

PERRY CITY PLANNING COMMISSION REGULAR MEETING AGENDA

April 1, 2021

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. Preliminary Application for Bear River Landing Apartments at Pointe Perry located at approximately 1685 W 1100 S Parcel 03:236:0035.**
 - B. Preliminary Application for Shanna Ricks Subdivision located at 3555 S Hwy 89 Parcel 02:037:0027 Applicant: Shanna Ricks.**
- 3. Discussion Items**
 - A. Land Use Chart**
 - B. Parking**
- 4. Approval of the Minutes**
 - A. March 4, 2021 Regular Meeting**
- 5. Discussion**
 - A. Future Projects**
 - B. Report on past-approved Planning Commission Agenda Items**
 - C. Report from Commissioner regarding last Council Meeting
(March 11th meeting cancelled/March 25, 2021 Electronic Meeting)**
 - D. Make Assignments for Representative to Attend City Council Meetings
(April 8 & 22, 2021 these will be Electronic Meetings)**
- 6. Training**
 - A. Staff**

7. Review Next Agenda and Adjourn

A. Items for May agenda (next meeting May 6, 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 25th day of March. 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.

Topic: Planning Commission Meeting

Time: Apr 1, 2021 07:00 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/84524534571?pwd=NkJzaUxnQ2phM2VsQkdubkVJR2cwQT09>

Meeting ID: 845 2453 4571

Passcode: 246051

One tap mobile

+12532158782,,84524534571#,,,,*246051# US (Tacoma)

+13462487799,,84524534571#,,,,*246051# 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 DC)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

Meeting ID: 845 2453 4571

Passcode: 246051

Find your local number: <https://us02web.zoom.us/j/kcssCFxY0r>

Bear River Landing

02/19/2021 - 02/18/2022

8379200

**Subdivision: Preliminary
Application**

91874c00-7169-11eb-8839-8b2bd384645e

Subdivision: Preliminary Application

Active

Under Review

Application Review Status

Pre-Review	Received	
Brigham City Fire Department	Not Reviewed	02/17/2021
Community Development	Not Reviewed	
Final-Review	Not Reviewed	

Fees

Subdivision: Preliminary Application (Residential)	\$400.00
Total Fees	\$400.00
Amount Paid	\$412.25

Payments

02/19/2021	Card *6511	\$400.00
Total Paid		\$412.25

Application Form Data

(Empty fields are not included)

Applicant First Name

Tanner

Applicant Last Name

Hiatt

Applicant Email

tanner.summaterraventures@gmail.com

Applicant Phone Number

(479) 586-5017

Applicant Address

79 W 900 N Ste. B Springville, UT

City

Springville

State

UT

Zip

84663

Is the Applicant the Property Owner?

No

Property Owner's First Name

Nate

Property Owner's Last Name

Mueller

Property Owner's Email

nate.mueller@gmail.com

Property Owner's Phone

(801) 785-9854

Property Owner's Address

3138 N 1250 W

City

Pleasant View

State

UT

Zip

84414

Authorized Owner/Agent Affidavit

☐ **Owner's Permission to Entitle.pdf**

Engineer/Surveyor Name or Company

Apex Engineering

Engineer/Surveyor Email

richardh@apex20.com

Engineer/Surveyor Phone Number

(801) 796-2277

Subdivision Name

Bear River Landing

Property Address

1685 W 1100 S Perry, UT 84302

Property Serial #

032360035

Preliminary Drawings

 Pre-app Submittal.pdf

Total Number of Lots/Units

1

Is this a Residential or Commercial development?

Residential

Check each item to acknowledge it has been included with the application. The following items will apply to most subdivisions, although there may be exceptions.

Preliminary Plat, Layout of lots including lot sizes and dimensions, Layout of proposed and adjacent roads including a proposed street section(s), Preliminary storm water plan, Preliminary utility plan, Existing structures and natural features, Data indicating the number of lots/units, percentage of landscaping, density of units per acre, buildable area for each lot., Preliminary compliance with design standards as applicable

Will this proposed development include multi-family dwelling units, apartments, or commercial/industrial development?

Yes

Is this proposed development adjacent to Highway 89?

No

There are specific design requirements for developments with multi-family dwelling units or apartments as well as any development along Highway 89. Have you submitted information to show preliminary compliance with the design standards found in Chapter 15.18 of the Perry Municipal Code? This may include a landscape plan, 3D renderings, and architectural details.

Yes

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 administrative costs that go beyond the estimated fees collected at the time of application.
4. This application will be placed on the next available Planning Commission agenda AFTER necessary updates are made in response to staff comments. These updates will be required to ensure Planning Commission reviews

drawings that are substantially complete and responsive to the application requirements found in the Perry Municipal Code.

5. Complete application and approval requirements can be found in Perry Municipal Code Titles 14 and 15.

Paul Poteet - 02/17/2021 2:46 pm

March 16, 2021

Notice of Planning Commission Preliminary Application

April 1, 2021

3005 S 1200 W

Perry, Utah 84302

Application: Preliminary Subdivision Application

Applicant: Tanner Hiatt

Location: Approximately 1685 W 1100 S (03:236:0035)

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 preliminary subdivision application will be for Bear River Landing Apartments (240 units). Interested persons are invited to attend the upcoming Planning Commission Meeting.

This will be discussed at the regular Perry City Planning Commission meeting, which starts at 7:00 p.m. on Thursday April 1, 2021. You can access this meeting via zoom by going to <https://perrycity.rainadmin.com/whats-new.htm.htm>. A final recommendation by the Planning Commission regarding this application will most likely occur during this meeting. This application will likely be reviewed by the Perry City Council on Thursday April 8, 2021 at 7:00 p.m.

Please note the following important information:

- *The decision on the application is administrative in nature and the application will be reviewed for code compliance only. Law provides that administrative land use applications must be approved if they meet applicable regulations, regardless of public sentiment. Consequently, while your comments during the public hearing are highly valued, they may not (and depending on the comment, cannot) change the outcome of the application*
- *Appropriate public comments will help identify potential concerns related to code compliance, not whether the proposal is viewed favorably by the public. Keeping your public comments brief and applicable to the role and responsibilities of the Planning Commission will help all involved parties maintain focus and productivity.*
 - *An example of a useful comment would be: "I reviewed the application package and noticed the lots of the proposed subdivision are one quarter acre in size; however I believe the current zoning requires lots to be one-third of an acre.*
 - *An example of an ineffective comment would be: "I haven't reviewed the application package or City code, but I don't like the proposed subdivision and*

*think it should not be allowed because it will block my view of the mountains.
Plus, the layout of the subdivision is ugly.”*

- *Please contact the applicant directly to communicate in a civil manner any matters of a subjective nature.*
- *If you feel the City’s current land use regulations need changed, please contact City staff to discuss your concerns and proposed solutions. If eventually adopted, any regulation changes would apply to future applications only.*

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 Deputy Recorder



Staff Report

April 1, 2021

Perry City Planning Commission



Bear River Landing, 240 apartment located at approximately 1685 W 1100 S

Summary

The proposed development is on about 9.5 acres and includes 240 apartment units. The project is on the west side of the Pointe Perry development area at the end of 1100 S. They have proposed two points of access, one to the north on 1100 S and one to the east on 1600 W. The development will include sports courts and pool. There will also be an area of wetlands that will be preserved.

Code Compliance

Staff, our City Engineer and City Fire Marshall have reviewed the submitted plans. The staff comments related specifically to this application have been addressed other than a preliminary plat to review. However the associated easements that will need to be recorded via plat have been noted on the current plans. There are several comments pending for subsequent applications.

The current zoning and allotment of apartment units on our density map support the application. A review of the sewer lift station has been completed and our utilities have adequate capacity for this development. The landscape plan is adequate for a preliminary submittal. It is worth noting that the applicant has expressed concern in placing the number of trees required by our ordinance. Our ordinance would require approximately 2.5 times the current number of trees shown.

It appears that the architecture generally meets our design standards. Some additional information will be needed before final approval is received on future applications.

Considerations and Recommendations

While there are still some pending comments for future applications, this submittal for Preliminary Application appears to be ready for approval.



MEMORANDUM

TO: Perry City Planning Commission
Robert Barnhill, Perry City Administrator
Tyra Bishoff, Perry City Recorder

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



RE: **BEAR RIVER LANDING APARTMENTS – Preliminary Review**

Date: March 5, 2021

Our office has completed a review of the preliminary plans submitted for the proposed Bear River Landing Apartments located at approximately 1665 W 1100 S. Our comments are as follows:

ITEMS TO ADDRESS FOR PRELIMINARY APPROVAL

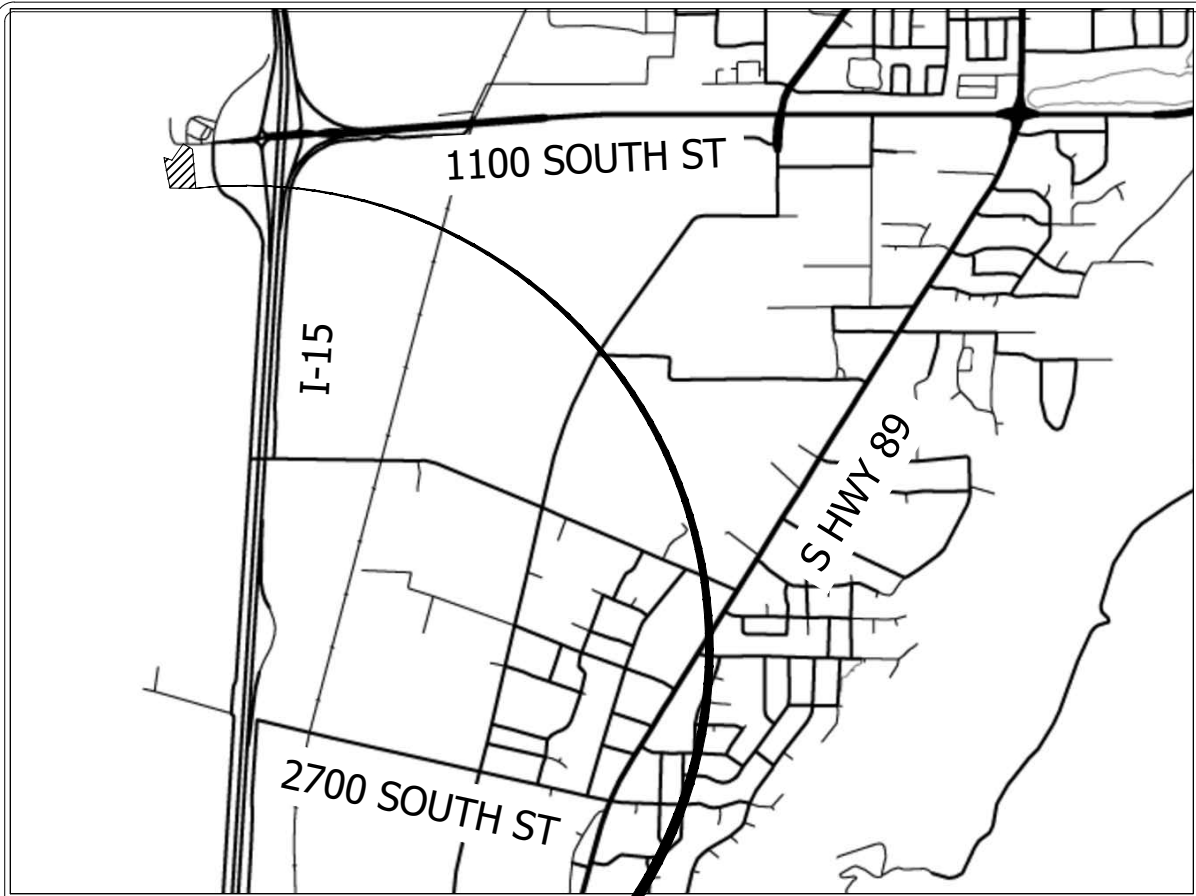
1. A plat for the property will need to be prepared which addresses:
 - a. common areas and utility easements.
 - b. cross-access with the property to the south.
 - c. utility ownership.
 - d. stormwater basin easement.
2. Upon further review and discussion with the applicant and City staff, the site water and sewer mains should be designated as private. This should be noted on the plat and plans.
3. City ownership of the water mains should terminate at 6" meter stations located in 1100 S and at the end of the public stub road extending west from Point Perry Drive. Details for these meter stations can be found on sheet CS-07 of the Public Works Standards. With the water system configured in this manner, a separate fire line will not be required.
4. Since the site water mains will be private, the applicant may remove the 8" main stub to the south property line, if desired.
5. The City should own and maintain the sewer main in 1100 S starting at the manhole north of the development's entrance.
6. Per City development code, the applicant will need to construct surface improvements and any required utilities in the cul-de-sac abutting the development to the north.

ITEMS NOTED ON THE PLANS TO ADDRESS FOR FINAL SUBMITTAL

7. An Engineer's Estimate for the public improvements to be constructed should be submitted for review. This will serve as the basis for an escrow and warranty purposes.
8. The geotechnical report does not address a pavement section for public streets (asphalt, road base, and subbase). This should be addressed and detailed for the eastern public access road. Asphalt slope on this road needs to be a minimum of 2%. It may be crowned or straight graded. The curb and gutter needs to have a minimum slope of 0.5%.

9. We support sidewalk adjacent to the curb and gutter on the eastern public access road, but it needs to be a minimum of 6' wide to meet the City standard.
10. Streetlight locations should be shown on the plans.
11. Fire sprinkler flow requirements and expected usage data need to be submitted for review to verify the impact to the City's water system in the area.
12. Any connections to the culinary water main for irrigation purposes need to include an RP valve station.
13. The sewer should maintain 4' of cover. We understand maintaining gravity sewer flow for the site is a challenge, but the cover should be 4 feet, where possible. SSMH #1 shows only 1.19' from the rim to the invert. We wonder if the rim elevation is wrong.
14. The detention basin floor appears to be 2 to 3 feet below the existing grade. Please verify groundwater depth is at least 1 foot below the floor of the basin to avoid creating a marsh in the basin area.
15. We did not see any information in the plans regarding retention of the 80th-percentile storm and other LID measures. The geotechnical report indicates the presence of high groundwater and low-permeability soil types. We support the use of other water quality BMPs to address stormwater quality such as the proposed snouts in the drainage boxes. Please submit information to help explain how these requirements are being addressed or are infeasible.

Should you have further questions, please let us know.



LOCATION OF PROJECT



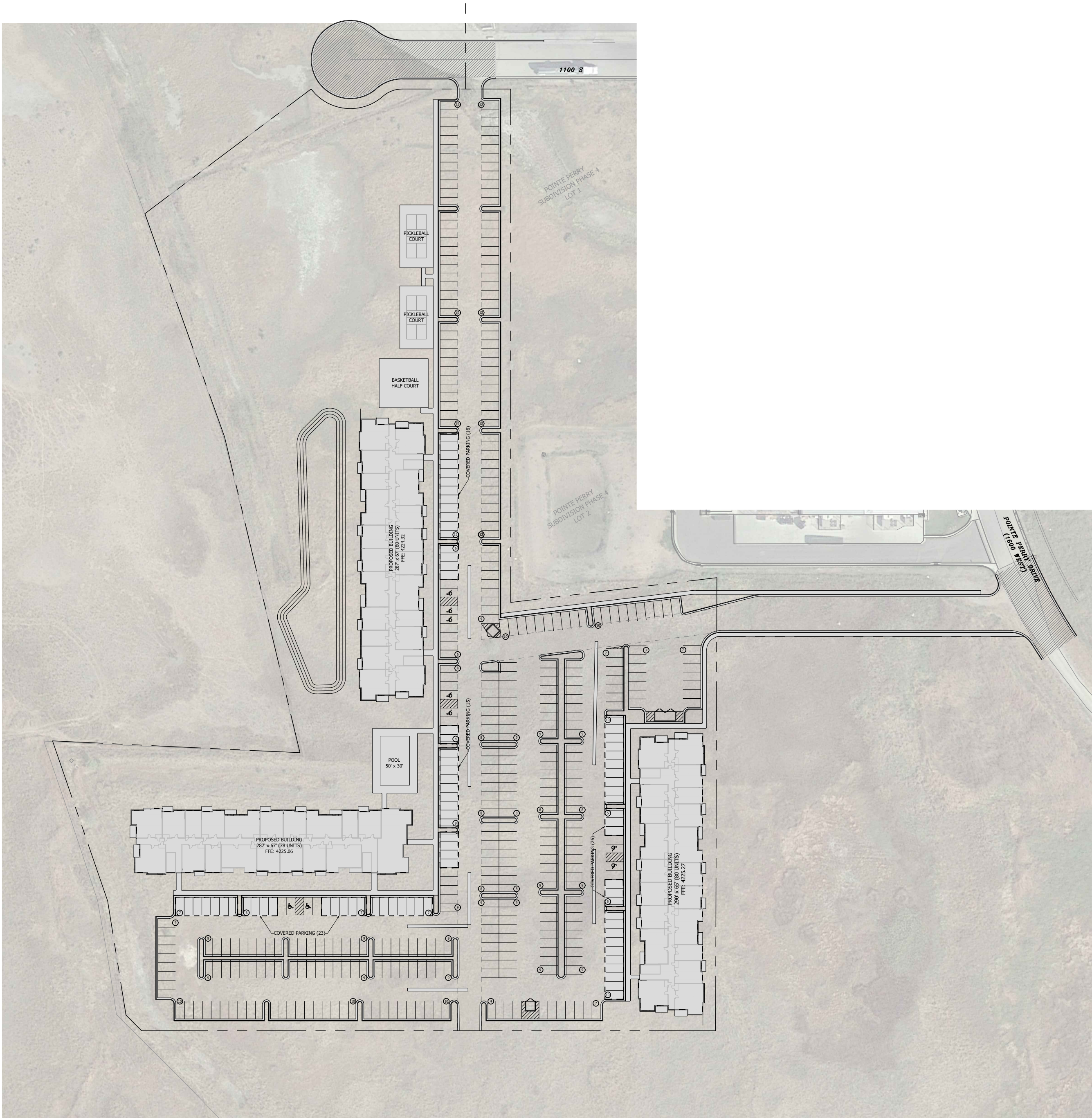
NORTH

VICINITY MAP

SCALE: N.T.S.

BEAR RIVER LANDING

SUMMA TERRA VENTURES
1665 W 100 S, PERRY, UT





NORTH

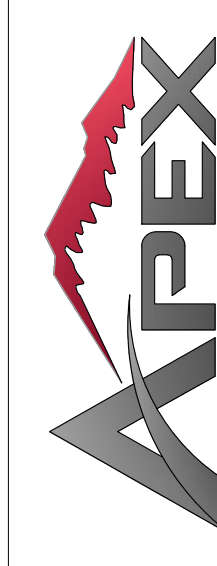
COVER SHEET

SCALE: 1" = 60'

0 60 120

SHEET INDEX

C-1	COVER SHEET
C-2	SITE PLAN
C-3	OVERALL UTILITY PLAN
C-3A	UTILITY PLAN
C-3B	UTILITY PLAN
C-4	OVERALL DRAINAGE PLAN
C-4A	DRAINAGE PLAN
C-4B	DRAINAGE PLAN
D-1	DETAIL SHEET



APEX
Engineering, Inc.
661 N. Main St., Spanish Fork, UT

REVISIONS		
DATE	BY	REMARKS

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BEAR RIVER LANDING
COVER SHEET

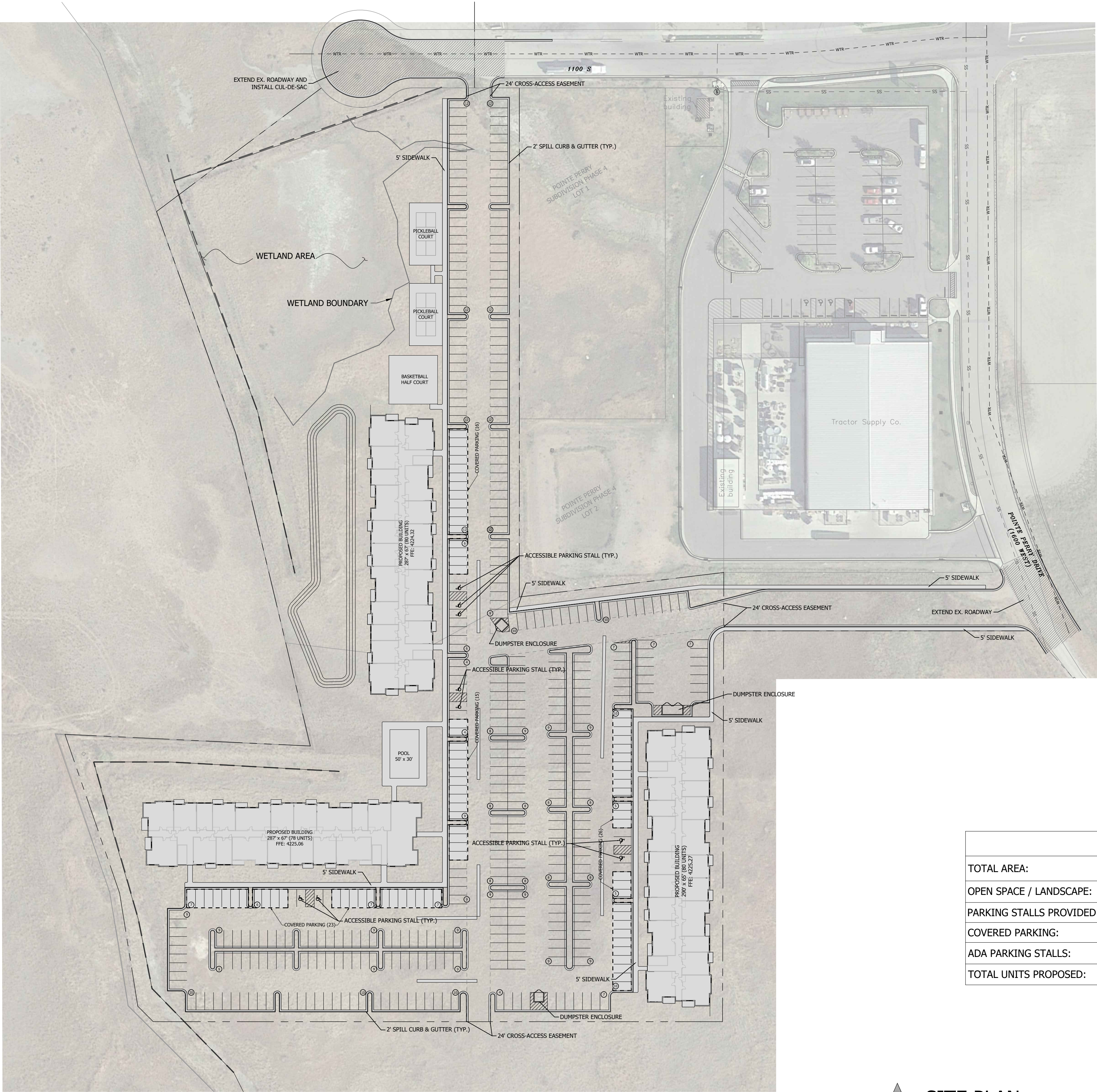
FOR: SUMMA TERRA VENTURES, LLC

LOCATION: PERRY, UT

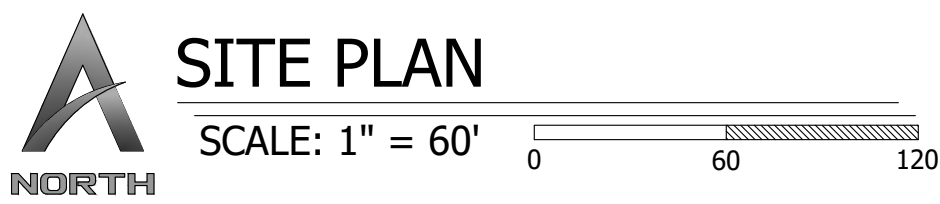
DATE: 2-26-2021

DRAWING: C-1

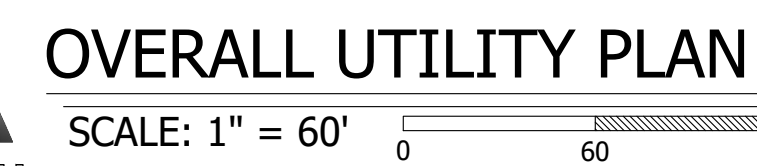
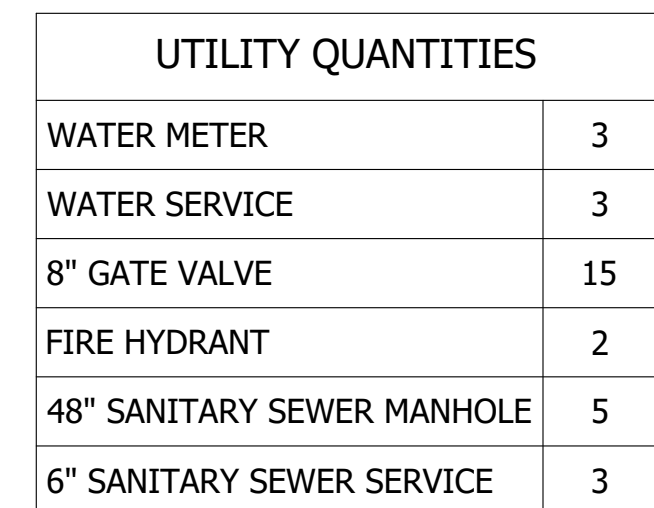
PRELIMINARY PLAN - NOT FOR CONSTRUCTION



TABULATIONS			
TOTAL AREA:	406,519 SF	9.33 AC	
OPEN SPACE / LANDSCAPE:	133,852 SF	3.07 AC	33%
PARKING STALLS PROVIDED:	480 STALLS		2 STALLS PER UNIT
COVERED PARKING:	80 STALLS		
ADA PARKING STALLS:	9 STALLS		
TOTAL UNITS PROPOSED:	240 UNITS		



PRELIMINARY PLAN - NOT FOR CONSTRUCTION



PRELIMINARY PLAN - NOT FOR CONSTRUCTION

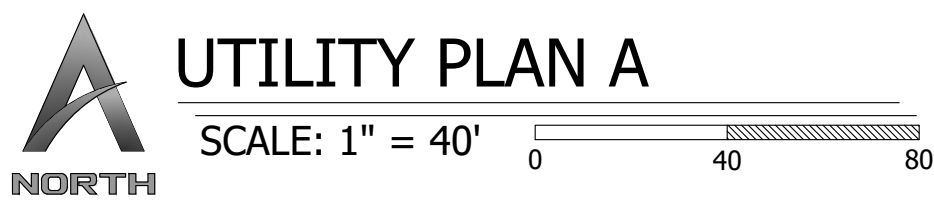
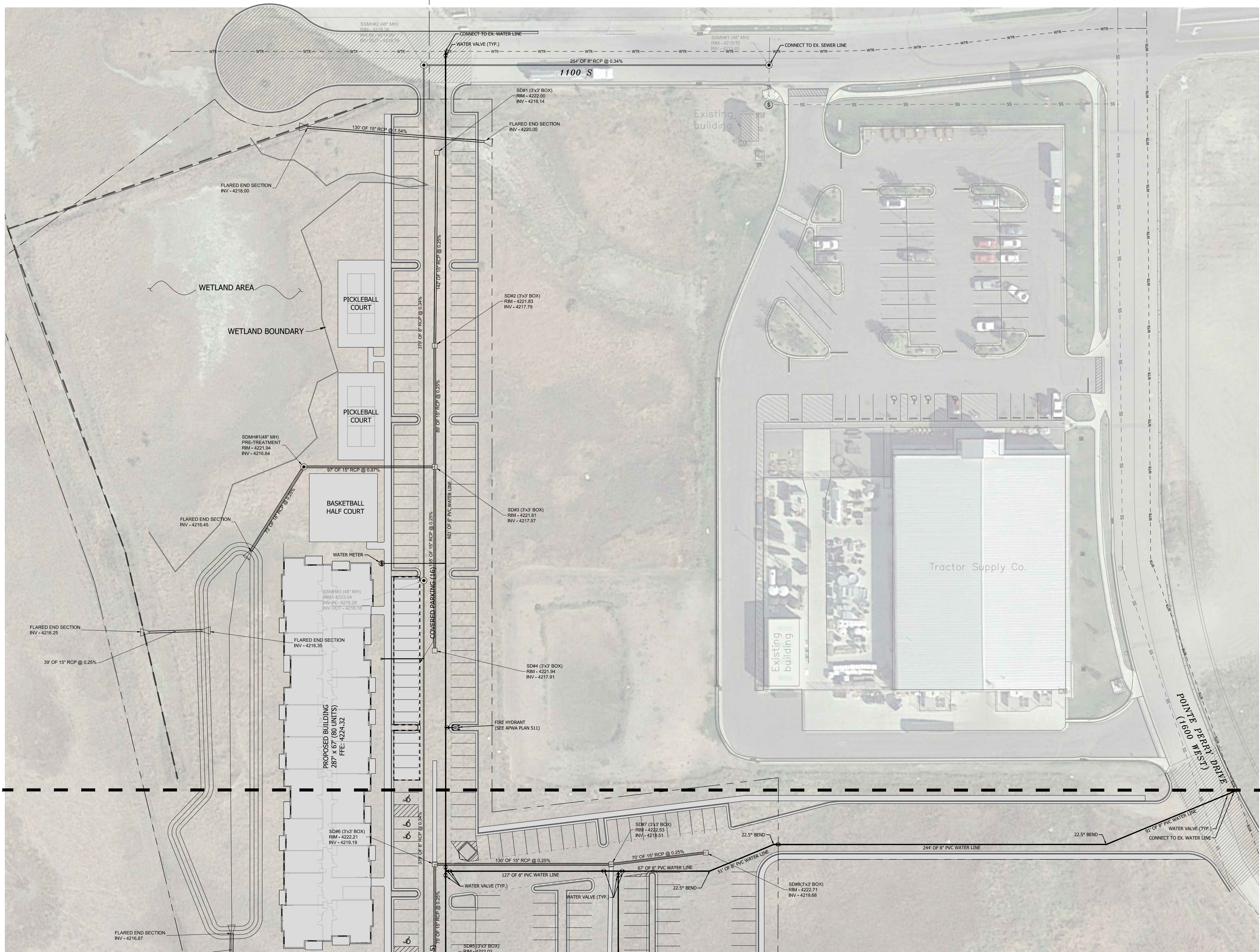


*BEAR RIVER LANDING
OVERALL UTILITY PLAN*

SUMMA TERRA VENTURES, LLC	PERRY, UT	2-26-2021
---------------------------	-----------	-----------

AWING:

C-4



PRELIMINARY PLAN - NOT FOR CONSTRUCTION

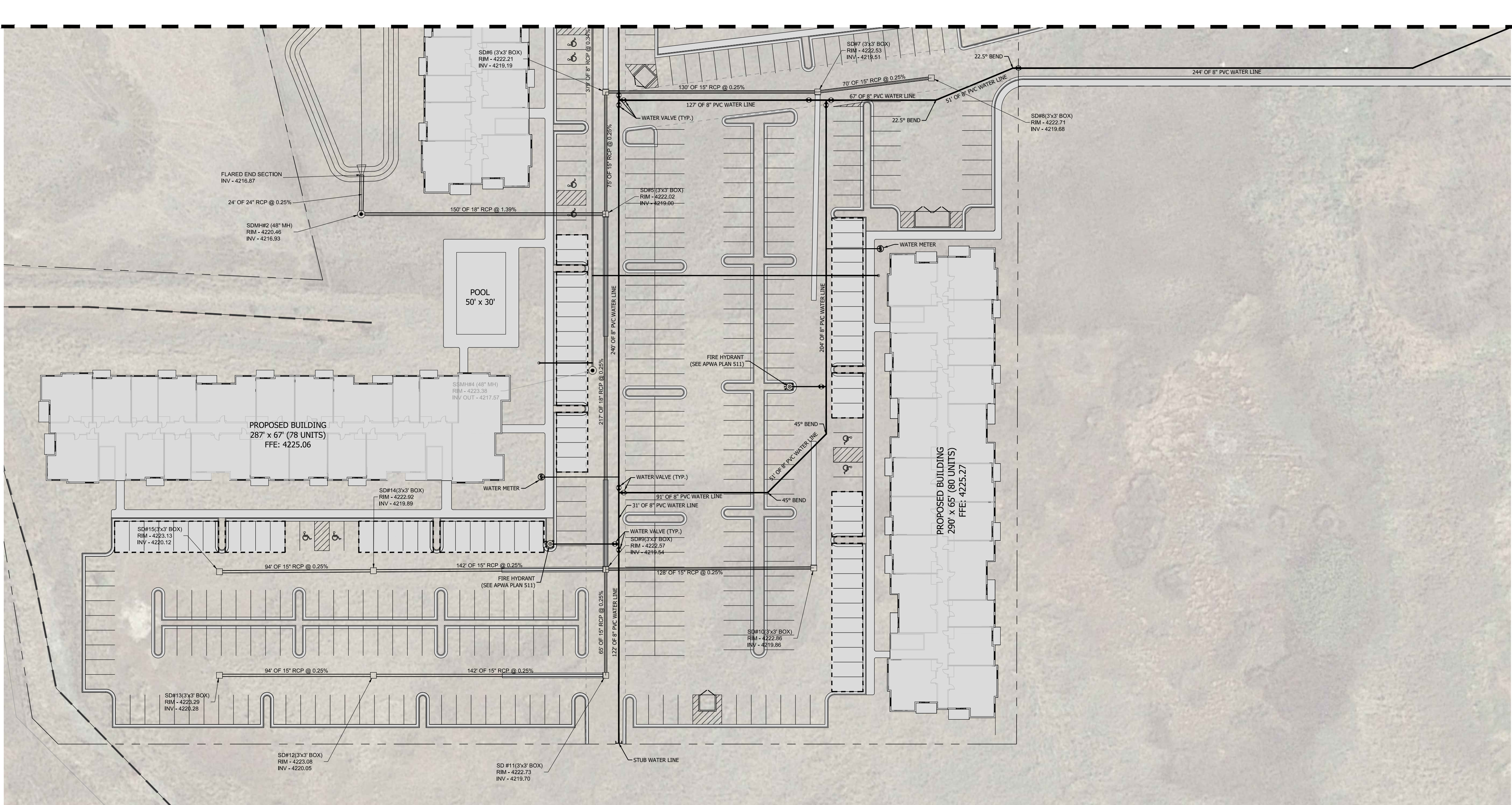
REVISIONS	
DATE	BY

BEAR RIVER LANDING
UTILITY PLAN A

FOR: SUMMA TERRA VENTURES, LLC

LOCATION: PERRY, UT

DATE: 2-26-2021



(SEE UTILITY PLAN C-3A)
MATCH LINE



UTILITY PLAN B

SCALE: 1" = 40'

0

40

80

PRELIMINARY PLAN - NOT FOR CONSTRUCTION

BEAR RIVER LANDING

UTILITY PLAN B

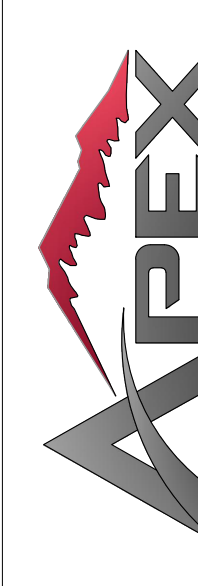
FOR: SUMMA TERRA VENTURES, LLC

LOCATION: PERRY, UT

DATE: 2-26-2021

DRAWING: C-4B

REVISIONS			REMARKS
DATE	BY		



APEX
Engineering, Inc.

661 N. Main St., Spanish Fork, UT



PLANT SCHEDULE

TREES	QTY	COMMON / BOTANICAL NAME
	9	Canada Red Chokecherry / Prunus virginiana `Canada Red`
	18	Chanticleer Pear / Pyrus calleryana `Chanticleer`
	10	Ivory Silk Japanese Tree Lilac / Syringa reticulata `Ivory Silk`
	32	Sawleaf Zelkova / Zelkova serrata
	10	Silver Linden / Tilia tomentosa
	5	Spring Snow Crab Apple / Malus x `Spring Snow`
EVERGREEN TREES	QTY	COMMON / BOTANICAL NAME
	10	Bakeri Blue Spruce / Picea pungens glauca `Bakeri`
SHRUBS	QTY	COMMON / BOTANICAL NAME
	21	Arctic Fire Dogwood / Cornus sanguinea `Arctic Fire` TM
	93	Compact Burning Bush / Euonymus alatus `Compactus`
	29	Mallow Ninebark / Physocarpus maxevae
	12	Peking Cotoneaster / Cotoneaster lucidus
	103	Shrubby Cinquefoil / Potentilla fruticosa `Mango Tango`
	81	Spirea / Spiraea japonica `Goldmound`
	99	Tallhedge Buckthorn / Rhamnus frangula columnaris
EVERGREEN SHRUBS	QTY	COMMON / BOTANICAL NAME
	69	Nest Spruce / Picea abies `Nidiformis`
GRASSES	QTY	COMMON / BOTANICAL NAME
	232	Blue Oat Grass / Helictotrichon sempervirens
	275	Feather Reed Grass / Calamagrostis x acutiflora `Karl Foerster`
GROUND COVERS	QTY	COMMON / BOTANICAL NAME
	92,204 sf	Kentucky Bluegrass / Poa pratensis
	8,587 sf	Native Grass Mix / Native Grass Mix
MULCH	QTY	COMMON / BOTANICAL NAME
	8,591 sf	2-4" Cobble Rock w/Dewitt Pro-5 Weed Barrier /
	14,024 sf	4" Wood Mulch / 4" Wood Mulch

THIS DOCUMENT IS RELEASED FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION UNLESS SIGNED AND SEALED.

CARL N. BERG _____ L.A.
SERIAL NO. 7162790
DATE: 12 FEB 2021

SUMMA TERRA VENTURES
BEAR RIVER LANDING

PRELIMINARY
LANDSCAPE PLAN


380 E Main St, Suite 204
Midway, Ut 84049 ph. (801) 723-2000

DESIGN BY: CNB
DRAWN BY: CNB

DATE: 12 FEB 2021
REV:

SHEET
L1



PERSPECTIVE VIEW
AT STREET



PERSPECTIVE VIEW
AT PARKING



WEST
ELEVATION
3/32" = 1'



EAST
ELEVATION
3/32" = 1'



NORTH
ELEVATION
3/32" = 1'



SOUTH
ELEVATION
3/32" = 1'

COMBINED REVIEW MEMO

PROJECT: Bear River Landing
APPLICATION: Preliminary
DATE: March 01, 2021



You will find the following attached:

- Planning Review Comments – Robert Barnhill
- Fire Review Comments – Mike Young
- Engineering Review Comments – Brett Jones

Sincerely,

A handwritten signature in black ink, which appears to read "Robert Barnhill". The signature is fluid and cursive, written in a professional style.

Robert Barnhill
City Administrator
Perry City
435.723.6464

PLANNING COMMENTS

Corrections for the Preliminary Application:

1. Show improvements to the public streets including the cul-de-sac on 1100 South and the extension of 1600 W.
2. Show necessary easements for fire access, storm water facilities, and cross access through the site. The water and sewer infrastructure within the site will be private and will not necessitate easements. Notations will be needed to show where the utilities will be private vs public.

Comments for Future Applications:

1. Dumpster enclosure matching the materials and style of the buildings.
2. Landscaping
 - a. Verify a minimum of 25%.
 - b. Provide three trees per 1,000 sf of required landscape.
 - c. Indicate size of plant materials (2" caliper for trees, 50% 5 gallon and 50% 2 gallon for shrubs). Please be mindful that you will have to remove and re-install plants that do not meet the size requirements.
 - d. Provide landscape islands at the end of all rows.
 - e. Islands underneath canopies should be moved/combined with landscape areas not underneath a canopy.
 - f. Landscape row running the length of the parking row should be 6'.
 - g. Lawn areas can account for no more than 70% of landscape areas and must be implemented for specific uses i.e. recreation areas, storm water pond, etc. On this plan specifically many of the narrow areas around buildings and parking should not be lawn.
3. The secondary material on the building (brick veneer) needs to be shown as 40% of the exterior material (excluding windows and doors).
4. Provide information indicating roofing material and 30+ year material certification.

FIRE MARSHAL COMMENTS

1. Access – Two points of access are depicted on the plan. An access from 1100 south, and an access from the frontage road (east) of Tractor Supply.
 - a. The proposed access is sufficient for fire apparatus access.
2. Fire Hydrants – Three hydrants are found with the project, a looped line was also discussed for fire line.
 - a. I will need to double check the number of hydrants against the square footage of the building to determine adequate number of hydrants are found. This will be included in the building plans when submitted.
3. Fire flow – Fire flow was discussed. Brett indicated an Engineered Water Supply analysis has been conducted.
 - a. Please provide the fire flow data to me for review.
4. Building Components – The building is proposed as four stories with an elevator in each building.
 - a. Fire sprinklers are provided.
 - b. Fire Alarm system is provided
 - c. Submittal of building plans, fire alarm plans, and fire sprinkler plans will be required for separate reviews to the Fire Marshal. Building plans come to the Fire Marshal, fire suppression & Fire alarm go to an “approved third party” reviewer. See attachment to this email.

Michael B. Young

B.C. / Fire Marshal, Brigham City Fire Department

(435) 730-6685

Perry City Community Development
Shanna Ricks Subdivision
03/22/2021 - 03/21/2022
Subdivision: Preliminary
Application
Subdivision: Preliminary Application

Printed: 03/29/2021

2534086

31a3b660-81d2-11eb-83c4-bf47b44e787d

Active

Under Review

Application Review Status

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Amount Paid	\$412.25

Payments

03/22/2021	Card *4906	\$400.00
Total Paid		\$412.25

Application Form Data

(Empty fields are not included)

Applicant First Name
Shanna

Applicant Last Name
Ricks

Applicant Email
shannaricks@hotmail.com

Applicant Phone Number
(435) 515-7130

Applicant Address

3555 S HWY 89

City
Perry

State
UT

Zip
84302

Is the Applicant the Property Owner?
Yes

Engineer/Surveyor Name or Company
Hansen and Associates, INC

Engineer/Surveyor Email
rogers@hais.net

Engineer/Surveyor Phone Number
(435) 723-3491

Subdivision Name
Shanna Ricks Subdivision

Property Address
3555 S HWY 89

Property Serial #
020370027

Preliminary Drawings
 **21-3-17v19 Shanna Ricks Subdv 021121 (1).pdf**

Total Number of Lots/Units
1

Is this a Residential or Commercial development?
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Check each item to acknowledge it has been included with the application. The following items will apply to most subdivisions, although there may be exceptions.

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No

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No

Signature

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1. All sections of this application must be complete and will not be reviewed until fees have been received.
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5. Complete application and approval requirements can be found in Perry Municipal Code Titles 14 and 15.

Shanna Ricks - 03/10/2021 11:55 am

Messages

Resending payment request.

March 16, 2021

Notice of Planning Commission Preliminary Application

April 1, 2021

3005 S 1200 W

Perry, Utah 84302

Application: Preliminary Subdivision Application

Applicant: Shanna Ricks

Location: Approximately 3555 S Hwy 89 (02:037:0027)

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 preliminary subdivision application will be for Shanna Ricks Subdivision. Interested persons are invited to attend the upcoming Planning Commission Meeting.

This will be discussed at the regular Perry City Planning Commission meeting, which starts at 7:00 p.m. on Thursday April 1, 2021. You can access this meeting via zoom by going to <https://perrycity.rainadmin.com/whats-new.htm.htm>. A final recommendation by the Planning Commission regarding this application will most likely occur during this meeting. This application will likely be reviewed by the Perry City Council on Thursday April 8, 2021 at 7:00 p.m.

Please note the following important information:

- *The decision on the application is administrative in nature and the application will be reviewed for code compliance only. Law provides that administrative land use applications must be approved if they meet applicable regulations, regardless of public sentiment. Consequently, while your comments during the public hearing are highly valued, they may not (and depending on the comment, cannot) change the outcome of the application*
- *Appropriate public comments will help identify potential concerns related to code compliance, not whether the proposal is viewed favorably by the public. Keeping your public comments brief and applicable to the role and responsibilities of the Planning Commission will help all involved parties maintain focus and productivity.*
 - *An example of a useful comment would be: "I reviewed the application package and noticed the lots of the proposed subdivision are one quarter acre in size; however I believe the current zoning requires lots to be one-third of an acre.*
 - *An example of an ineffective comment would be: "I haven't reviewed the application package or City code, but I don't like the proposed subdivision and*

- *Please contact the applicant directly to communicate in a civil manner any matters of a subjective nature.*
- *If you feel the City's current land use regulations need changed, please contact City staff to discuss your concerns and proposed solutions. If eventually adopted, any regulation changes would apply to future applications only.*

Sincerely,

[illegible]

Perry City Planning Commission



Summary

This application involves a new building lot being separated from an existing home along Hwy 89. This property was changed from NC3 to RE1/2 about a year ago. The existing home is proposed to become a flag lot.

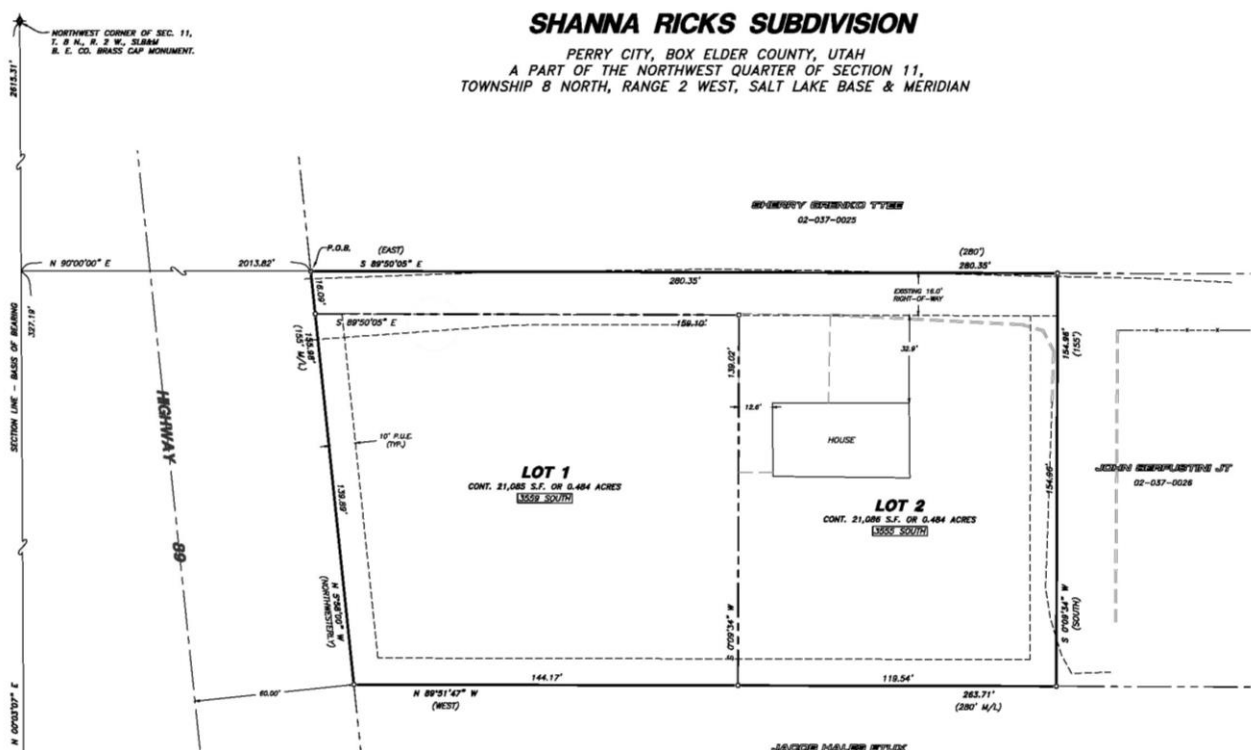
Code Compliance

A review has been made of the application. The applicant has applied for a UDOT permit and has been provided a few details that must be followed relating to the driveway access and mailboxes. Brett Jones has reviewed the application and recommends the new building lot utilize a septic system because the sewer is across the highway and not feasible for only one lot.

The major challenge for this development is the lack of water flow and pressure. They do not meet the minimum flow requirements for the Fire Marshal's approval.

Considerations and Recommendations

If the water situation can be worked out with the Fire Marshal, this application should be ready for approval.



COMBINED REVIEW MEMO

PROJECT: Shanna Ricks Subdivision
APPLICATION: Preliminary
DATE: March 29, 2021



You will find the following attached:

- Marshal Review Comments – Mike Young
- Engineering Review Comments – Brett Jones

Sincerely,

A handwritten signature in dark ink, which appears to read "Robert Barnhill". The signature is fluid and cursive, written in a professional style.

Robert Barnhill
City Administrator
Perry City
435.723.6464

FIRE REVIEW COMMENTS

1. Provide the distance to the nearest hydrant on the east side of Hwy 89.
2. Due to limited water supply we cannot approve the development without work being done to mitigate the deficiency. The applicant shall propose alternative to mitigate the limited water supply.

*Please work directly with the fire marshal on any proposal to address these comments.

MEMORANDUM

TO: Perry City Planning Commission
Robert Barnhill, Perry City Administrator
Tyra Bishoff, Perry City Recorder

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

RE: **SHANNA RICKS SUBDIVISION – Preliminary Plat Review**

Date: March 11, 2021

Our office has completed a review of the preliminary plat for the proposed Shanna Ricks Subdivision located at 3559 South US-89. Our comments are:

1. We understand the applicant will be meeting with UDOT to discuss property access. UDOT approval of the access will be required.
2. Frontage improvements on US-89 will be as required by UDOT.
3. A culinary waterline to service Lot 1 is available on the east side of US-89. Our office checked the culinary water model and this area appears to provide a fire flow of about 600 gpm. Typically the fire marshal requires fire flow capacity of 1,500 gpm. The applicant should verify requirements with the fire marshal, but fire sprinklers may be required for a home built on Lot 1.
4. The nearest sewer main ends at the east end of 3600 South. This sewer is approximately 230 feet from the southwest corner of Lot 1. Typically we would recommend Lot 1 connect to this sewer main. However, this would require boring a main under US-89 and running the main in UDOT's right-of-way to 3600 S. Due to these challenges, we could accept installation of a septic tank system. This system would need to be approved by the Bear River Health Department.
5. Since lot is under one acre, stormwater detention and a SWPPP is not required.
6. The applicant should verify whether or not Pineview will service the property for irrigation.

Should you have further questions, please let us know.

March 4, 2021
Planning Commission Meeting
Virtual Meeting
7:03 p.m.

Commissioners Present: Chairman Jan Kerr, Commissioner Tresa Peterson, and Commissioner Marcus Wager

Commissioners Absent: Vice Chairman Julie Jones

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

Others Present: Garrett Pett, John Pett, Bryan Loveless, Joni Loveless, Melanie Barnhill, Derrick Stewart, Rick Palfreyman, and Tanner Hemphill

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

Chairman Jan Kerr called the meeting to order.

A. Declare Conflict of Interest, if any.

None.

2. Action Items

A. Public Hearing – Ordinance 21-B Zone Change from R1A to R1/3 for Omni Development LLC. Property address approximately 122 W 2000 S Parcels 03:159:0149 & 03:159:0230 Applicant: Bryan Loveless.

Robert Barnhill expressed appreciation for the public attending the meeting. He explained the difference between legislative and administrative items on the agenda. Public hearings (for the zone changes on tonight's agenda) are legislative items and will give anyone a chance to address the Planning Commission that may want to. Subdivision applications are administrative and do not require the Planning Commission to allow comments, but if time allows, the Planning Commission may allow them.

Mr. Barnhill explained the zone change in detail. He discussed the surrounding area being mostly single family development with a bit of agricultural land to the west and some public land going up the mountain to the east. The applicant's purpose for this zone change is to subdivide the property and allow for 100 W to make a connection between the two communities north and south of the area. Mr. Barnhill explained the zoning in the area and the future land use map showing residential throughout, making this request in line with the general plan.

Commissioner Kerr opened the public hearing at 7:09 p.m. No comments were given.

Commissioner Kerr closed the public hearing at 7:09 p.m.

MOTION: Commissioner Wager moved to recommend approval to City Council approval for Ordinance 21-B Zone Change R1A-R1/3 adjacent to 1200 W. Commissioner Peterson seconded the motion.

Roll Call Vote:

Commissioner Peterson Yes

Commissioner Kerr Yes
Commissioner Wager Yes

Motion Approved: 3 Yes 0 No

B. Public Hearing – Ordinance 21-C Zone Change from RE1/2 to R1/3. Property address 3100 S 1200 W Parcels 02:029:0046 & 02:029:0022 Applicant: Steven Pettingill.

Mr. Barnhill discussed this zone change in detail. He explained that this area is currently in an orchard and the surrounding area is mostly agricultural space. North of the property is the soccer park, city offices and single family residential area. He said the entire 6 acre lot was included in the application for the zone change but the applicant may want to apply it to only the 1/3 acre portion they are requesting as a building lot (the preference will need to be specified in the motion).

Chairman Kerr opened the public hearing at 7:12 p.m.

The applicant Garrett Pett said he wanted to buy 1/3 acre of this property from his grandfather (Steven Pettingill who owns the property) with the intent to build a home on it. The parcel he is interested in (02:029:0046) was discussed with surveyors and they told him he would be able to do a lot line adjustment to get the shape of the property how he wanted. He said he was unsure of which step he should take first in this process. Mr. Barnhill explained that it may be eligible for a parcel boundary adjustment rather than a subdivision but the zone change needs to happen either way so this is a good first step. Mr. Pett said that his grandfather is not looking to immediately develop the rest of the property, so he is okay with just applying the zone change to the parcel he wants to build on. He is also fine with applying the zone change to the whole area if that is easier as well.

Chairman Kerr said that she feels that if Mr. Pettingill is not looking to develop this right now, whichever way is easiest would be best. She closed the public hearing at 7:15 p.m.

Commissioner Peterson said that she wanted clarification of which way they will be making the motion, whether it will be the whole area or just the part the applicant is wanting to build on. The Commissioners asked what the applicant wanted and he said he prefers to just do the parcel. He will check with his grandfather who owns the property for clarification of what he wants before it goes to City Council.

Mr. Barnhill said that if they do approve the zone change to the whole area, it would make the agricultural area non-conforming. Commissioner Wager said that where the applicant is only requesting the 1/3 acre, he would suggest leaving the rest as agricultural and not create a legal non-conforming use. The other Commissioners agreed.

MOTION: Commissioner Peterson moved to recommend to City Council approval for Ordinance 21-C Zone Change from RE1/2 to R1/3 adjacent to 1200 West as per the layout provided by the applicant.
Commissioner Wager seconded the motion.

Roll Call Vote:

Commissioner Peterson Yes
Commissioner Kerr Yes

Commissioner Wager Yes

Motion Approved: 3 Yes 0 No

Robert Barnhill stated that both zone change recommendations will go to City Council March 25th at 7:00 p.m.

C. Preliminary Application for Mount Pleasant Estates Phase III located at approximately 1976 S 100 W Parcel 03:159:0255 Applicant: Bryan Loveless.

Mr. Barnhill discussed this preliminary application including 6 lots with a similar layout as the previous phase to the south. These lots will have standard frontage to 100 West with flag lots behind them to the East. The East side of this property ends at the canal and then it is public lands above the canal. Mr. Barnhill said he had received the comments from engineer Brett Jones and there were no corrections for the preliminary stage. He stated that the fire Marshall had also reviewed it and that there were no issues there either. He said that staff and engineer recommend approval for preliminary.

MOTION: Commissioner Wager made a motion to approve the Preliminary Application for Mount Pleasant Estates phase III. Commissioner Peterson seconded the motion.

Roll Call Vote:

Commissioner Peterson Yes

Commissioner Kerr Yes

Commissioner Wager Yes

Motion Approved: 3 Yes 0 No

Mr. Barnhill explained the subdivision application process moving forward to the public stating the next application will be reviewed by staff and engineer and will not be a public meeting. The final application will come back to the Planning Commission again but will not have letters sent out, so the public would need to watch the public meeting notices for when it will be on the agenda again.

D. Preliminary Application for Neff Townhomes. Property address 1875 S 300 W Parcels 03:159:0016 & 01:159:0201 Applicant: Brinton Neff.

Mr. Barnhill said that he had anticipated updated drawings from the applicant but those had not yet been received. He recommended tabling this item unless the Commission had any questions.

Commissioner Kerr recommended tabling the item.

3. Discussion Items

A. Parking

Vice Chairman Jones was going to look into parking but she is not here this evening to report.

B. Land Use Chart

Nothing new to discuss at this time.

144 **4. Approval of the Minutes**

145 **A. February 4, 2021 Regular Meeting**

146
147 **MOTION:** Commissioner Peterson made a motion to approve the February 4, 2021 meeting minutes.
148 Commissioner Wager seconded the motion.

149
150 **Roll Call Vote:**

151 Commissioner Peterson Yes

152 Commissioner Kerr Yes

153 Commissioner Wager Yes

154
155 **Motion Approved:** 3 Yes 0 No

156
157 **5. Discussion**

158 **A. Future Projects**

159 Mr. Barnhill said the code amendment regarding signs has not yet gone to City Council. He said that
160 Senator Sandall's sign bill was going through legislature and was voted down, but it did bring up
161 some additional questions. There is a chance there may be changes made with Councilman Ostler
162 (especially with electronic signs) and if they are significant, this will be brought back to Planning
163 Commission before it goes to City Council.

164
165 **B. Report on past-approved Planning Commission Agenda Items**

166 None.

167
168 **C. Report from Commissioner regarding last Council Meeting**
169 **(February 11 & 25, 2021 Electronic Meetings)**

170 Commissioner Peterson said the meeting she went to had no land use items discussed. Chairman
171 Kerr said she was unable to attend the meeting she was assigned to.

172
173 Mr. Barnhill said that there would be a survey being sent out from City Council for people to vote on
174 whether they would like to see a city cemetery developed or not.

175
176 **D. Make Assignments for Representative to Attend City Council Meetings**
177 **(March 11 & 25, 2021 these will be Electronic Meetings)**

178 Chairman Kerr will attend March 11th and Commissioner Peterson will try to attend March 25th.

179
180 **6. Training**

181 **A. Staff**

182 Chris Crockett gave an update on the sign bills that were going through the legislature stating that
183 both bills failed. He discussed HB 409 (from Representative Waldrip) through the land use task
184 force, will require Planning Commissions to receive a certain number of hours of training in
185 addition to the open meeting acts training each year (which Perry City has already been doing).
186 He added that it also requires establishing objective standards with conditional use permits
187 consistent with general plans and health and safety standards.

188
189 Robert Barnhill commented that on the educational side of things, the Planning Commission in
190 Perry City does a good job and understands what they can and can't do. He then discussed some

of the design standards in one of the bills that may affect allowing multi-family housing. If the bill passes it may undo some of what Perry City has put in place for that and may change some of the Council members minds on what they want to allow. Commissioner Wager said that there may be an amendment that makes that apply to only single family homes.

7. Review Next Agenda and Adjourn

A. Items for April Agenda (next meeting April 1, 2021)

- Neff Townhomes
- Bear River Landing Apartments at Pointe Perry
- Mt. Pleasant final application (may not be ready)

B. Motion to Adjourn

Motion: Commissioner Wager made a motion to adjourn. Commissioner Peterson seconded the motion.

All Commissioners were in favor. The meeting ended at 7:48 p.m.