

PERRY CITY PLANNING COMMISSION REGULAR MEETING AGENDA

December 3, 2020

7:00 pm regular meeting

3005 S 1200 W Perry, UT

The meeting will be open to the public with five people maximum. Meeting 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, via web/teleconference. Go to www.perrycity.org/whats-new.htm.htm for 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 20-V Amending Title 15 Regarding Design Standards.

B. Plat Amendment Application – Cherry Ridge Subdivision Phase 3 located at approximately 1450 W 3325 S affecting parcels;

02:079:0052, 02:079:0060, 02:079:0051, 02:079:0059,

02:079:0044, 02:079;0061, 02:079;0043, 02;035:0066, Applicant; Frank Fife

C. Approve 2021 Planning Commission Meeting Schedule

3. Discussion Items

A. Code Amendments & Projects

4. Approval of the Minutes

A. November 5, 2020 Regular Meeting

5. Discussion

A. Future Projects

B. Report on past-approved Planning Commission Agenda Items

C. Report from Commissioner regarding last Council Meeting (November 12, 2020 Electronic Meeting)

D. Make Assignments for Representative to Attend City Council Meetings

(December 10, 2020 this will be Electronic Meetings)

6. Training

A. Staff

7. Review Next Agenda and Adjourn

A. Items for January agenda (next meeting January 7, 2021)

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; Box Elder News Journal; Perry City Website; and State Website; on this 24th day of November 2020. Any individual requiring auxiliary services should contact the City Offices at least 3 days in advance (435-723-6461).

Tyra Bischoff, Deputy Recorder

Rules for Public Hearings:

- (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 is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/89384566485?pwd=YytRb2xEYzRQTjhMdzNjTmthcTFkZz09>

Meeting ID: 893 8456 6485

Passcode: 720882

One tap mobile

+12532158782,,89384566485#,,,,,0#,,720882# US (Tacoma)

+13462487799,,89384566485#,,,,,0#,,720882# US (Houston)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 301 715 8592 US (Washington D.C)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

Meeting ID: 893 8456 6485

Passcode: 720882

Find your local number: <https://us02web.zoom.us/j/89384566485?pwd=YytRb2xEYzRQTjhMdzNjTmthcTFkZz09>

NOTICE OF PERRY CITY PLANNING COMMISSION PUBLIC HEARING

Notice is hereby given that the Perry City Planning Commission will hold, in the City Council Chambers at 3005 South 1200 West in Perry (limited to five (5) public attendees in order to meet CDC social distancing requirements) as well as electronically via web/teleconference, a public hearing to receive public comment regarding Ordinance 20-V Amending Title 15 Regarding Design Standards. Members of the public may view the meeting via Zoom using a link and instructions on the city web page at: <https://www.perrycity.org/whats-new.htm.htm> or attend in person within capacity limitations. This public hearing will be held in conjunction with the Perry City Planning Commission Meeting, which starts at 7:00 p.m. on Thursday, December 3, 2020. 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 (1-435-723-6461). By: Tyra Bischoff, Deputy Recorder.

Please publish November 18th

Thanks

Staff Report

December 10, 2020

Perry City Planning Commission



Amending the Design Standards

Summary

City Council has some interest in expanding our design standards to all commercial areas. We were asked to hold a public hearing for this ordinance so the changes that are eventually passed will apply to any new applications we receive between now and then.

Right now I do not have any specific directions or content to review. Perhaps the simplest approach to begin with would be reviewing the current standards to see if we could simply apply them to all commercial developments rather than just those along the highway.

Staff Report

December 10, 2020

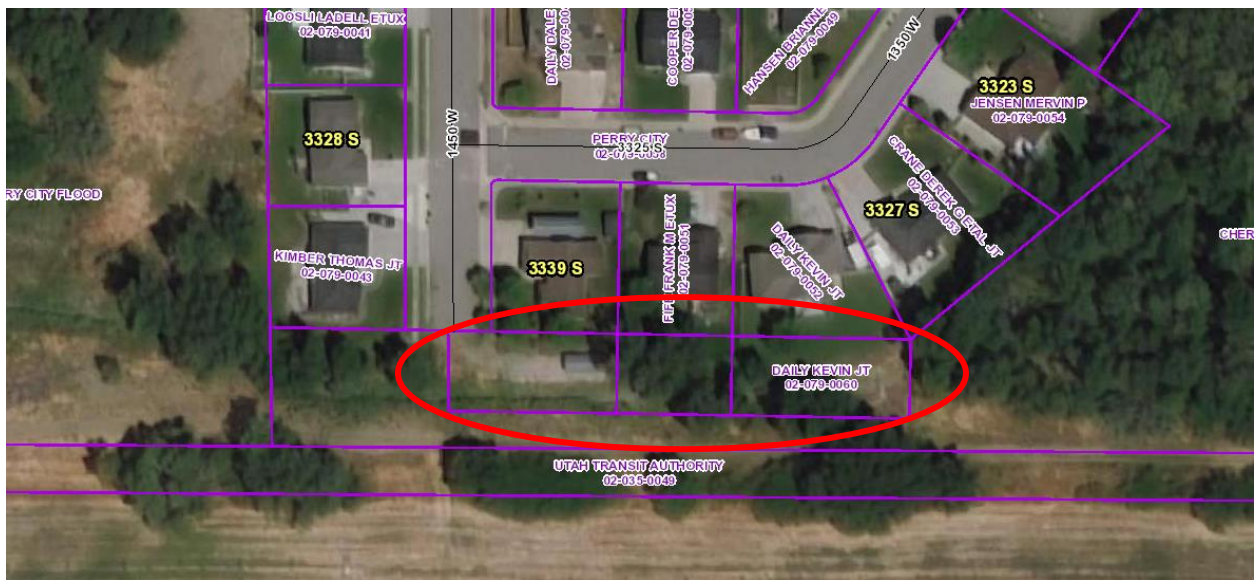
Perry City Planning Commission



Cherry Ridge Plat Amendment

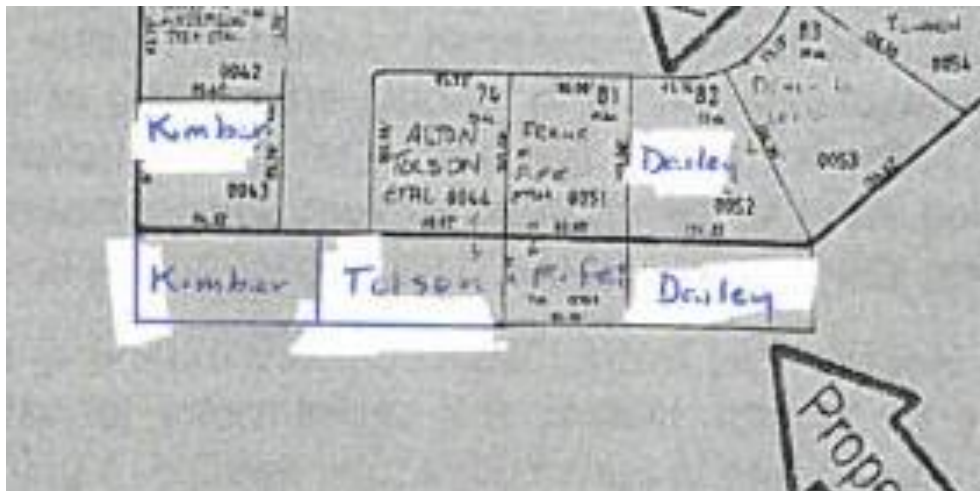
Summary

A few months ago it came to the City's attention that three parcels were created without complying with the subdivision process required by Perry City and the State of Utah. You can see these three parcels here.



It appears these three homeowners intended to extend their backyards. The proper process for this is to amend the subdivision and expand each lot accordingly. As it stands these lots are out of compliance.

In addition to these three non-complying parcels, it appears the homeowner to the west owns a similar non-compliant parcel that does not appear on the County records. They have also joined this application.



Code Compliance

In order to comply with our zoning and subdivision requirements a few things will be required. Firstly, these non-compliant parcels cannot be approved as legal lots as currently constituted as they do not meet the frontage or size requirements. They need to be incorporated into the existing and approved lots. The subdivision boundary will also need to be adjusted to include the expansion of these lots.

In addition, the right of way for 1450 W must be dedicated to the end of the subdivision, which will be extended south as part of this amendment. Our codes also require that the subdivider install improvements along with the dedication of the street right of way. In this unique case, a deferral agreement may be appropriate.

Lastly, there is an existing easement for the flood channel existing through this area. The property owners dispute the validity and allowances of this easement, which predates the Cherry Ridge Subdivision. This easement must be clearly outlined on the plat.

Considerations and Recommendation

We do not yet have a plat to review to ensure right of way, boundaries, and easements are properly accommodated. Without a plat reviewed by our engineer I recommend tabling this item.

Some background information to bear in mind is that the City has recorded certificates of non-compliance on the properties. The property owners have retained an attorney and are currently appealing this action.

Perry City Community Development

Printed: 11/24/2020

Cherry Ridge Phase 2

Permit/License #

10/17/2020 - 10/16/2021

6857558**Subdivision: Amendment**

Reference Number

Subdivision: Amendment

b1bfc670-10e6-11eb-990a-c758336fea8a

Application Status

Status

Awaiting Payment

Active

Application Review Status

Pre-Review

Approved

Date Submitted

Community
Development

Not Reviewed

10/17/2020

Final-Review

Not Reviewed

Fees

Subdivision: Amendment

\$400.00**Total Fees****\$400.00****Amount Paid****\$0.00****Payments**

There are no payments

Application Form Data

(Empty fields are not included)

Please Note: This application is to amend and make adjustments to a plat that has already been approved and recorded. If significant changes are proposed, especially changes that would affect public infrastructure and aspects requiring detailed engineering, the City may require the amendment to go through the complete subdivision approval process beginning with the Preliminary Subdivision Application. This would be done to ensure a proper review is performed and compliance is assured for all proposed changes.

true

After this application is reviewed for completeness you will receive an email from Civic Review asking for payment. Following payment your application will be placed on the next available Planning Commission agenda (usually the 1st Thursday of every month). The deadline to submit items for Planning Commission is three weeks prior to the meeting.

true

Applicant First Name

Frank

Applicant Last Name

Fife

Applicant Email

fifemike@gmail.com

Applicant Phone Number

(801) 866-2576

Applicant Address

1421West 3325 South

City

Perry

State

UT

Zip

84302

Is the applicant the property owner?

Yes

Engineer/Surveyor Name or Company

Codey Illum

Engineer/Surveyor Email

cillum@boxeldercounty.org

Engineer/Surveyor Phone Number

(435) 734-3303

Subdivision Name

Cherry Ridge Phase 2

Property Address/Location

Tax Parcels: 02-079-0059 Account Number R0079852 Owner FIFE FRANK M ETUX Owner
Address 1421 W 3325 S PERRY, UT 84302

Describe the proposed amendment.

Amend Property to Subdivision

Upload a PDF of the proposed plat

☐ Plat Amandment Request Parcel 02-079-0059.pdf

Signature

I hereby certify that all information provided herein is true and correct. I understand and agree to comply with the applicable codes, standards, and the rules listed below.

1. All sections of this application must be complete and will not be reviewed until fees have been received.
2. The payment of fees does not guarantee a certain result and fees are not refunded due to the lack of favorable results.

3. Fees are an estimate of the costs for the City to administer the Subdivision review and approval process. Perry City reserves the right to bill the applicant for administration costs that go beyond the estimated fees collected at the time of application.
4. Complete application and approval requirements can be found in Perry Municipal Code Titles 14 and 15.

Electronically Signed

Frank Michael Fife - 10/17/2020 8:07 pm

Messages

11/17/2020 8:00 am - Robert Barnhill

Mr. Fife

I have received plans from your attorney, which have been attached to this application. You may now provide the payment and we can process your application and place it on the upcoming Planning Commission agenda.

10/29/2020 7:32 am - Robert Barnhill

Mr. Fife, I wanted to send this message again in case it was overlooked. Please let me know if you have questions or concerns.

Frank, thank you for the application. Before accepting the application and processing a payment I need a couple pieces of information. Firstly, we need a drawing indicating what the amendment is that you are proposing. Ultimately we will need a plat drawn by a surveyor to review and approve, but for now a clear drawing could suffice.

Also, you provided our building official's name (Codey Illum) as your surveyor. This is obviously incorrect. Please update the application with the information for the surveyor you are working with.

When we have these items corrected we can process your application and payment.

Please let me know if you have any questions. Bob Barnhill 435-723-6464

10/19/2020 14:54 pm - Robert Barnhill

Frank, thank you for the application. Before accepting the application and processing a payment I need a couple pieces of information. Firstly, we need a drawing indicating what the amendment is that you are proposing. Ultimately we will need a plat drawn by a surveyor to review and approve, but for now a clear drawing could suffice.

Also, you provided our building official's name (Codey Illum) as your surveyor. This is obviously incorrect. Please update the application with the information for the surveyor you are working with.

When we have these items corrected we can process your application and payment.

Please let me know if you have any questions. Bob Barnhill 435-723-6464

Internal Notes

11/17/2020 7:59 am - Robert Barnhill

Updated plans provided by attorney

11/17/2020 8:12 am - Robert Barnhill

Exhibit A



STEVENSON | SMITH | HOOD | KNUDSON P.C.
A PROFESSIONAL CORPORATION | ATTORNEYS AND COUNSELORS AT LAW

BRAD C. SMITH

DAVID B. STEVENSON

SAMUEL A. HOOD

ELIZABETH A. KNUDSON

Email:
david@sshklawyers.com

November 16, 2020

Robert Barnhill
City Administrator
3005 South 1200 West
Perry, UT 84302 and
robert.barnhill@perrycity.org

Re: Letter in Support of Plat Amendment Request

Dear Mr. Barnhill,

In your email today you encouraged me to provide a letter in support of a combined Plat Amendment request for my clients. This letter constitutes that support. In a nutshell, my clients wish to add a parcel to the south of their lots within Phase III of the Cherry Ridge Subdivision, Perry City, Utah. They do not seek a new subdivision application. Instead, they wish to amend the current Cherry Ridge Subdivision plat to include the small parcels to the south of their property. Mike Fife submitted a preliminary Plat Amendment Request. That request had some omissions. We herein amend that request to include three additional applicants as listed below.

I have been in communications with Greg Hansen at Hansen Engineering to discuss having his firm do the engineering work. He has preliminarily agreed to do both a survey and a plat amendment, at a flat price per lot. There was a survey performed on these properties in the past, but the owner of that survey is now deceased, and we cannot find a copy. Before we engage Hansen to do survey and plat work, we need to know what the City will require. Toward that end, this letter describes what my clients wish to do. Plats or drawings of the applicable parcels are found on the Box Elder County web map at <https://gis.boxeldercounty.org/webmap/>, and in Exhibit A, attached hereto—containing hand-drawn depictions of the parcels. We also refer to the map/plat shown in the September 17, 2020 letter from you to the Fifes, Tolsons, and Dailys. Property descriptions of the lots are contained in the conveyances shown in exhibits B, C and D. We look forward to your response.

Since our last discussion, one more homeowner contacted me and asked to be added to the plat amendment application. They are Thomas and Sherry Kimber. The Kimber home is next to the Tolson property. These four residents purchased parcels within the Cherry Ridge Subdivision, but at different times between the years 2006 and 2018. In each instance their purchase included an adjoining parcel to the South which was not part of the Cherry Ridge Subdivision. Each received a lot from the Subdivision as well as a meets-and-bounds land

property description that included the parcel to the South. In Kimber's case, he only received one parcel number. Copies of the warranty deeds or quit claim deeds are attached hereto as Exhibits B through D.¹ The Fifes, Tolsons and Dailys have been paying taxes on their southern parcel since purchasing their lots in 2007, 2006, and 2016, respectively. Their predecessors did too.

The Kimbers have a unique situation. They obtained their property within the past two years. As is the case for the other three clients, the Kimbers were deeded property to the south of their lot within Phase III of the Cherry Ridge Subdivision. The County Recorder and Assessor still show that the Southern parcel is owned by Cherry Ridge Enterprises, LLC. This appears to be a mistake by the Recorder's office or possibly by Kimber's title company who submitted the conveyance for recording with the County. Mr. Kimber has contacted his title company and the County to correct the error. The County has already taken steps to place the Kimbers' name on their land records. Mr. Kimber is in the process of obtaining records to prove his claim to title and has requested that the County provide him their newly edited records. Because Mr. Kimber is not yet the record title holder, it may seem premature to add him to the Application. However, because of the importance of correcting all the effected properties, I believe it would be a mistake not to include them in the Amendment Application. I have spoken with Kevin Butters (801-940-6100, 122 Larson Lane, Harrisville, UT), who manages Cherry Ridge Enterprises, LLC. He confirmed that it was the intent of Cherry Ridge Enterprises, LLC to convey a parcel to the south of the original owner of lot 73 within the Subdivision, when Cherry Ridge Enterprises, LLC initially conveyed that property. He was unsure why the property was not transferred to the owners of record, or why the recorder did not reflect the transfer. It is my understanding that Cherry Ridge Enterprises, LLC has been paying taxes on the portion that is owned by Kimber.

Upon information and belief, all four residents' property to the south was originally owned by the Cherry Ridge Subdivision, LLC, whose predecessor was Cherry Ride Development, LLC,

Perry Resident	Home Address in Perry City, Utah	Home Parcel Number	Parcel to add to Cherry Ridge Subdivision	Most Recent Origin of Interest (southern parcel)
Mike Fife and Andrea Fife	1421 West 3325 South	02-079-0051	02-079-0059	Matthew M. Moore and Rachel B. Moore, 2007
Alton and Amy Tolson	1450 W 3339 South	02-079-0044	02-079-0061	Mike Clark Construction, 2006
Kevin and Jennifer Daily	1391 West 3325 South	02-079-0052	02-079-0060	Scott M. Hurst and Camille Hurst, 2016
Thomas and Sherry Kimber	1450 W 3338 South	02-079-0043	Portion of parcel 02-035-0066	Unconfirmed

¹ Kimber's conveyance documents will be forthcoming. They will need to resolve legal title with Cherry Ridge Enterprises, LLC.

whose predecessor was Butters Realty & Construction, Inc. Each southern parcel has a canal running through it, over which the Box Elder County & Perry City Flood Control and Drainage Special Service District allege to have a right of access. The parties and parcels affected are shown above.

As part of this Subdivision Amendment request, we expect to include language to address and correct several issues. First, Perry City owns and maintains a road through the subdivision at 1450 West. That road ends at the Tolson and Kimber property. I understand that the road was not properly stubbed where it terminates. It has a large pipe or set of utilities running underneath their properties. No easement was obtained from the Tolsons or Kimbers, or their predecessors in interest. Second, Box Elder County & Perry City Flood Control and Drainage Special Service District requires access to occasionally clear the Creek running through the southern parcels, where debris and sediment accumulates. A single title search for these southern parcels did not reveal a recorded easement covering this use. My clients desire to specify the Service District's access points and have a clear agreement that it will remove debris and dredge materials, rather than leave it on their properties. Finally, we anticipate that the City will require that the Tolsons and Kimbers dedicate the right of way necessary for the stub road to continue. They want to have an easement which grants them access to the small southern parcel from 1450 West to any property they potentially dedicate to the City. We believe all these issues can be accomplished at once as part of the Amendment process.

When the City filed its notice of violation and fined my clients, it also informed them that you would welcome a *simple* amendment to address the fact that these properties were not properly subdivided by their predecessors in interest. We thank you for the opportunity to attempt to resolve the issue amicably. Please let us know if there is something else you need.

Sincerely,

STEVENSON SMITH HOOD KNUDSON P.C.

/s/ David Stevenson
David B. Stevenson

Exh. A

PRT. of NE1/4 SECTION 10 TOWNSHIP 8N RANGE 2W S.L.B.8M.

Book 2 Page 79

THIS OWNERSHIP PLAT IS FOR
REFERENCE PURPOSES ONLY.
NO LIABILITY IS ASSUMED FOR
ACCURACY OR VARIATIONS WITH
THE ACTUAL SURVEY

SCALE 1" = 100'

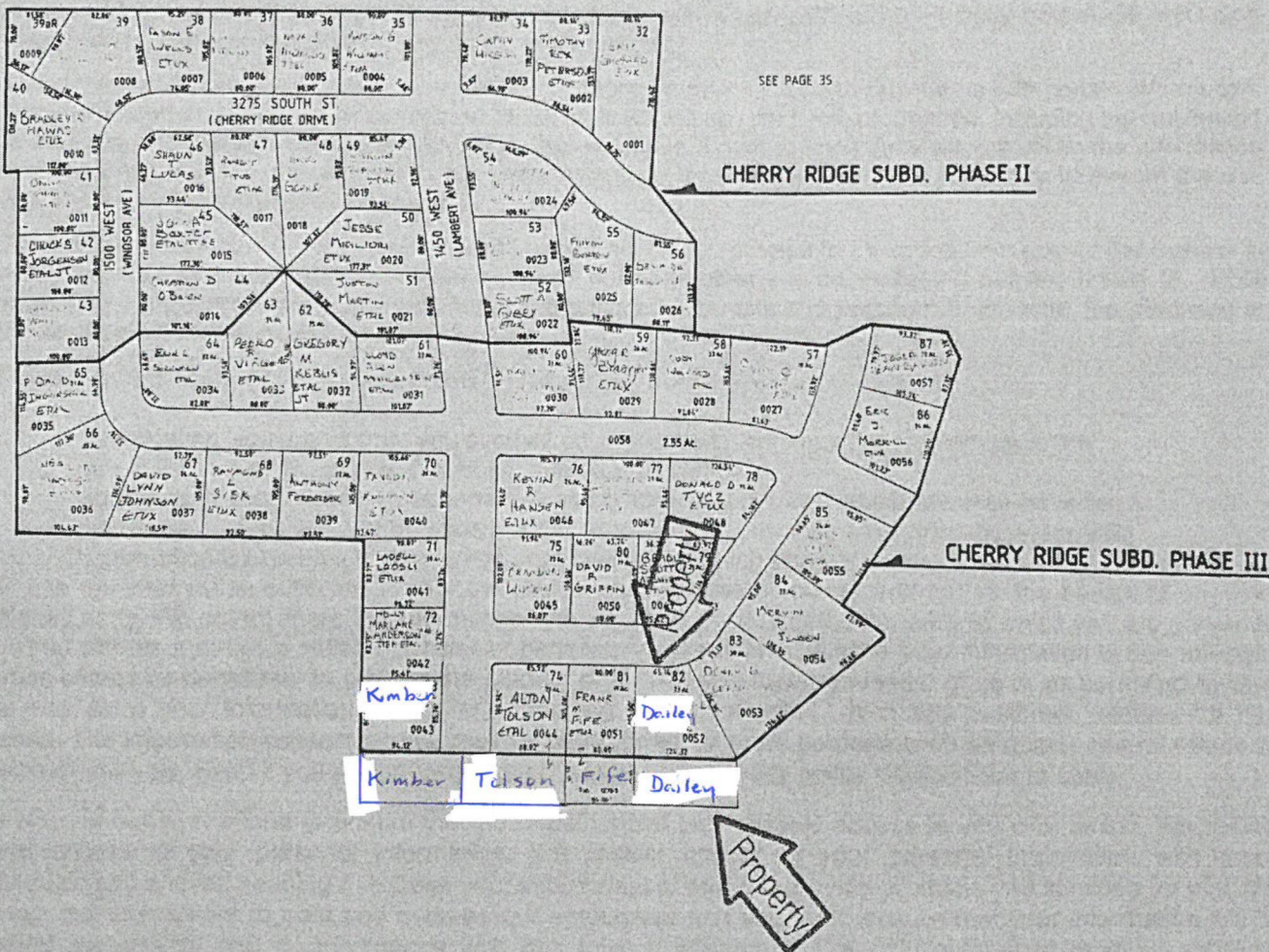


PERRY CITY SURVEY

PREFIX 02-079 TAX UNIT 32, 33, 59, 62

SEE PAGE 35

SEE PAGE 35



DATE LAST REVISED _____
LAST NO. USED _____

NOTICE THIS IS NEITHER A PLAT NOR A SURVEY. IT
IS FURNISHED HEREBY AS A CONVENIENCE TO AID
YOU IN LOCATING THE LAND INDICATED HEREON.
NO REFERENCE TO SURVEYS AND OTHER LAND
IN THIS PLAT IS ASSUMED BY REASON OF ANY
REFERENCE HEREON.

Don Dawley
Karl Fife

PERRY CITY 2021 MEETING SCHEDULE

CITY COUNCIL MEETINGS (7:00 P.M.)

January 14 and 28	July 08 and 22
February 11 and 25	August 12 and 26
March 11 and 25	September 09 and 23
April 08 and 22	October 14 and 28
May 13 and 27	November 11
June 10 and 24	December 09

**Meetings will be held on the 2nd and 4th Thursday of the month.
There will only be one meeting held in November and December.**

PLANNING COMMISSION MEETING SCHEDULE (7:00 P.M.)

January 07	July 01
February 04	August 05
March 04	September 02
April 01	October 07
May 06	November 04
June 03	December 02

Meetings will be held the 1st Thursday of the month.

Check the Box Elder News Journal, the Public Meeting Website (Utah.gov/pmn), Perry City Website, or the City Office for specific start times. Meeting dates and times are subject to change.

November 5, 2020
Planning Commission Meeting
Virtual Meeting
7:00 p.m.

Commissioners Present: Chairman Michelle Drago, Vice Chairman Jan Kerr, Commissioner Tresa Peterson, and Commissioner Julie Jones

Commissioners Absent: Commissioner Marcus Wager

City Staff Present: Bob Barnhill: City Administrator
Tyra Bischoff: Deputy Recorder
Chris Crockett: City Attorney

Others Present: Brandon Hansen, Melanie Barnhill, Mark Mackley, Maxwell Mills

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

Chairman Drago called the meeting to order.

A. Declare Conflict of Interest, if any.

None.

2. Action Items

A. Nominate and Appoint a Planning Commission Vice Chairman

Chairman Drago stated that Planning Commission Vice Chairman Jan Kerr will be moving to the position of Chairman in January 2021 and that a new Vice Chairman will need to be nominated.

The Commissioners discussed briefly who should be nominated and asked Commissioner Jones if she would be willing to serve. She stated that she would.

MOTION: Commissioner Peterson moved to vote Commissioner Jones as Planning Commission Vice Chairman for 2021. Chairman Drago seconded the motion.

Commissioner Peterson Yes

Commissioner Jones Yes

Commissioner Drago Yes

Motion Approved: 3 Yes 0 No

Jan Kerr joined the meeting at 7:04 p.m.

B. Public Hearing for Zone Change from "CVC" to "R1" Parcel 02-028-0021. Property address, 2458 S 900 W Perry. Applicant: Brandon Hansen.

Chairman Drago opened the public hearing portion of the meeting at 7:05 p.m.

Bob Barnhill discussed the zone change with the Commission and gave a description of the property. He discussed the property being currently vacant and that it is surrounded by residential zones.

There were no public comments.

Commissioner Drago closed the public hearing portion of the meeting at 7:08 p.m.

Commissioner Jones asked if the lot was buildable. Bob stated that the layout of the lot would make it difficult, but that the applicant owns other parcels adjacent to this that could be combined to make it more useable. Brandon Hansen stated that he had been working on some lot line adjustments and had a preliminary design that was prepared by Hansen & Associates. He said that he ultimately would like to build his own home on it. Commissioner Drago asked if the property was 10,000 square feet, and Bob stated that it was.

MOTION: Commissioner Kerr made a motion to recommend that the City Council approve a Zone Change from CVC to R1 on Parcel 02-028-0021; property address 2458 S 900 W Perry. Commissioner Jones seconded the motion.

Commissioner Kerr Yes
Commissioner Jones Yes

Commissioner Peterson Yes
Commissioner Drago Yes

Motion Approved: 4 Yes 0 No

Bob stated this would go to City Council on December 10th for final decision.

C. Public Hearing for Ordinance 20-S Amending the Multi-Family Dwelling and Apartment Density Map.

Chairman Drago opened the public hearing portion of the meeting at 7:11 p.m.

Bob explained the history of apartments and multi-family dwelling in Perry to the Commission. He discussed that previously, multi-family dwelling and apartments have not been allowed, but that the City Council has passed some ordinances to allow them to be scattered throughout the City via a density grid map. He explained that two different property owners have come to the City with requests for changes to the map and increasing the numbers of units allowed. He explained that Mayor Jeppsen requested it be taken to Planning Commission to take a look at and see what can be done. Bob presented the density map to the Commission and explained different ways it could be developed. He added that not all developers should be allowed to increase the numbers they request but that some should be allowed to. Bob explained the background of the properties on the map that had changes requested by the property owners.

Chairman Drago allowed for public comment at 7:18 p.m.

Brandon Hansen asked about the grids on the map that Bob presented. He asked if the numbers in each grid accounted for how many units may already be occupying space in said grid (for example, a duplex). Bob said that this map may need to be updated, and that some units may have been created illegally. Brandon asked if ADU's would be included in the number allowed, and Bob said they would not. Brandon said that he understands that there is a need for low income housing but cautioned about putting too many units in one area. Overtime they could become a problem (like the trailer parks becoming unkempt overtime).

Mark Mackley felt Bob did a great job of mapping the area. Mr. Mackley discussed purchasing the property on the South end of the map and explained his experience of living in a townhome being good. The original engineering of the property included 52 dwelling units. That was more than he was thinking he wanted to develop, but that was what was allowed then. Currently only 10 units are allowed which almost makes the property not useful. He discussed State Code 10-9A-403 and creating opportunities for lower income families. He said he feels this would be an appropriate use of the area and asked the Commission to reconsider recommending an increased number to the City Council. He expressed that he did not feel this would be an overwhelming number of units to add to the City.

Chairman Drago closed the public hearing portion of the meeting at 7:32 p.m.

Commissioner Peterson clarified that the Planning Commission was discussing two separate properties, one on the North end of Perry and one on the South. Originally the area on the South end had a lot more units allowed. She likes the concentration to be more on the Highway area so that there was less impact on neighborhoods. She agreed with Brandon Hansen's comment, wanting units to be scattered around the City to keep it less concentrated. Commissioner Peterson stated that she feels that it would be ok to allow the change to have more numbers on the South end of town.

Commissioner Jones asked where the apartments would be in relation to the single family dwelling that exists on the property already (on the South end of town). Commissioner Jones asked about the property next to the school on the North end and expressed concerns about more units causing more traffic.

Commissioner Kerr stated she has noticed more traffic along 2700 S during the school drop off and pick up times. She feels the higher density housing next to the school would not increase traffic due to the proximity being close enough for children to walk. She questioned if the property on the South end would have issues with access to sewer and water. Bob explained that there are some areas on the map that do not have the infrastructure in place to develop. He also discussed where an additional sewer line would be put in place but said that it would not be active yet. Commissioner Kerr said that she is not opposed to increasing the number of units on the South end since there is no commercial draw in that area and said she feels it would be beneficial to the city.

Chairman Drago added that she is not opposed to increasing the units at the South end but was opposed to increasing numbers around the Orchard Hills development.

The Commissioners discussed the density map and number of units being considered in the sections on the map grid and what they felt would be appropriate for the area. They also discussed making a motion on each proposed property separately.

MOTION: Commissioner Peterson moved to recommend that the City Council amend Ordinance 20-S and amend the Multi-Family Dwelling and Apartment Density Map where 2700 South crosses Highway 89 from a density of 30 to 44 in that grid and also show that 4 have already been occupied.

Commissioner Jones seconded the motion. Roll call vote.

Commissioner Kerr Yes

Commissioner Peterson Yes

Commissioner Jones Yes

Commissioner Drago Yes

Motion Approved: 4 Yes 0 No

Commissioner Kerr asked for clarification on the number of units on the South end property. Mr. Mackley said the maximum he expects to develop would be 44 units, including a duplex being converted into a four plex. Commissioner Kerr asked if some of the 44 units would be located on the Willard City side. Mr. Mackley said that it is still under review and depended on what Willard City would allow.

The Commission discussed the property on the south end on the map grid and how many units they felt should be allowed in that area. Mr. Mackley added that this area is almost 4 acres.

MOTION: Commissioner Kerr moved to recommend that the City Council amend Ordinance 20-S and amend the Multi-Family Dwelling and Apartment Density Map at the grid at Hargis Hill Road and the Perry/Willard boundary for 50 units. Commissioner Jones seconded the motion. Roll call vote.

Commissioner Kerr Yes

Commissioner Peterson Yes

Commissioner Jones Yes

Commissioner Drago Yes

Motion Approved: 4 Yes 0 No

Bob added that this would be on the December 10th City Council meeting as well.

D. Amending Davis Creek Subdivision. Property Address 2148 S 755 W Perry. Applicant: Maxwell Mills.

Bob presented the property development of Davis Creek to the Commission and explained the amendment to them in detail. The location of the access strip was being moved. He explained that the access strip between two lots in the northwest corner of the development would be part of the same parcel and would be included with the larger portion on the plat and that the detention pond would be owned and maintained by the HOA. He added that Brett Jones, City Engineer, had reviewed this and wanted those clarifications made on the plat.

MOTION: Commissioner Peterson made a motion to approve the Plat Amendment Amending Davis Creek Subdivision with the condition that Brett Jones' comment is addressed prior to signatures. Commissioner Kerr seconded the motion.

Commissioner Kerr Yes

Commissioner Peterson Yes

Commissioner Jones Yes

Commissioner Drago Yes

Motion Approved: 4 Yes 0 No

3. Discussion Items

A. Code Amendments & Projects

Bob Barnhill discussed the sign ordinance including size and height restrictions in different zones. He showed the Commissioners different formats the information could be presented in, including a grid or paragraph format. Commissioner Kerr felt the grid would make the most sense and would be the easiest to read. The other Commissioners agreed with her.

Bob discussed the sizes of the signs that are currently allowed and asked for suggestions from the Planning Commission on what they feel is best going forward. He explained having looked at other cities and how the size being larger is not always the best way to get the most attention. The Commissioners discussed the size they felt would be best to allow. Chairman Drago feels the sizes Bob has listed in the graph are appropriate. The Commissioners discussed electronic display signs and felt they are ok to have but would want them to be regulated.

4. Approval of the Minutes

A. September 3, 2020 Regular Meeting Minutes (cancelled meeting)

B. October 1, 2020 Regular Meeting Minutes

MOTION: Commissioner Jones made a motion to approve the September 3, 2020 Regular Meeting Minutes with the correction of having Chairman Drago and Commissioner Jones being the only ones present. Commissioner Peterson seconded the motion. Roll call vote.

Commissioner Kerr Yes

Commissioner Peterson Yes

Commissioner Jones Yes

Commissioner Drago Yes

Motion Approved: 4 Yes 0 No

MOTION: Commissioner Jones made a motion to approve the October 1, 2020 Regular Meeting Minutes with changes noted. Commissioner Peterson seconded the motion. Roll call vote.

Commissioner Kerr Yes

Commissioner Peterson Yes

Commissioner Jones Yes

Commissioner Drago Yes

Motion Approved: 4 Yes 0 No

5. Discussion

A. Future Projects

None.

B. Report on Past-Approved Planning Commission Agenda Items.

Commissioner Drago stated that she signed the Plat for Perry Canyon.

C. Report from Commissioner regarding last Council Meeting.

Commissioner Drago stated that the meeting she went to on October 22nd was very short and that Shanna Johnson was appointed as City Recorder and Tyra Bischoff was appointed as Deputy Recorder. Commissioner Jones said she was unable to attend the October 8, 2020 meeting but read the minutes from the meeting.

D. Make Assignments for Representative to Attend City Council Meeting. (November 12, 2020 this will be an electronic meeting)

Commissioner Peterson will attend the November 12, 2020 City Council meeting.

6. Training

November 5, 2020 Planning Commission Meeting

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Review Next Agenda and Adjourn

- Neff Townhomes across the highway from Maddox

Motion: Commissioner Kerr moved to adjourn the meeting. All were in favor. The meeting ended at 8:47 p.m.