

The Perry City Planning Commission will hold an electronic meeting on the Thursday identified above, starting at approximately 7:00 PM, at 1950 S Hwy 89 and via web/teleconference. Members of the public may attend the meeting in person or may view the meeting via Zoom using a link and instructions provided by Perry City, please contact the city office 48 hours in advance for online meeting access instructions. Agenda items may vary depending on length of discussion, cancellation of scheduled items, or agenda alteration.

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

A. Declare Conflicts of Interest, If any

2. Action Items

A. Public Hearing: Ordinance 24-E Request to apply Development Overlay Zone with a Development Agreement located at approximately 3200 S 1200 W Parcel #02-034-0126 Applicant; Robert Anderson

3. Approval of the Minutes

A. May 2, 2024, Regular Planning Meeting

4. Discussion

A. Multi-Family Housing

B. July meeting (pick TBD date for July Planning Meeting)

C. Future Projects

D. Report on past-approved Planning Commission Agenda Items

E. Report from Commissioner regarding previous Council Meetings

**F. Make Assignments for Representative to Attend City Council Meetings
(June 13th and 27th)**

5. Public Comment

6. Training

A. Staff

7. Review Next Agenda and Adjourn

A. Items for July agenda (next meeting July ?, 2024)

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 these locations: The Perry City Offices, Centennial Park, Perry City Park; Perry City Website; and State Website; on this 21st of May 2024. An individual requiring auxiliary services should contact the City Offices at least 3 days in advance (435-723-6461).

Tyra Bischoff, Planning Secretary

Rules for Public Hearings/Comments:

- (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 will not be taken during this meeting if the item is not specifically on the agenda.

Perry City Community Development

Printed: 05/14/2024

Robert Anderson

05/14/2024 - 05/13/2025

8414089

Zone Change Application

Zone Change

bca3bf90-1201-11ef-9765-f70f30c6fa5e

Under Review

Active

Application Review Status

Pre-Review	Received	05/14/2024
Community Development	Not Reviewed	
Final-Review	Not Reviewed	

Fees

Zone Change	\$400.00
Subtotal	\$400.00
Processing Fee	\$12.25
Total	\$412.25
Amount Paid	\$412.25
Total Due	\$0.00

Payments

05/14/2024	Card *1007	\$400.00
Total Paid		\$412.25

Application Form Data

(Empty fields are not included)

Name

Robert Anderson

Phone Number

(801) 668-6606

Email

rojoan@aol.com

Mailing Address

2081 Hampton Circle, Ogden Utah, 84403

Interest in Property

Agent or Authorized Representative

Owner Agent Authorization

 **2024-5 Perry-Noname letter 2.pdf**

Property Address

3200 S. 1200 W. Perry

Property Serial #

02-034-0126

Current Zoning Designation

R-1

Proposed Zoning Designation

The Development Overlay District

Purpose of Request

To combine and join two approved multi-unit plats into one project.

Conformance with the Perry City General Plan

Combine two HOA run multi-family plats and housing developments into one. Providing for better management and to enhance the overall multi-family functionality within the Perry Landing subdivision and housing development.

Will the zone change request be tied to a specific development plan?

Yes

Signature

I agree that the facts stated in this application are true, and upon changes I will provide notification as needed.

Robert J. Anderson - 05/14/2024 8:53 am

May 21, 2024

Notice of Planning Commission Public Hearing

June 6, 2024

1950 S Hwy 89

Perry, Utah 84302

Application: Zone Change to apply Development Overlay Zone with a Development Agreement

Applicant: Robert Anderson

Location: Approximately 3200 S 1200 W (02-034-0144)

Dear Property Owner:

As required by ordinance, you and all other property owners within 300 feet of the above referenced location are being notified of the application referenced above. The proposed application is to move the approved townhomes into one area as shown on the back of this letter. Interested persons are invited to attend the upcoming Planning Commission Meeting and provide public comment during the public hearing. All comments are welcome and we encourage your participation.

The public hearing will be held in conjunction with the regular Perry City Planning Commission meeting, which starts at 7:00 p.m. on Thursday June 6, 2024, at Perry City Hall at the Lodge. You may access this meeting via zoom if you request access at least 48 hours prior to the meeting. A final recommendation by the Planning Commission regarding this application will most likely occur during this meeting. This application will likely be reviewed by Perry City Council on Thursday, June 27th at 7:00 p.m.

Any individual requiring auxiliary services should contact the City Offices at least 3 days in advance (435-723-6461). Feel free to contact our planning staff or office staff should you have any questions.

Sincerely,

Tyra Bischoff
Perry City Planning Secretary

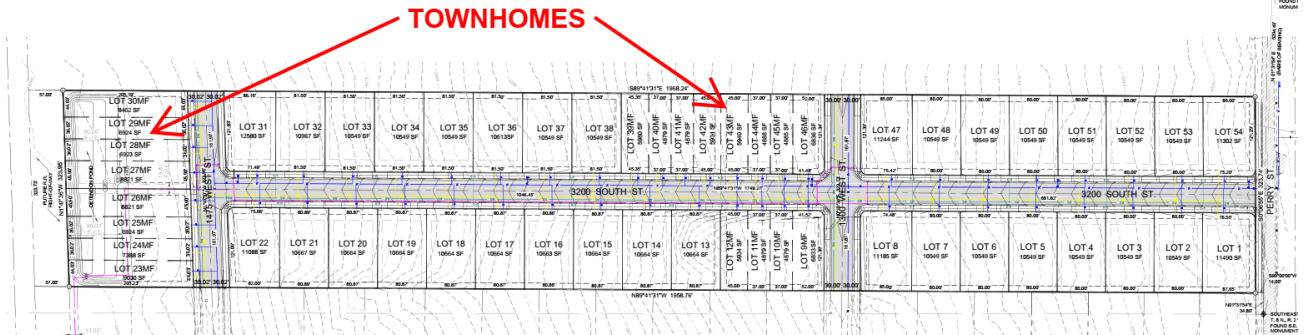
APPROVED PLANS

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 3,
TOWNSHIP 8 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN,
PERRY CITY, BOX ELDER COUNTY, UTAH
AUGUST 2021

SUBDIVISION IN ACCORDANCE WITH SECTION 17-25-17 AND HAVE VERIFIED ALL MEASUREMENTS THAT ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THE SURVEY, THAT A LAND USE CODE, AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY DETERMINE DESCRIBED TRACT OF REAL PROPERTY.
SIGNED THIS _____ DAY OF _____, 2021.

BOUNDARY DESCRIPTION

A PART OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE 54 PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF LOT 16, PHEASANT HOLLOW SUBDIVISION PHASE 1, BEING FEET ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 3 AND SOUTH 20°00'00" CORNER OF SAID SECTION 3, RUNNING THENCE NORTH 89°13'17" WEST 158.75 FEET TO A POINT ON THE SUBDIVISION PHASE 3, THENCE NORTH 89°13'17" WEST 323.38 FEET TO THE SOUTH PROPERTY LINE OF SAID SECTION 3, THENCE NORTH 89°13'17" WEST 323.38 FEET TO THE SOUTH PROPERTY LINE OF SAID SECTION 3, THENCE NORTH 89°13'17" WEST 323.38 FEET TO THE WEST RIGHT-OF-WAY OF SAID RIGHT-OF-WAY LINE SOUTH 89°13'17" EAST 323.74 FEET TO THE POINT OF BEGINNING, CC



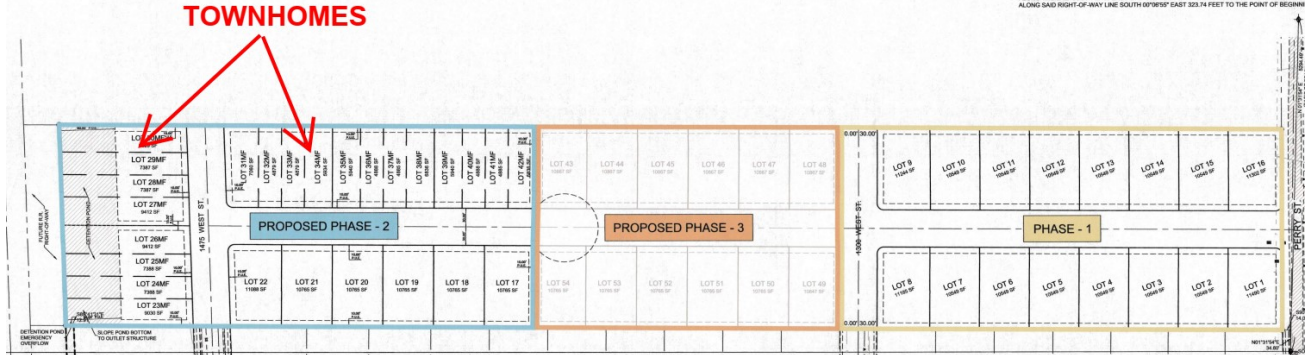
PROPOSED PLANS

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 3,
TOWNSHIP 8 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN,
PERRY CITY, BOX ELDER COUNTY, UTAH
2024

CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY HAVE SUBDIVIDED SAID PROPERTY INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, SUBDIVISION PHASE 2 IN ACCORDANCE WITH SECTION 17-25-17 AND HAVE VERIFIED ALL MEASUREMENTS SHOWN HEREIN ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THE SURVEY, THAT A LAND USE CODE, AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY DETERMINE DESCRIBED TRACT OF REAL PROPERTY.
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Michael Kent Nebeker
1200 N Main St.
Willard, UT 84340-9703

Pettinghill Properties
8735 S Hwy 89
Willard, UT 84340

Meadow Springs Ranch LLC
PO Box 571037
Murray, UT 84157

Ryan Worthy
3224 S 1475 W
Perry, UT 84302

Cathy Hirschi
3265 S 1450 W
Perry, UT 84302

Vinson Williams
1460 W 3275 S
Perry, UT 84302

Neva Hidalgo
1470 W 3275 S
Perry, UT 84302

Jeremy Fifield
1480 W 3275 S
Perry, UT 84302

Jason Wells
1490 W 3276 S
Perry, UT 84302

Layne B Hamblin
1504 W 3275 S
Perry, UT 84302

Kevin Enright
1281 W 3225 S
Perry, UT 84302

Dominic E Quintero
PO Box 662
Brigham City UT,84302

Joshua Peterson
1309 W 3225 S
Perry, UT 84302

Thomas A Murdock
1266 W 3225 S
Perry, UT 84302

Zachary W Young
1280 W 3225 S
Perry, UT 84302

Gibby Scott Alexander
1294 W 3225 S
Perry, UT 84302

Mark J Hayward
1399 W 3225 S
Perry, UT 84302

Steven W Owens
1332 W 3225 S
Perry, UT 84302

William Scott Muir
1331 W 3225 S
Perry, UT 84302

Justin D Barker
1347 W 3225 S
Perry, UT 84302

William Dale Sterrett
1365 W 3225 S
Perry, UT 84302

Lorinda Deboer
1381 W 3225 S
Perry, UT 84302

Jamie Fellbaum Jr
1415 W 3225 S
Perry, UT 84302

James L Bodily
1422 W 3225 S
Perry, UT 84302

Brandon R Hansen
1404 W 3255 S
Perry, UT 84302

Suzanne B Horne
1386 W 3225 S
Perry, UT 84302

Corey J Peters
1368 W 3225 S
Perry, UT 84302

Brody J Lillegard
1348 W 3225 S
Perry, UT 84302

Jeffrey C Roberts
1438 W 3225 S
Perry, UT 84302

Allison Harold Glenn
1433 W 3225 S
Perry, UT 84302

Cody Cummings
3210 S 1475 W
Perry, UT 84302

Karen Vause
1473 W 3225 S
Perry, UT 84302

Troy Jensen
1459 W 3225 S
Perry, UT 84302

Joseph A Duran
1470 W 3225 S
Perry, UT 84302

April L Weist
1454 W 3225 S
Perry, UT 84302

Jeremy Jones
1310 W 3225 S
Perry, UT 84302

Utah Transit Authority
669 W 200 S
Salt Lake City, UT 84101

R&R Land Development LLC
2530 S Hwy 89
Perry, UT 84302

No Name Investments LTD
PO Box 150022
Ogden, UT 84415

Mark R Nichols
1296 W 3200 S
Perry, UT 84302

NOTICE OF PERRY PLANNING COMMISSION PUBLIC HEARING

Notice is hereby given that the Perry Planning Commission will hold, in the City Council Chambers at 1950 S Hwy 89 in Perry as well as electronically via zoom.com web/teleconferencing (upon request), a public hearing to receive public comment regarding Ordinance 24-E Zone Change to apply Development Overlay Zone with a Development Agreement on Parcel # 02-034-0144. Members of the public may view the meeting via Zoom using a link and instructions upon request 48 hours prior to the meeting. The public hearing will be held in conjunction with the Perry City Planning Commission Meeting, which starts at 7:00 p.m. on Thursday, June 6, 2024. All interested persons shall be given the opportunity to be heard. Written concerns are welcome. Any Individual requiring auxiliary services should contact the City Offices at least 3 days in advance (435-723-6461). By: Tyra Bischoff, Planning Secretary.

Staff Report

June 6, 2024

Perry City Planning Commission



Zone Change, Development Overlay – Perry Landing, Robert Anderson - located at approximately 3200 S 1200 W

Update

Planning Commission reviewed this request last month, but one important item was overlooked. Section 15.02.020 states that the Development Overlay Zoning District is required in order to enact a development agreement. The request for development agreement should be reconsidered in conjunction with the zoning request.

Summary

The property is approximately 15 acres in size and is zoned R1. Preliminary approval was received December 2, 2021. Phase One has been recorded and is under construction. The approved plans show 54 lots with 20 of those lots being for townhome units.

Code Compliance

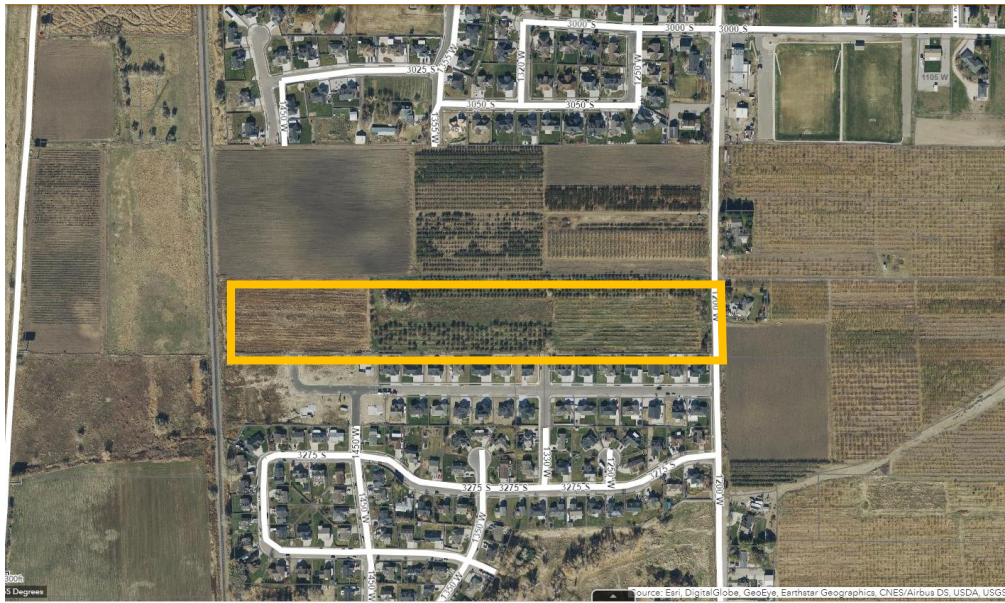
The approved plans have the townhomes separated into two areas in order to comply with our density map. The developer is asking for a development agreement. Development agreements are completely voluntary and neither the developer nor the city are obligated to enter into an agreement. Section 15.02 of our code regulates the process for approving development agreements.

The developer is asking for an allowance to locate all townhomes together, in one multi-family district, at the west end of the development. In this scenario they would move the townhomes to the north side of the street away from the existing single family homes. They are also proposing some open space enhancements, which would be for private HOA use.

Considerations and Recommendations

Staff considers a development agreement favorable to a code amendment that would change how we approach all development. There will be other developers who will wish to combine their multi-family units into one area. If this development agreement is approved, it will be valuable to articulate why it was appropriate for this specific development. Typically when the city grants a developer a beneficial allowance, the developer will also provide a benefit to the city. You may consider the relocation of the townhomes away from existing homes a benefit. The open space amenities are also an improvement although they will be private and the developer has not provided information about what exactly they will provide; the quality and type of improvements is unknown.

This decision will be a recommendation to City Council who will make the final decision.



APPROVED PLANS

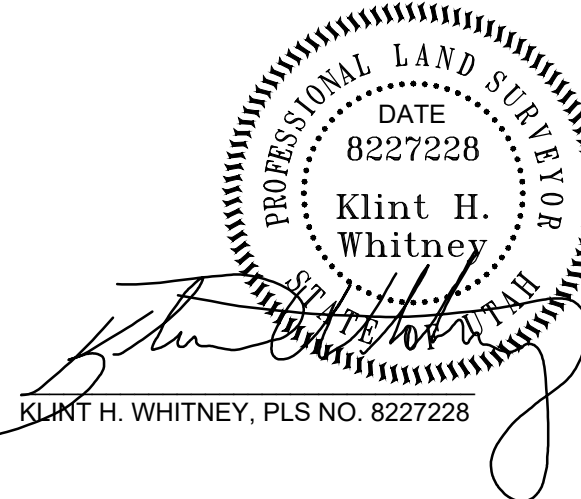
PERRY LANDING SUBDIVISION
(OPTION - 2)

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 3,
TOWNSHIP 8 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN,
PERRY CITY, BOX ELDER COUNTY, UTAH
AUGUST 2021

SURVEYOR'S CERTIFICATE

I, KLINT H. WHITNEY, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 8227228 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY AS SHOWN AND DESCRIBED ON THIS PLAT, AND HAVE SUBDIVIDED SAID PROPERTY INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS PERRY LANDING SUBDIVISION IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, THAT THE REFERENCE MONUMENTS SHOWN HEREON ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS SURVEY; THAT ALL LOTS MEET THE REQUIREMENTS OF THE LAND USE CODE; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY.

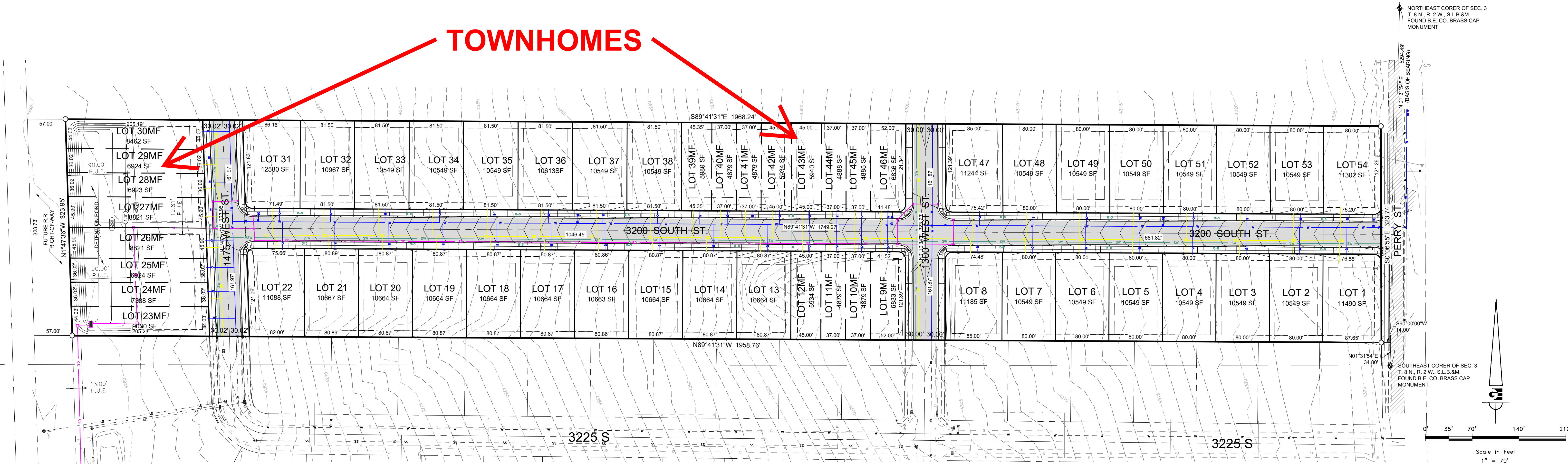
SIGNED THIS _____ DAY OF _____, 2021.



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TOWNHOMES



LEGEND

- WEBER COUNTY MONUMENT AS NOTED
- SET 24" REBAR AND CAP
- MARKED GARDNER ENGINEERING
- SUBDIVISION BOUNDARY
- LOT LINE
- ADJACENT PARCEL
- SECTION LINE
- EASEMENT
- EXISTING FENCE LINE
- EXISTING WATER LINE
- NEW WATER LINE
- EXISTING IRRIGATION LINE
- NEW IRRIGATION LINE
- EXISTING STORM DRAIN
- NEW STORM DRAIN
- EXISTING SANITARY SEWER
- NEW SANITARY SEWER
- EXISTING OVERHEAD POWER
- EXISTING GAS LINE
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE
- EXISTING STORM MANHOLE
- EXISTING CATCH BASIN
- EXISTING SEWER MANHOLE

NOTES

- ZONE (R-1) CURRENT YARD SETBACKS: FRONT = 20', REAR = 10', SIDE = 8', SIDE CORNER = 15'
- SUBJECT PROPERTY FALLS WITHIN FEMA FLOOD ZONE "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. PER FEMA MAP NO. 49003C2260D WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2010.
- THE HOMEOWNER'S ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTAINING THE DETENTION BAS AS SHOWN ON THE APPROVED SUBDIVISION IMPROVEMENT DRAWINGS. THIS INCLUDES, BUT IS NOT LIMITED TO: IRRIGATION OF THE GRASS LANDSCAPING, MAINTAINING DESIGN GRADES, PIPING, SPRINKLERS, CLOCK(S) AND WIRING. THE HOMEOWNER'S ASSOCIATION SHALL NOT ALTER IN ANY WAY THE DRAINAGE FUNCTIONALITY OF THE BASIN IMPROVEMENTS. PERRY CITY SHALL BE RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF THE PIPING AND APPURTENANT WORKS THEREOF.

AGRICULTURAL NOTE:
AGRICULTURE IS THE PREFERRED USE IN THE AGRICULTURE ZONES. AGRICULTURE OPERATIONS AS SPECIFIED IN THE ZONING ORDINANCE FOR A PARTICULAR ZONE ARE PERMITTED AT ANY TIME INCLUDING THE OPERATION OF FARM MACHINERY AND NO ALLOWED AGRICULTURE USE SHALL BE SUBJECT TO RESTRICTION ON THAT IT INTERFERES WITH ACTIVITIES OF FUTURE RESIDENTS OF THIS SUBDIVISION.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID TRACT PERRY LANDING SUBDIVISION AND HEREBY DEDICATE, GRANT AND CONVEY TO PERRY CITY, BOX ELDER COUNTY, UTAH, ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO DEDICATE TO PERRY CITY THOSE CERTAIN STRIPS DESIGNATED AS PUBLIC UTILITY EASEMENTS FOR PUBLIC UTILITY EASEMENTS FOR PUBLIC UTILITY, DRAINAGE PURPOSES AND DETENTION BASINS AS SHOWN HEREON, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND DRAINAGE AS MAY BE AUTHORIZED BY PERRY CITY. WE HEREBY DEDICATE THE DETENTION BASIN ON LOTS 23, 24, 25, 26, 27, 28, 29 AND 30 AS A STORM DRAIN EASEMENT TO PERRY CITY - THE DETENTION BASIN WILL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION. THE PLAT NOTES SHOWN HEREON ARE HEREBY DECLARED EFFECTIVE AND BINDING. IN WITNESS WE HAVE HEREUNTO SET OUR SIGNATURE THIS _____ DAY OF _____, 2021.

NO NAME INVESTMENTS LTD

BY:

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF BOX ELDER)

On this _____ day of _____, 2021, _____, Personally appeared before me, the Undersigned Notary Public in and for said County of Box Elder, in the State of Utah, the Signers of the Attached Owners Dedication, one in Number, who duly Acknowledged to me he Signed it Freely and Voluntarily and for the Purpose Therein Mentioned.

STAMP

NOTARY PUBLIC

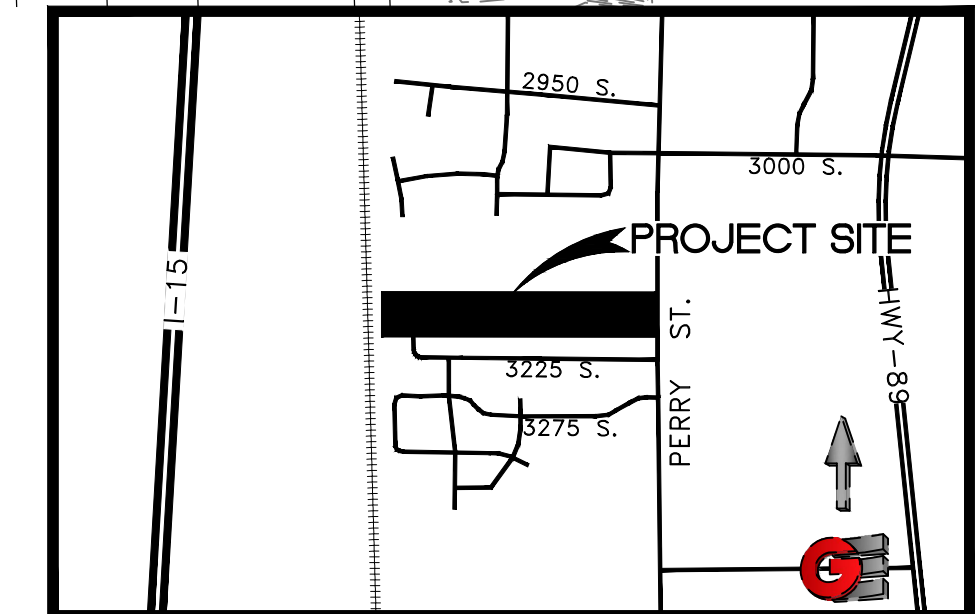
NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE A THIRTY (30) LOT SUBDIVISION ON THE PROPERTY AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY BOB ANDERSON. THE CONTROL USED TO ESTABLISH THE BOUNDARY WAS THE EXISTING BOX ELDER COUNTY SURVEY MONUMENTATION AS SHOWN AND NOTED HEREON. THE BASIS OF BEARING IS THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 8 NORTH, RANGE 2 WEST, S.L.B.M., WHICH BEARS NORTH 00°03'07" EAST, BOX ELDER COUNTY, UTAH NORTH, NAD 83 STATE PLANE GRID BEARING.

COUNTY RECORDER'S NO. _____

STATE OF UTAH, COUNTY OF BOX ELDER, RECORDED AND
FILED AT THE REQUEST OF _____
DATE _____ TIME _____ FEE _____
ABSTRACTED _____
INDEX _____
FILED IN: _____ FILE OF PLATS _____

COUNTY RECORDER



VICINITY MAP
(NOT TO SCALE)

DEVELOPER:
ROBERT ANDERSON
2081 E. HAMPTON CIRCLE
OGDEN, UT 84403
(801) 476-0400 OFFICE



PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____ A.D., 2021 BY THE
PERRY PLANNING COMMISSION.

CHAIRMAN

APPROVAL AND ACCEPTANCE

PRESENTED TO THE _____ THIS _____ DAY OF _____ A.D., 2021
AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

ATTEST:

RECORDER

MAYOR

ENGINEER'S CERTIFICATE

I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED AND FIND THAT IT IS CORRECT
AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THE PERRY CITY OFFICE.

DATE

ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____, 2021.

CITY ATTORNEY

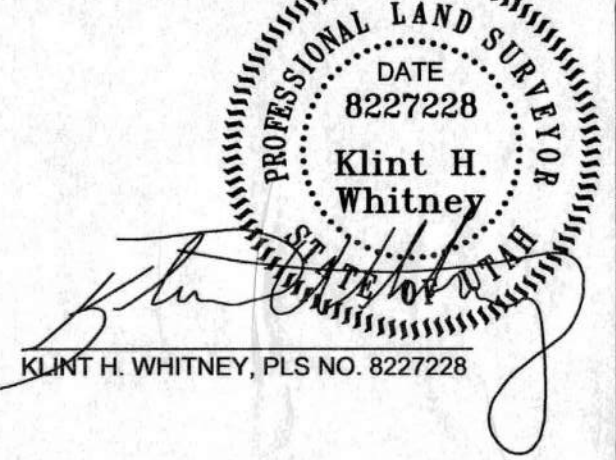
PROPOSED PLANS

PERRY LANDING SUBDIVISION - PHASING PLAN
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 3,
TOWNSHIP 8 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN,
PERRY CITY, BOX ELDER COUNTY, UTAH
2024

SURVEYOR'S CERTIFICATE

I, KLINT H. WHITNEY, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 8227228 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY AS SHOWN AND DESCRIBED ON THIS PLAT, AND HAVE SUBDIVIDED SAID PROPERTY INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS PERRY LANDING SUBDIVISION - PHASE 2 IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN HEREON ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS SURVEY; THAT ALL LOTS MEET THE REQUIREMENTS OF THE LAND USE CODE; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY.

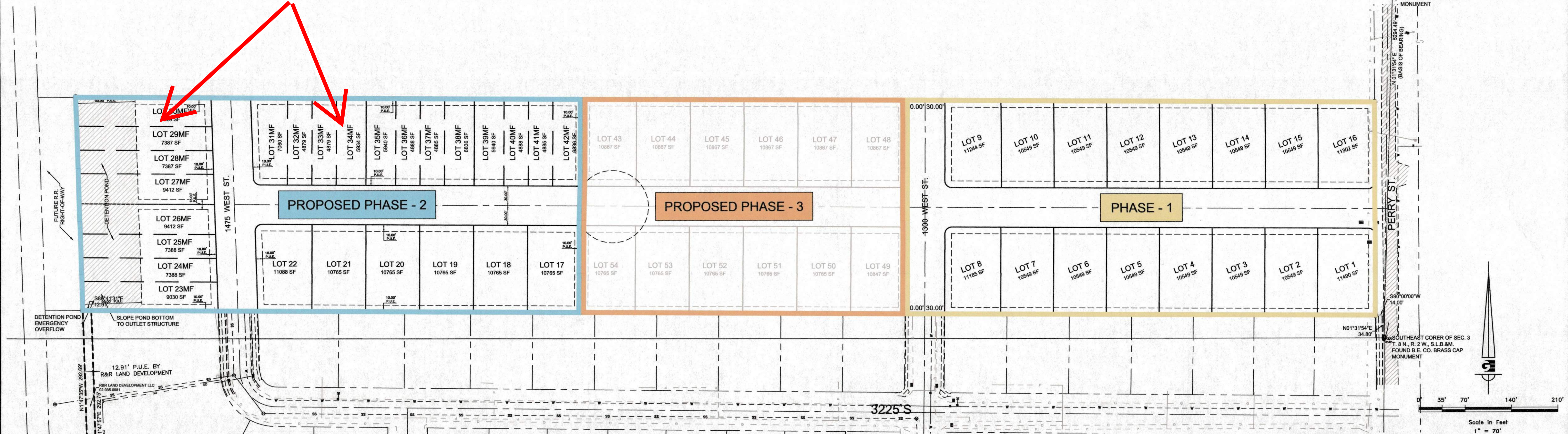
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- NEW SANITARY SEWER
- EXISTING OVERHEAD POWER
- EXISTING GAS LINE
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE
- EXISTING STORM MANHOLE
- EXISTING CATCH BASIN
- EXISTING SEWER MANHOLE
- NEW LIGHT POLE
- NEW STREET SIGN

NOTES

- ZONE (R-1) CURRENT YARD SETBACKS: FRONT = 20' (15' FOR GARAGES), REAR = 10', SIDE = 8', SIDE CORNER = 15'
- SUBJECT PROPERTY FALLS WITHIN FEMA FLOOD ZONE "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FEMA MAP NO. 49003C2260D WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2010.
- THE HOMEOWNER'S ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTAINING THE DETENTION BASIN AS SHOWN ON THE APPROVED SUBDIVISION IMPROVEMENT DRAWINGS. THIS INCLUDES, BUT IS NOT LIMITED TO, IRRIGATION OF THE GRASS LANDSCAPING, MAINTAINING DESIGN GRADES, PIPING, SPRINKLERS, CLOCK(S) AND WIRING. THE HOMEOWNER'S ASSOCIATION SHALL NOT ALTER IN ANY WAY THE DRAINAGE FUNCTIONALITY OF THE BASIN IMPROVEMENTS. PERRY CITY SHALL BE RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF THE PIPING AND APPURTENANT WORKS THEREOF.
- BASEMENTS ARE NOT ANTICIPATED IN THE TOWNHOMES, HOWEVER THE SEWER DEPTH IS ADEQUATE FOR BASEMENTS.

AGRICULTURAL NOTE:
AGRICULTURE IS THE PREFERRED USE IN THE AGRICULTURE ZONES. AGRICULTURE OPERATIONS AS SPECIFIED IN THE ZONING ORDINANCE FOR A PARTICULAR ZONE ARE PERMITTED AT ANY TIME INCLUDING THE OPERATION OF FARM MACHINERY AND NO ALLOWED AGRICULTURE USE SHALL BE SUBJECT TO RESTRICTION ON THAT IT INTERFERES WITH ACTIVITIES OF FUTURE RESIDENTS OF THIS SUBDIVISION.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID TRACT PERRY LANDING SUBDIVISION - PHASE 2 AND HEREBY DEDICATE, GRANT AND CONVEY TO PERRY CITY, BOX ELDER COUNTY, UTAH, ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO DEDICATE TO PERRY CITY THOSE CERTAIN STRIPS DESIGNATED AS PUBLIC UTILITY EASEMENTS FOR PUBLIC UTILITY, DRAINAGE PURPOSES AND DETENTION BASINS AS SHOWN HEREON. THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND DRAINAGE AS MAY BE AUTHORIZED BY PERRY CITY. WE HEREBY DEDICATE THE DETENTION BASIN ON LOTS 23, 24, 25, 26, 27, 28, 29 AND 30 AS A STORM DRAIN EASEMENT TO PERRY CITY - THE DETENTION BASIN WILL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION. THE PLAT NOTES SHOWN HEREON ARE HEREBY DECLARED EFFECTIVE AND BINDING. IN WITNESS WE HAVE HERETO SET OUR SIGNATURE THIS _____ DAY OF _____, 2024.

NO NAME INVESTMENTS LTD

BY: _____

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF BOX ELDER)

On this _____ day of _____, 2024, _____, Personally appeared before me, the Undersigned Notary Public in and for said County of Box Elder, in the State of Utah, the Signers of the Attached Owners Dedication, one in Number, who duly Acknowledged to me he Signed it Freely and Voluntarily and for the Purpose Therein Mentioned.

STAMP

NOTARY PUBLIC

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE A FIFTY FOUR (54) LOT SUBDIVISION ON THE PROPERTY AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY BOB ANDERSON. THE CONTROL USED TO ESTABLISH THE BOUNDARY WAS THE EXISTING BOX ELDER COUNTY SURVEY MONUMENTATION AS SHOWN AND NOTED HEREON. THE BASIS OF BEARING IS THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 8 NORTH, RANGE 2 WEST, S.L.B.&M., WHICH BEARS NORTH 00°03'07" EAST, BOX ELDER COUNTY, UTAH NORTH, NAD 83 STATE PLANE GRID BEARING.

COUNTY RECORDER'S NO. _____

STATE OF UTAH, COUNTY OF BOX ELDER, RECORDED AND FILED AT THE REQUEST OF: _____
DATE _____ TIME _____ FEE _____
ABSTRACTED _____
INDEX _____
FILED IN: _____ FILE OF PLATS _____
COUNTY RECORDER

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____ A.D., 2024 BY THE PERRY PLANNING COMMISSION.

CHAIRMAN

APPROVAL AND ACCEPTANCE

PRESENTED TO THE _____ THIS _____ DAY OF _____ A.D., 2024 AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

ATTEST: _____

RECORDER

ENGINEER'S CERTIFICATE

I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED AND FIND THAT IT IS CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THE PERRY CITY OFFICE.

DATE

ENGINEER

APPROVAL AS TO FORM

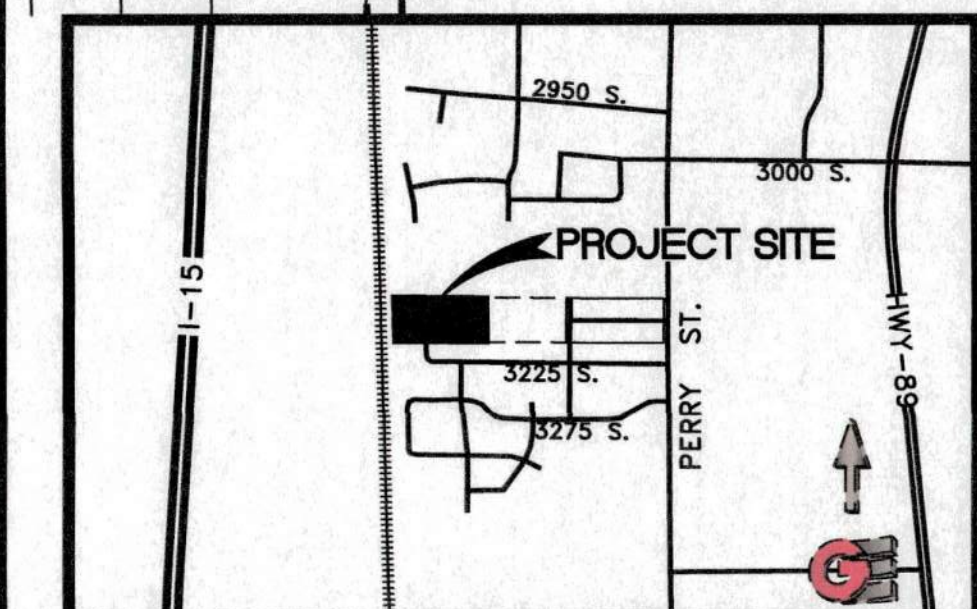
APPROVED AS TO FORM THIS _____ DAY OF _____, 2024.

CITY ATTORNEY

PLANNING COMMISSION APPROVAL

DEVELOPER:
ROBERT ANDERSON
2081 E. HAMPTON CIRCLE
OGDEN, UT 84403
(801) 476-0400 OFFICE

VICINITY MAP
(NOT TO SCALE)



To: Bob Barnhill, City Administrator

From: Bob Anderson, Anderson Homes

Perry Landing Subdivision

Date: April 17, 2024

Subject: Proposal Request to Combine Five 4-plex
Townhouses into Phase 2, Perry Landing
Subdivision. (20 Dwelling Units)

Dear Bob,

At this point the Perry Landing Subdivision, Phases 2 & 3, has been conceptually approved for 5 Four-Plex Townhouse buildings. The four plexes would be separated by approx. 700 feet, with 2 four plexes to the West in Phase 2 and 3 four plexes on the East end of Phase 3.

We have done substantial review with our Attorney, who specializes in Home Owner Associations, the HOA landscaping company, the maintenance company for landscaping and exterior surfaces, as well as the Perry City Engineer, City

Administrator, and Mayor to solicit opinions of the advantages of forming the 20 dwelling units into one contiguous site and HOA. The proposed description has been submitted with this letter for the review of the Planning Commission and City Council.

We are asking for your consideration and approval to modify the previous plat locations through a Developer Agreement based on the following:

- 1) Our Attorney has strongly suggested that we combine the physical location as well as the HOA into one entity. Through this economy of scale the HOA can be run more efficiently and economically and be more cohesive for the member/owners.
- 2) Because of the economy of scale and the open area it allows with easy access for all members/owners, we would commit to more common area enhancements to be installed for the member/owners. The open area, besides the individual private lots for each of the Townhouses, would consist of approx. .67 acre of fully landscaped

area. This area is ideally located to also provide a storm detention facility for the entire neighborhood. In this area we would be able to and commit to install an enhanced recreational area for each of the member/owners with close proximity of use and easy access with control of entry. These enhancements are being designed by a play ground designer to include:

- commercial grade picnic tables and benches with pergola.
- active playground equipment for children
- a fully grassed layout for soccer/football/ baseball and other sports on a reduced field.
- all with an enclosed fence system

3) A landscaping plan, of course, will be required by the City and the landscape architect feels equally as strong that one coordinated site would be far more preferable to two sections approx. 700 feet apart.

Subdivision that we can build.

- 7) We respectfully request that you grant through A Developers Agreement our ability to combine these units into one HOA in a contiguous location. This location at the bottom of 3200 S provides a unique opportunity to handle the storm runoff needs as well as a coordinated approach to expanding the recreational aspects for all to enjoy. If this provision can be granted we would in turn commit through the Developers Agreement to enhance the recreational opportunities and equipment as mentioned in order to provide a first class park for the HOA.

Sincerely,

Robert J. Anderson

Anderson Homes

1 May 2, 2024
2 Planning Commission Meeting
3 Virtual Meeting
4 7:00 p.m.
5
6

7 Commissioners Present: Vice Chairman Ryan Vaughn (on-line until 7:26 p.m.), Commissioner Marcus
8 Wager, Commissioner Jan Kerr, and Commissioner Paul White
9

10 Commissioners Absent: Chairman Stephan Moss, Commissioner Beth Thompson, and Commissioner
11 Blake Broadhead
12

13 City Staff Present: City Administrator Bob Barnhill
14

15 Others Present: Bob Anderson, Eric Thomas, Mike Thomas, Sam McMurdie, and Joni Loveless (on-line)
16

17 Commissioner Kerr made a motion to elect Commissioner Wager temporary chair until Vice Chairman
18 Vaughn arrives. Commissioner White second the motion.
19

20 **All in Favor.**
21

22 1. Call to Order and Opening Ceremonies
23 Chairman Marcus Wager called the meeting to order.
24

25 A. Declare Conflict of Interest, if any
26 None.
27

28 2. Action Items
29 A. Final Plat Application Vintage Farms: Located at 1550 S Highway 89 Parcel #03-245-0001
30 Applicant; Michael Thomas
31 Mr. Barnhill described that Vintage Farms is a property to be developed and is approximately 1.35 acres
32 in size and within the NC2 zone. The plan proposes 15 multi-family units which, when developed, will
33 use all the remaining allowance for this area (district). The original plans were presented in the summer
34 of 2022 and received the final engineering drawings approval a year ago. He explained that this final plat
35 appears to be in order and if approved by the Planning Commission the developer would have 90 days
36 to set up their escrow and record the plat. There was a concern by Commissioner Kerr if the Fire
37 Marshal had given approval and Mr. Barnhill responded that the Fire Marshal review would have been
38 done in an earlier subdivision application step.
39

40 **MOTION:** Commissioner Kerr motioned to grant final approval of this plant on condition upon
41 any comments from the Fire Marshal. Commissioner White seconded the motion.
42

43 **Roll Call Vote:**

44 Commissioner Kerr, Yes
45 Commissioner White, Yes
46 Commissioner Vaughn, Yes
47 Commissioner Wager, Yes
48

49 **Motion Approved**
50
51

52
53 B. Development Agreement Perry Landing: Located at approximately 3200 S 1200 W Parcel #02-
54 034-0144 Applicant; Robert Anderson

55 Mr. Barnhill described Perry Landing as another subdivision development that came through a while
56 ago. He said they have constructed Phase 1 of this approximately 15 acres development. Preliminary
57 approval was received December 2, 2021. The approved plans show 54 total dwellings with 20 of those
58 being townhome units.

59
60 The developer is presenting a development agreement to propose plans to change the other two phases
61 of the approved plans. The development is on the boundary of two district areas and the proposed plans
62 cause compliancy issues with the city density map. Mr. Barnhill said that local residents had voiced
63 concerns with townhomes being adjacent to single family homes (in two separate places) and with the
64 proposed plans the townhomes are together on the north end of the development. The developer also
65 proposed improvements around the detention pond to put a maintained grassy area and build a pavilion
66 with residential grade outdoor equipment.

67
68 There was a discussion about the value to the city, road maintenance, and time frame of the two
69 phases. Mr. Anderson said that their plans are to build out as fast as they can. He noted that they are
70 privately funded and so they do not need to work with the banks. He mentioned that Phase 1 took
71 about eighteen months. Commissioner White voiced his concerns with the flow of traffic as the
72 development gets built. Mr. Anderson commented that they will try to move construction equipment
73 out of the way of traffic. He said for allowing the development agreement the value to the city they will
74 give happened when they enhanced 1200 West and put in a 10-inch water line. He noted that the
75 Homeowners Associations (HOA) Covenants, Conditions, and Restrictions (CC&Rs) are being written by
76 his attorney pending the approval of this development agreement.

77
78 Vice Chairman Vaughn arrived at 7:26 p.m. and Commissioner Wager recognized that he is in charge and
79 taking over the meeting.

80
81 MOTION: Commissioner Wager motioned to forward a recommendation of denial for this, to
82 keep what they have approved in place and move forward with that (to leave the plans as
83 already approved). Commissioner Kerr seconded the motion.

84
85 Roll Call Vote:

86 Commissioner Kerr, No
87 Commissioner White, No
88 Commissioner Vaughn, Yes
89 Commissioner Wager, Yes

90
91 Motion Failed

92
93 Vice Chairman Vaughn opened it up to another motion to be brought forth.

94
95 MOTION: Commissioner Kerr motioned to recommend to the City Council the new
96 development where the townhomes are clustered together. Commissioner White seconded the
97 motion.

98
99 Roll Call Vote:

100 Commissioner Kerr, Yes
101 Commissioner White, Yes
102 Commissioner Vaughn, No
103 Commissioner Wager, No
104

105 Motion Failed
106

107 Mr. Barnhill said the spilt vote is what he will take to City Council. Commissioner Kerr comments for the
108 City Council were that it is not that big of difference to have the townhomes together on one side and if
109 it was easier for the HOA to manage them the city should allow this change. Commissioner Wager
110 comments to the City Council was he prefers not to allow this change to the city grid (district areas) and
111 that the developer did not give any benefits to the city for the proposed change.
112

113 C. Public Hearing: Ordinance 24-D Amending Multi-Family Dwelling/ Apartment Density Map and
114 Subdivision Code

115 Mr. Barnhill highlighted a few updates made to the subdivision code. Improvements were fixes to words
116 to comply with Utah State code, includes a new process to handle old refund deposits or unclaimed
117 escrow funds, clearer code section reference and acknowledgement, requiring commercial development
118 along Highway 89 in conjunction with the new subdivision. He said that the City Council wants a
119 requirement of the Conservation Subdivision be that the developer must first obtain a Conservation
120 Subdivision Overlay Zone through them. Setback requirements were updated for better clarification.
121 Land scaping description changed to percentage of gross area. Multi-family development, two car
122 garages and parking requirements were standardized. He recommended they add in their motion to add
123 a statement to allow for amendments to the map. Overall height of a structure with embankment and
124 visibility along the highway or height that will change the feel of Perry City.
125

126 Vice Chairman Vaughn opened the public hearing at 8:11 p.m.
127

128 Joni Loveless commented that they need to preserve commercial along Highway 89 and they need to
129 consider the feel of the city and decide what building (development) they will allow.
130

131 Sam McMurdie asked if Perry City had the infrastructure for the building and Mr. Barnhill responded to
132 this question. He then asked if you had a home in the area, would you like this type of development by
133 your home. Commissioner Kerr responded that there are codes and laws in place and the Planning
134 Commission has to adhere to these rules. Would any of you being willing to live next to these
135 developments.
136

137 Commissioner White requested they revisit the height restriction discussion at another (the next)
138 meeting.
139

140 Vice Chairman Vaughn opened the public hearing at 8:24 p.m.
141

142 **MOTION:** Commissioner Wager motioned that they recommend to the City Council approval of
143 Ordinance 24-D Amending Multi-Family Dwelling/ Apartment Density Map and Subdivision Code

subject to adding errors and omissions, the with reference to porches and decks that they reference the state code/statue of 32 square feet, garage size from 24 feet to 22 feet, and that the development along the highway will be zeroed out for multi-family but still having it clear that the options is available for multi-family a development agreement on the map. Commissioner Jan Kerr seconded the motion.

Roll Call Vote:

Commissioner Wager, Yes
Commissioner Kerr, Yes
Commissioner White, Yes
Commissioner Vaughn, Yes

Motion Approved

3. Approval of the Minutes

A. March 7, 2024 Regular Planning Meeting

Commission Kerr said there was a grammatical error. She said on line 103 to add the word “they” before the word were.

MOTION: Commission Marcus Wager made a motion to approve the March 7, 2024, regular Planning Commission meeting minutes with the one change for Commissioner Kerr. Commissioner White seconded the motion.

All In Favor

4. Discussion

A. Future Projects

Mr. Barnhill mentioned that next they might discuss multi-family. He informed the Planning Commissioners that there will be another Highway 89 Master Plan soon but did not have the date yet.

B. Report on past-approved Planning Commission Agenda Items

Mr. Barnhill said that there was nothing to report.

C. Report from Commissioner regarding previous Council Meetings

Mr. Barnhill reported that the City Council has been focused on the budget. He said they have had several presentations made to the City Council such as Utopia Fiber, Box Elder County, and Mountain View Bike Park.

D. Make Assignments for Representative to Attend City Council Meeting (May 9 & 23, 2024)

Commissioner Kerr said she would attend the upcoming City Council meeting on May 9th and Commissioner White will cover the May 23rd meeting.

5. Public Comment

None.

6. Training

A. Staff

192 7. Review Next Agenda and Adjourn

193 **A. Items for June agenda (next meeting June 6, 2024)**

194 Mr. Barnhill said he was not aware of anything for this meeting.

195
196 **B. Motion to Adjourn**

197
198 Motion: Commissioner Kerr made a motion to adjourn the meeting. Commissioner Wager seconded
199 the motion.

200
201 All In Favor

202
203 The meeting ended at 8:33 p.m.

DRAFT