

PERRY CITY PLANNING COMMISSION AMENDED MEETING AGENDA

(Added Item #2C)

October 7, 2021

7:00 pm regular meeting

3005 S 1200 W Perry, UT

The meeting will be open to the public with eight people maximum in person. 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. Final Plat Application - Ventura Subdivision located at approximately 1240 W 2250 S Parcel #03-157-0131 Applicant: Jose Ventura

B. Preliminary Subdivision Application - Perry Landing located at approximately 3200 S 1200 W Parcel #02-034-0038 Applicant: Robert Anderson

C. Amendment to Preliminary Subdivision Application - Harmony Cove located at approximately 2200 S Hwy 89 Parcel # 03-158-0079 Applicant: Brandt Miles

D. Conditional Use Permit Application for an auto-body shop located at approximately 1800 S Hwy 89 Parcel #03-159-0074 Applicant: Tim Kraftson

3. Discussion Items

A. Density Map

4. Approval of the Minutes

A. September 2, 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 (September 9th & 23rd meetings)

**D. Make Assignments for Representative to Attend City Council Meetings
(October 14th & 28th Meetings)**

6. Training

A. Staff

7. Review Next Agenda and Adjourn

A. Items for November agenda (next meeting November 4th, 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 22nd day of September. 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: Oct 7, 2021 07:00 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83992941281?pwd=U0o3alQ3dFFkbmlveEo4WW0zbWFldz09>

Meeting ID: 839 9294 1281

Passcode: 748100

One tap mobile

+13462487799,,83992941281#,,,,*748100# US (Houston)

+16699006833,,83992941281#,,,,*748100# US (San Jose)

Dial by your location

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

Meeting ID: 839 9294 1281

Passcode: 748100

Find your local number: <https://us02web.zoom.us/j/83992941281?pwd=U0o3alQ3dFFkbmlveEo4WW0zbWFldz09>

Ventura

08/26/2021 - 08/25/2022

0361590

**Subdivision: Final Plat
Application**

dcb01960-05c4-11ec-a459-0bea7852697d

Subdivision: Final Plat Application

Active

Under Review

Application Review Status

Pre-Review	Approved	
Community Development	Not Reviewed	08/25/2021
Final-Review	Not Reviewed	

Fees

Subdivision: Final Plat Application	\$425.00
Subtotal	\$425.00
Amount Paid	\$438.00
Total Due	-\$13.00

Payments

08/26/2021	Card *0152	\$425.00
Total Paid		\$438.00

Application Form Data

(Empty fields are not included)

Applicant First Name

José

Applicant Last Name

Ventura

Applicant Email

josegv435@gmail.com

Applicant Phone Number

(435) 237-1725

Applicant Address

940 w 885 s

City
Brigham

State
UT

Zip
84302

Is the applicant the Property Owner?
Yes

Engineer/Surveyor Name or Company
Hansen and Associates Roger Slade

Engineer/Surveyor Email
rogers@haies.net

Engineer/Surveyor Phone Number
(435) 734-3491

Subdivision Name
Ventura

Property Address
1240 w 2250 s Perry

Property Serial #
03-157-0131

Total Number of Lots/Units
1

Final Drawings and Submittals
 **21-3-49v19 Ventura Subdv 030121.pdf**

Acknowledgement: Prior to Perry City accepting this application as complete you will need to submit a mylar plat to the City offices with signatures of the owner(s).



Acknowledgement: Following approval of this application you will have 90 days to fund your escrow account to guarantee installation of required improvements, pay the direct costs required by code (seal coat and GIS), and record the plat.



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

Jose G Ventura - 08/25/2021 10:52 am

Staff Report

October 7, 2021

Perry City Planning Commission



Jose Ventura, Final Plat Application - one lot subdivision at 1240 W 2250 S (Davis Dr)

Summary

This parcel came into existence without complying with the subdivision requirements. This subdivision will approve the property as a buildable lot and will only affect this single parcel.

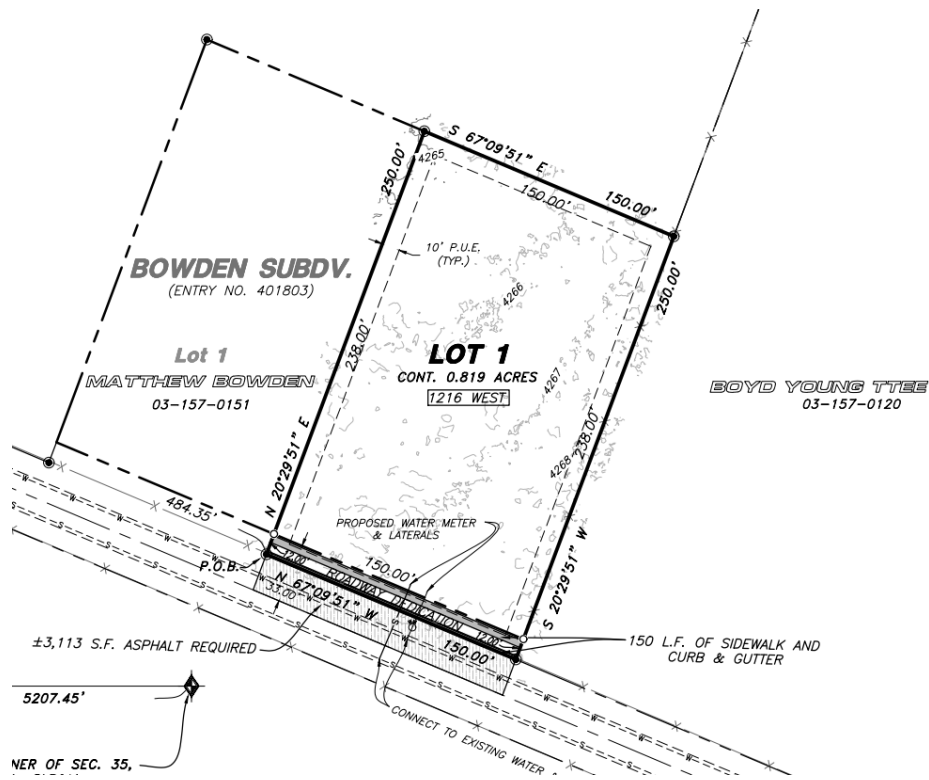
The property is 0.819 acres. The city street in this area is gravel.

Code Compliance

The property owner has obtained a zone change to bring the property into compliance regarding lot size. Planning Commission approved the Preliminary Application to include a deferral agreement for the street improvements. No additional items need to be addressed at this time.

Considerations and Recommendations

This is a fairly simple application that appears ready for approval.



Perry Landing Subdivision

09/07/2021 - 09/06/2022

0818179

Subdivision: Preliminary Application

e9527530-100c-11ec-b69e-5752a631aa03

Subdivision: Preliminary Application

Active

Under Review

Application Review Status

Pre-Review	Received	
Brigham City Fire Department	Not Reviewed	09/07/2021
Community Development	Not Reviewed	
Final-Review	Not Reviewed	

Fees

Subdivision: Preliminary Application (Residential)	\$5,700.00
Subtotal	\$5,700.00
Amount Paid	\$5,700.00
Total Due	\$0.00

Payments

09/07/2021	Check #8292	\$5,700.00
Total Paid		\$5,700.00

Application Form Data

(Empty fields are not included)

Applicant First Name

Robert

Applicant Last Name

Anderson

Applicant Email

rojoan@aol.com

Applicant Phone Number

(801) 668-6606

Applicant Address

2081 Hampton Circle

City

Ogden

State

UT

Zip

84403

Is the Applicant the Property Owner?

Yes

Engineer/Surveyor Name or Company

Gardner Engineering

Engineer/Surveyor Email

bduersch@gecivil.com

Engineer/Surveyor Phone Number

(801) 476-0202

Subdivision Name

Perry Landing Subdivision

Property Address

3200 S 1200 W

Property Serial #

020340038

Preliminary Drawings

 **Perry Landing Subd-Prelim.pdf**

Total Number of Lots/Units

54

Is this a Residential or Commercial development?

Residential

Additional Project Notes

3.7 lots per acre (which includes multi-family lots)

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 will include a preliminary landscape plan and preliminary architectural details.

No

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.

Robert J Anderson - 09/07/2021 12:53 pm

SCHNO	OWNERNAME	OWNERADDRESS	Situs Address
02-029-0023	PETTINGILL PROPERTIES LLC	8725 S HIGHWAY 89	3120 S HIGHWAY 89 PERRY UT 84302
02-029-0024	PETTINGILL PROPERTIES LC	8735 S HWY 89	3200 S HIGHWAY 89 PERRY UT 84302
02-029-0043	PETTINGILL STEVEN	3125 S 1200 W	3090 S PERRY ST PERRY UT 84302
02-029-0043	PETTINGILL STEVEN	3125 S 1200 W	3125 S PERRY ST PERRY UT 84302
02-029-0078	PETT JOHN D	3165 S 1200 W	3165 S PERRY ST PERRY UT 84302
02-034-0012	NEBEKER MICHAEL KENT	1200 N MAIN ST	
02-034-0037	PETTINGILL PROPERTIES LC	8735 S HWY 89	
02-034-0038	WRC INVESTMENTS LLC	1469 HARVARD AVE	
02-035-0011	MEADOW SPRINGS RANCH LLC	PO BOX 571037	
02-037-0001	PETTINGILL PROPERTIES LC	8735 S HWY 89	
02-078-0032	ELLIS JERRY A JT	1211 W 3225 S	1211 W 3225 S PERRY UT 84302
02-078-0032	ELLIS JERRY A JT	1211 W 3225 S	3238 S PERRY ST PERRY UT 84302
02-078-0033	DEAN DANIEL JT	1225 W 3225 S	1225 W 3225 S PERRY UT 84302
02-078-0034	DENNIS EDWARD LEE JT	1239 W 3225 S	1239 W 3225 S PERRY UT 84302
02-078-0035	LAYNE JEFFREY K	1253 W 3225 S	1253 W 3225 S PERRY UT 84302
02-078-0036	TIMBIMBOO HUNTER JT	1267 W 3225 S	1267 W 3225 S PERRY UT 84302
02-078-0037	STICKNEY DAVID JT	1281 W 3225 S	1281 W 3225 S PERRY UT 84302
02-078-0038	QUINTERO DOMINIC E JT	PO BOX 662	3239 S 1300 W PERRY UT 84302
02-078-0038	QUINTERO DOMINIC E JT	PO BOX 662	1295 W 3225 S PERRY UT 84302
02-078-0041	GIBBY SCOTT ALEXANDER TTEE	1294 W 3225 S	3213 S 1300 W PERRY UT 84302
02-078-0041	GIBBY SCOTT ALEXANDER TTEE	1294 W 3225 S	1294 W 3225 S PERRY UT 84302
02-078-0042	YOUNG ZACHARY W JT	1280 W 3225 S	1280 W 3225 S PERRY UT 84302
02-078-0043	MURDOCK THOMAS A JT	1266 W 3225 S	1266 W 3225 S PERRY UT 84302
02-078-0044	BRAEGGER RICH JT	1252 W 3225 S	1252 W 3225 S PERRY UT 84302
02-078-0045	MADDOX ANGELA M	1238 W 3225 S	1238 W 3225 S PERRY UT 84302
02-078-0046	PANTER CHAD D JT	1224 W 3225 S	1224 W 3225 S PERRY UT 84302
02-078-0047	GLOVER XANIDU CHRISTIAN JT	1210 W 3225 S	3212 S PERRY ST PERRY UT 84302
02-078-0047	GLOVER XANIDU CHRISTIAN JT	1210 W 3225 S	1210 W 3225 S PERRY UT 84302
02-078-0054	MUIR SCOTT WILLIAM JT	1331 W 3225 S	1331 W 3225 S PERRY UT 84302
02-078-0055	BARKER JUSTIN D	1347 W 3225 S	1347 W 3225 S PERRY UT 84302
02-078-0056	STERRETT WILLIAM DALE	1365 W 3225 S	1365 W 3225 S PERRY UT 84302
02-078-0057	DEBOER LORINDA TTEE	1381 W 3225 S	1381 W 3225 S PERRY UT 84302
02-078-0058	HAYWARD MARK J JT	1399 W 3225 S	1399 W 3225 S PERRY UT 84302

02-078-0059	FELLBAUM JAMIE JR	1415 W 3225 S	1415 W 3225 S PERRY UT 84302
02-078-0060	BODILY JAMES L JT	1422 W 3225 S	1422 W 3225 S PERRY UT 84302
02-078-0061	HANSEN BRANDON R	1404 W 3255 S	1404 W 3225 S PERRY UT 84302
02-078-0062	HORNE SUZANNE B JT	1386 W 3225 S	1386 W 3225 S PERRY UT 84302
02-078-0063	PETERS COREY J	1368 W 3225 S	1368 W 3225 S PERRY UT 84302
02-078-0064	LILLEGARD BRODY J JT	1348 W 3225 S	1348 W 3225 S PERRY UT 84302
02-078-0065	OWENS STEVEN W JT	1332 W 3225 S	1332 W 3225 S PERRY UT 84302
02-078-0066	PERRY CITY		
02-079-0062	ROBERTS JEFFREY C JT	1438 W 3225 S	1438 W 3225 S PERRY UT 84302
02-079-0063	ALLISON HAROLD GLENN JT	1433 W 3225 S	3244 S 1450 W PERRY UT 84302
02-079-0063	ALLISON HAROLD GLENN JT	1433 W 3225 S	1433 W 3225 S PERRY UT 84302
02-079-0063	ALLISON HAROLD GLENN JT	1433 W 3225 S	3247 S 1450 W PERRY UT 84302
02-079-0064	REEDER VERONICA L JT	1459 W 3225 S	1459 W 3225 S PERRY UT 84302
02-079-0065	WEIST APRIL L JT	1454 W 3225 S	1454 W 3225 S PERRY UT 84302
02-079-0066	NIELSEN JUSTIN D JT	1470 W 3225 S	3213 S 1475 W PERRY UT 84302
02-079-0066	NIELSEN JUSTIN D JT	1470 W 3225 S	1470 W 3225 S PERRY UT 84302
02-079-0067	VAUSE KAREN	1473 W 3225 S	1473 W 3225 S PERRY UT 84302
02-079-0068	WORTHY RYAN LYNN JT	3224 S 1475 W	3224 S 1475 W PERRY UT 84302
02-079-0069	CUMMINGS CODY JT	3210 S 1475 W	3210 S 1475 W PERRY UT 84302
02-079-0070	PERRY CITY CORPORATION	3005 S 1200 W	
02-078-0068	PETERSON JOSHUA D JT	1309 W 3225 S	1309 W 3225 S PERRY UT 84302
02-078-0068	PETERSON JOSHUA D JT	1309 W 3225 S	3240 S 1300 W PERRY UT 84302
02-078-0069	JONES JEREMY JT	1310 W 3225 S	3214 S 1300 W PERRY UT 84302
02-078-0069	JONES JEREMY JT	1310 W 3225 S	1310 W 3225 S PERRY UT 84302
02-078-0070	PERRY CITY	3005 S 1200 W	
02-078-0071	PERRY CITY	3005 S 1200 W	
02-035-0080	UTAH TRANSIT AUTHORITY	669 W 200 S	
02-035-0081	R&R LAND DEVELOPMENT LLC	2530 SOUTH HWY 89	

September 20, 2021

Notice of Planning Commission Meeting

October 7, 2021

3005 S 1200 W

Perry, Utah 84302

Application: Preliminary Subdivision Application (Perry Landing)

Applicant: Robert Anderson

Location: Approximately 3200 S 1200 W (02-034-0038)

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 allow creation of 34 single-family lots and 20 townhomes. Interested persons are invited to attend the upcoming Planning Commission Meeting on Thursday October 7, 2021 at 7:00 p.m.

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.

The subdivision application will NOT include a Public Hearing. 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. The Planning Commission Chairperson may or may not allow comments during the meeting. While your comments are highly valued, they may not (and depending on the comment, cannot) change the outcome of the application.*
- *Appropriate public comments should be submitted in writing prior to the public meeting and 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



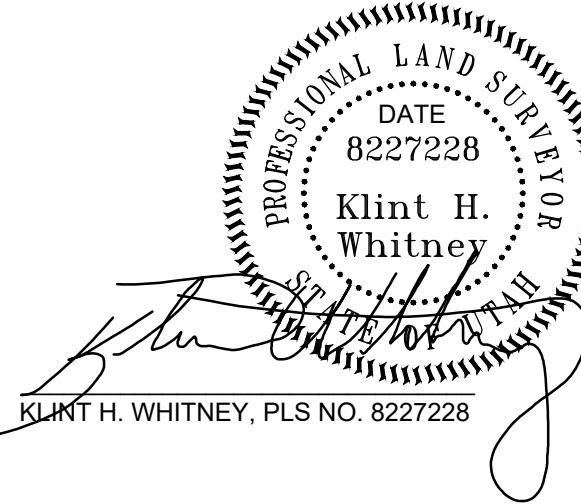
PERRY LANDING SUBDIVISION
(OPTION - 2)

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

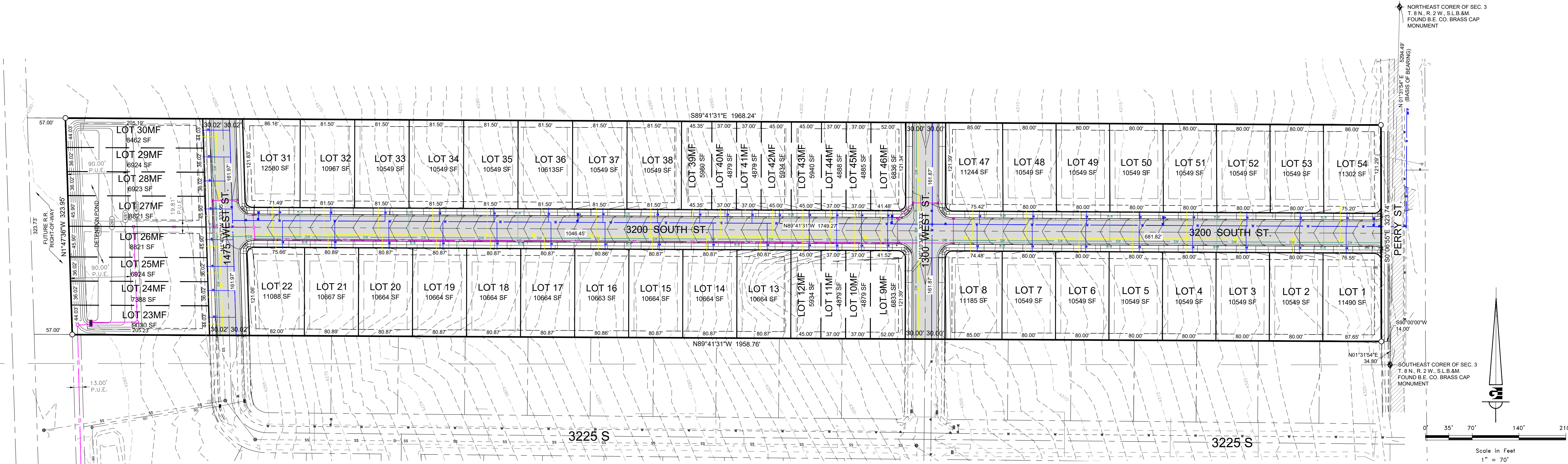
I, KLINT H. WHITNEY, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 8227228 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED 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.



BOUNDARY DESCRIPTION

A PART OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF LOT 16, PHEASANT HOLLOW SUBDIVISION PHASE 1, BEING LOCATED NORTH 01°31'54" EAST 34.80 FEET ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 3 AND SOUTH 90°00'00" WEST 14.00 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 3; RUNNING THENCE NORTH 89°41'31" WEST 1958.76 FEET TO A POINT ON THE NORTH LINE OF PHEASANT HOLLOW SUBDIVISION PHASE 3; THENCE NORTH 01°47'36" WEST 323.95 FEET TO THE SOUTH PROPERTY LINE OF PETTINGILL PROPERTIES LC, THENCE ALONG THE SAID SOUTH PROPERTY LINE SOUTH 89°41'31" EAST 1968.24 FEET TO THE WEST RIGHT-OF-WAY LINE OF PERRY STREET; THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 00°06'55" EAST 323.74 FEET TO THE POINT OF BEGINNING. CONTAINING 14.592 ACRES.



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

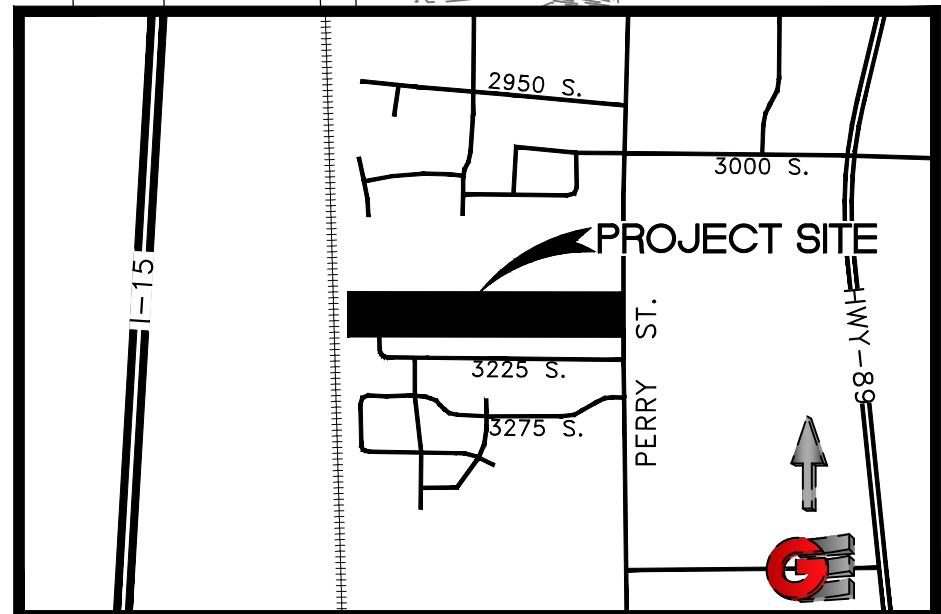
NARRATIVE

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



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

Perry Landing

Public Comment

- 1) 1266 W 3225 S - Perry City SUBJECT: Perry Landing Subdivision Town Homes With regards to the recent plans in the placement of town-house style homes to the north of my residence (1266 W 3225 S Perry, UT 84302), I have concerns which I would want addressed and/or clarified. Having reviewed the "Perry Landing Subdivision- Subdivision: Preliminary Application" and the proposed development options, here are my concerns. I understand, in speaking with other residents of my street in Pheasant Hollow, that the culinary water supply in our area is already stretched thin. As a resident in the first phase of this development, I always understood there to be a total of 3 phases and that there would be all residential houses. The inclusion of 20 townhouses significantly increases the consumption of water by 10 additional residential units. What is the current Peak Time Residual Pressure we have available now, and how will that be affected or supplemented with the street of homes? I understand the fire code requires 1500 GPM minimum for fire suppression during normal use of the water by residents. With regards to traffic, we have already seen an influx of traffic along our street to include many who far exceed the speed limit. Many residents, including myself, have young children the play in the area and wish to have this problem with speeding vehicles mitigated. The building of a "townhouse complex" will undoubtedly bring in more traffic than a typical neighborhood would have. I request the installation of speed bumps at proper intervals to deter the speeding and to limit the risk of a medical incident on our streets. A question regarding the spirit of the law of the allotted townhouse units within each grid, I feel that it is better suited to have that amount spread out relatively evenly throughout the grid... not simply amassed into one dense complex within a residential neighborhood. This also brings about the very fact that the market value of all of our properties will be negatively impacted. Every resident of phases I and II in Pheasant Hollow have selected Perry City to be the place where we would establish our largest assets and at the voice of our builders that there would be regular homes behind ours when all was said and done. NEVER was there any mention of townhouses being installed in such proximity. We have invested our tax dollars and life's work in getting ourselves set up in this wonderful city, and we call upon you, our representatives, to take these words into consideration and resolve these concerns. Please understand, however, that had it been known to us and many other residents, we would have NOT chosen to build our homes here. We have left a townhouse community; we have no desire to be included in one again and loose the rural feel of our neighborhood. With all of that said, I feel that the first option of the proposal would be best suited for both the neighborhood, the current and invested residents, and the townhomes themselves. All townhouses, if they must be built, should be placed on the far west end of the new street to minimize impact. Thank you for your time and consideration, Tom Murdock
- 2) 1266 W 3225 S - 09/28/2021 Dear Perry City Officials, I am writing this letter in regards to the development that will be occurring at 3200 S 1200 W, which will be one street North of my home. Over three years ago, my husband and I had our current home built which is where we currently reside with our two children. When we built our home, we were told by the builders, Anderson Homes, that they planned to develop the "street" to the north of us, where an orchard currently exists. They explained that they hoped to be building additional single-family homes and hoped that would occur within the 5 years from when we were building our own

home. I have always known, and expected that that the orchard would be residential property. However, at NO TIME did they state they intended to build multi-unit housing. If we had known that information ahead of time, we would have chosen to build elsewhere. Our family left multi-housing townhomes in another city, to build in a single family neighborhood, and leave the business of "close-quarters" and shared walls. Unfortunately, I did not realize that Perry City's residential zoning allowed for a mix of both single-family and town home units. I have reviewed and read the application regarding the proposed building of homes and townhomes along 3200 S 1200 W. I have a few concerns relating to the proposal, which I would like to have addressed. I thank you in advanced for your time and thoughtfulness about this topic. Please understand that our family is invested in this community, I work in this community, and we try to make sure we are contributing members of the community and neighborhood. We have loved our move to Perry and the friendships and community we have been involved with. My understanding is that when 3225 S/Pheasant Hollow was developed, that the city council confirmed that this development pushed the water pressure and allocation limits for our area. I would like to know how, given our current water issues in general, water needs will be met in the new development, while maintaining the integrity of our systems and safety (hydrant pressures, etc...) of the residents already in this area. My next concern is the amount of townhomes that will be going in on one street. I have familiarized myself with the zoning and density maps. I have received more information on the idea behind putting multi-family homes within the community. Whether or not I agree with that, is not the point. However, I do not feel that given the spirit of the law, allocating all 20 townhomes from 2 different density grids/maps makes sense to go in on one street in a concentrated area. This changes the idea of having multi-housing units blended into our residential neighborhoods, into creating an actual townhome complex centralized within this one street, in a residential neighborhood. This does change the feel of the neighborhood, when the concentration of multi-housing units is so great. I have been in plenty of neighborhoods where there is an occasional duplex, or 4-plex among single-family homes, and it flows well with the neighborhood. Having 20 units on one street is not "blending" within the community, as much as creating a townhome complex. Please clarify if I am incorrect, but my understanding is that the allotments of multi-housing units were meant to be spread across those grids in the density maps. Relating again to the amount of townhomes going in on 3200 S, I am disappointed to know that this will bring down the property values for me and fellow neighbors. Our home is our biggest asset, as I'm sure is yours as well. Allowing the amount of townhomes proposed, of 20, is going to decrease the value of the homes we have all worked so hard to create and maintain. Please understand this same concern if it were the area you live in. I am not opposed to townhomes occasionally being put throughout residential areas, however, I am opposed to the proposed amount in this one concentrated area/street. I would like the Planning and Zoning Commission, City Council, and Mayor to consider limiting what is allowed on one street, based on the idea that these should be spread out among two different, broad, density grids. If it is determined that the new development can support multi-housing and single-family housing water needs, and it is determined that the allotment of 20 townhomes will be able to be developed on this particular street, I would like to support the builder's (Anderson Homes) first proposal, keeping the units at the west end of the road, and together. I feel that this option, over option 2, allows for less impact on the residents that are already here. And although I don't feel a "complex" feeling will suit this single-family neighborhood, I do feel

like this is a better option than that of option 2. Option 2 feels scattered and has an inconsistent feel to the street with single-family homes, lots with multi-family homes, back to single family homes and then back to multi-housing homes. This seems to be less cohesive, then centralizing them at the west end of the street. Given this information, it appears that a transfer of units would need to take place from the east density grid, to the west density grid. A final thought and question regarding the proposed layout of townhomes, option 1. Is it possible to move the block of 4 units on the south side of the street, to the north side of the street, so that the single-family lots that are already developed, can back up to additional single-family lots? Thank you again for your time. I appreciate your dedication to our city and hard work for the residents of Perry. Sincerely, Heidi Murdock

- 3) 3270 S 1300 W - To whom it may concern: I am extremely concerned about the building of a high density townhouse complex in the area of a planned 32 house subdivision north of the Pheasant Hollow subdivision. There is already a strain on resources in this area from the Pheasant Hollow subdivision. The 32 homes will cause enough of a strain without the townhouse complex. With the townhomes it makes it only worse. Another issue I have is seeing Perry losing its small town feel, especially on the south end of the community. I don't see why we need to jam as many people as we can into our city. Vehicular traffic has increased over the past several years and will only get worse. The roads are horrible and will not be able to stand up to the additional traffic. On another note, I work in a large municipality as a police officer. I know what happens to a community when high density housing is built and the type of clientele that moves in. It is a statistical fact that this will bring property values down and the crime rate up. Please consider these issues and the need for balance in the city's growth.
- 4) 1280 W 3225 S - Hello my name is Ashley Young, I am a resident in Pheasant Hollow subdivision. I'm writing with concerns for new development directly north of my home. I did receive public hearing notice for zone change and felt totally fine with the approval. There was nothing in there about multi-family housing. I am completely happy with idea of adding another street with more homes. My concern is the amount of homes and townhouses that are being proposed. I'm totally fine with the growth of Perry and I don't have problem with townhouses but I think the council needs to reevaluate the density map. Pheasant Hollow is a comparable size property with around 36 homes, so the thought of 30 homes plus 20 townhouses seems too much for area. I think what started out as a great plan to add more affordable housing options needs to be looked at and tightened up so that we don't have areas overpopulated. Also water and other infrastructure will be affected. Hopefully council members will look into these issues before developers are given the go ahead.
- 5) Approximately 3200 S 1200 W - Dear Perry City Planning Commission and City Council:

I am writing you today as a citizen, not as an employee, concerning the Perry Landing Subdivision being proposed to be constructed north of Pheasant Hollow. There are many people concerned for various reasons, which due to current zoning and code regulations are outside of the city's control. I will not be focusing my concern with the subdivision on anything other than safety.

I am concerned about water distribution and pressure and whether or not my house, if on fire, will be able to be extinguished after an additional 54 homes are impacting the waterline that supplies water to my home. I work at the city and know that the Pheasant Hollow subdivision

maxed out water flow. I have heard that they will upsize the line in hopes of creating the needed water pressure to support the development. If this is the case and the pressure meets fire code and our city code, then this development should be able to take place. However, I as a citizen want the city to ensure that the upsized line is installed and the pressure is tested prior to construction of the subdivision, and note this as part of the approval of this subdivision. I know that in the past some fire issues such as egress, etc. have not been caught by inspectors until after construction has taken place. Please ensure that our safety is held above all else and that these tests and inspections are conducted and held to compliance at all levels and prior to construction.

I think that the city is doing their best to follow the state's request to provide affordable housing in their communities, which in most cases equates to multi-family housing. I sat on the general plan committee and there was a focus to limit and scatter multi-family housing throughout our community. Discussions included allowing mansion style town homes in small groupings (4-8) that would feel like residential homes in a community. I feel that our current density map does not support these thoughts. Allowing 20, 30, 50 or more in a residential area will never feel like a home in a community. It will feel like an apartment complex. If I were a betting woman, I would say if 4-8 townhomes were being proposed in this residential area we would not have upset citizens. I doubt there would be any issues at all.

I would suggest that the city revisits the multifamily grid map and use this grid/development as the example to not follow. We need to limit and scatter further, or in my opinion zero out the rest of the grids. With the many developments that have come forward over the last few years, I am confident that we have met the affordable housing percentage required by law and we have successfully created housing that new families (our children) can begin their lives in. I think if the city did not approve anymore, we would have been successful in this effort.

In closing, I want to thank all of you for your service to our community. Hard issues such as this development make your job very commendable. Your ability to make sound decisions in the spirit of growth, community, and progress are outstanding, and I will always be proud of our volunteers, elected officials, and staff for these efforts. My only request is that we keep safety at the forefront of our minds as we work toward progress, and that we also never forget our heritage, and what brought us all to this great rural community. Good luck as you address this issue and in your future [service](#) to our City.

Respectfully,

Shanna Johnson

Staff Report

October 7, 2021

Perry City Planning Commission



Zone Change – Robert Anderson, located at approximately 3200 S 1200 W

Summary

The property is approximately 15 acres in size and was recently granted the R1 zoning designation. The submitted plans show 54 lots with 20 of those lots being for townhome units.

The developer will be required to replace the mainline in 1200 W to provide adequate water flow and pressure. The current line is 6". The developer will need to install a 12" mainline unless the City completes some other nearby improvement projects, which will allow the developer's line to be 8".

In lieu of sidewalk along 1200 W the developer will install a 10' wide asphalt trail in compliance with our approved standards and transportation plan.

Code Compliance

The application is not complete. We are awaiting updated information. This application should be tabled.

Considerations and Recommendations

This is an administrative item and as such does not include a public hearing. However, some neighbors have submitted written comments regarding the application. Those comments can be found in the meeting packet. Please remember that public opinion or anecdotes cannot influence an administrative land use decision. Your authority allows you to approve or deny the application based on code compliance only. Staff recommends this meeting be used to familiarize yourselves with the plans submitted to this point, bring attention to any deficiencies, and consider the submitted public comments as desired.

COMBINED REVIEW MEMO

PROJECT: Perry Landing
APPLICATION: Preliminary
DATE: September 24, 2021



You will find the following attached:

- Planning Review Comments – Robert Barnhill
- Engineering Review Comments – Brett Jones

Sincerely,

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

Robert Barnhill
City Administrator
Perry City
435.723.6464

PLANNING COMMENTS

Corrections for the Preliminary Application:

These corrections are needed prior to the application being placed on the Planning Commission agenda.

1. Preliminary landscape plan for the townhome units.
2. Phasing plan, if phasing is desired.
3. Preliminary architectural details for the townhome units (refer to 15.18 of the Perry Municipal Code).
 - a. Materials
 - b. Elevation drawings and 3D rendering/perspective drawings

Comments for Future Applications:

1. Plat
 - a. Remove mayor signature block
 - b. Include 15' front setback for garages in 'NOTES'
 - c. 'BAS' typo in 'NOTES'
 - d. The 15' PUE for the SD line exiting the development is actually on R&R land and slightly on UTA land. There is not a PUE here currently.
 - e. Please verify that the northeast townhome units will sewer with basements. If not, a basement restriction should be placed on the plat.
 - f. It appears that no common area is needed for the HOA, however an easement is needed for the storm water pond.
 - g. Please verify that all units, even though separated, or in one HOA.
2. Floor plans are needed for the townhome units to verify 2 car garages in order to meet our parking requirement of 2.5 stalls per unit.
3. Please verify that the northeast townhome units will sewer with basements. If not, a basement restriction should be placed on the plat.
4. Street section: 10' asphalt trail and 5' parkstrip. (We understand this will not align with the Pheasant Hollow development, however this is the long-term plan on 1200 W)
5. The legend of the utility plan calls out pressurized sewer. It appears this should all be gravity sewer.
6. Show street lights and street signs on the plans.

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: **PERRY LANDING SUBDIVISION – Preliminary Review**

Date: September 23, 2021

Our office has completed a review of the preliminary plat and plans for the proposed Perry Landing Subdivision located at approximately 3200 South 1300 West. **The following comments refer to the concept showing separated townhomes as it is the plan allowed under current code:**

PRELIMINARY APPROVAL ITEMS

1. Our office has modeled the water system with the proposed 12" main extension from 2950 South to the development. The addition of this main provides adequate fire flow for the development.
2. We understand the stub streets to the north will serve as fire vehicle turnaround areas and no temporary turnarounds are required.

ITEMS TO ADDRESS IN FUTURE APPLICATIONS

3. A geotechnical report should establish a road pavement section, foundation requirements for units, and groundwater limitations to avoid standing water in the detention basin.
4. Please note the adjacent lots, subdivisions, and parcel owners on the plat.
5. Please update the plat date(s).
6. The number of lots needs to be corrected in the Narrative.
7. The name in the Owner's Dedication should be updated.
8. The 1200 West street section should measure from the West:
 - 1' property line to asphalt trail (trail is 6" road base, 3" asphalt with weed barrier)
 - 10' asphalt trail
 - 8' park strip
 - 2.5' curb and gutter
 - Connection to existing asphalt roadway
9. Plan and profile drawings of all utility and roadway improvements will be required.
10. Any potential utility connection points to service future adjacent developments need to be extended to the boundaries of the subdivision (e.g. storm drain and sewer to the north and east).
11. Street light locations will need to be shown.
12. All piping materials will need to be shown in accordance with City standards (e.g. PVC C900 DR-14 for 8" water, PVC C900 DR-18 for 12" water, 200 psi CTS polyethylene for water laterals, RCP for storm drain piping, PVC SDR-35 for sewer).

13. Pineview will need to approve the secondary water plan for the development.
14. The detention basin will need to be maintained by the HOA. This should be indicated on the plat. It appears the current lots are set up to jointly own the basin. This could potentially cause private ownership concerns. At a minimum, an easement for the basin will be required. The developer also has the option to deem this as common area maintained by the townhome HOA.
15. Per city standards, the detention basin will need to be landscaped with grass and include an irrigation system maintained by the HOA.
16. The storm drainage calculations submitted will need to match the current city standards (10-year storm with 0.1 cfs/acre discharge and retention of the 80th-Percentile storm).
17. The detention basin should include an emergency overflow to the west.
18. Details for structures in the detention basin need to be included.
19. The developer will need to show Low-Impact-Development (LID) design elements for the subdivision or demonstrate how these are infeasible.
20. A SWPPP document and plan will need to be submitted, reviewed and approved prior to holding the preconstruction conference.
21. An Engineer's Estimate will need to be prepared and submitted for review to establish escrow and warranty costs.

Should you have further questions, please let us know.

Harmony Cove

08/23/2021 - 08/22/2022

7114084

**Subdivision: Preliminary
Application**

ba0d8240-cfe5-11eb-beae-319d39b066e6

Subdivision: Preliminary Application

Active

Complete

Application Review Status

Pre-Review	Received	
Brigham City Fire Department	Not Reviewed	06/17/2021
Community Development	Not Reviewed	08/23/2021
Final-Review	Approved	
<i>PC approved August 5, 2021</i>		

Fees

Subdivision: Preliminary Application (Residential)	\$2,500.00
Subtotal	\$2,500.00
Amount Paid	\$2,575.25
Total Due	-\$75.25

Payments

06/21/2021	Card *6970	\$2,500.00
Total Paid		\$2,575.25

Application Form Data

(Empty fields are not included)

Applicant First Name

Brandt

Applicant Last Name

Miles

Applicant Email

brandtdmiles@gmail.com

Applicant Phone Number

(801) 231-9130

Applicant Address

2381 S Bluff Ridge Dr.

City

SYRACUSE

State

UT

Zip

84075

Is the Applicant the Property Owner?

Yes

Engineer/Surveyor Name or Company

Hansen & Associates

Engineer/Surveyor Email

jimf@haies.net

Engineer/Surveyor Phone Number

(435) 723-3491

Subdivision Name

Harmony Cove

Property Address

2200 South highway 89

Property Serial #

031580079

Preliminary Drawings

 Miles-Perry-Review Set.pdf

Total Number of Lots/Units

22

Is this a Residential or Commercial development?

Residential

Additional Project Notes

Jim Flint - engineer will be sending full packet by email.

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?

Yes

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 will include a preliminary landscape plan and preliminary 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.

Brandt Miles - 06/17/2021 9:31 pm



Hansen and Associates, Inc.

Consulting Engineers & Land Surveyors

September 3, 2021

Robert Barnhill, Perry City Administrator

Re: Miles Townhomes - Request for Public Designation

Dear Robert,

The proposed Miles Townhomes project is advancing to Final Plat consideration - there is a topic we'd like to discuss with the Planning Commission / City Council regarding whether the project is designated 'Public' or 'Private' - such applies to street and utility matters.

Street

Townhome developments often request narrower, private streets in order to install more units, and it's acknowledged that such inherently mandates a private street designation. In contrast, the Miles Townhomes project is employing full standard residential street improvements in a 60-foot right-of-way, identical to the single-family Davis Creek subdivision to the north. Further, it was surmised that the two single family lots had to front on a City-standard street. There's no apparent reason why the project streets couldn't be considered 'Public.'

Snow removal would be per standard City policies for City Streets.

Utilities & Individual Ownership

Apartment and sometimes townhome projects run a master utility line into a building (and through the building) instead of having individual service lines to each unit. Such can be permissible, but involves internally splitting (and collecting) a billing amount from each tenant. The Miles Townhomes units will be individual, for-sale units. Accordingly, each unit will have a separate water and sewer service. Again, it parallels precisely a single family home subdivision set-up. There's no need for HOA involvement, and having to deal with HOA collection hassles.

The water and sewer mains are all full-size (8-inch) utility lines - the project isn't requesting reduced 2-inch, 4-inch or 6-inch lines. Further, by declaring the water main in the street as 'public,' an expensive 4-inch water meter in a vault can be avoided. Such serves no hydraulic purpose but has to be installed if the watermain is deemed 'private.' This would automatically induce/compel a single utility bill that would have to be individually divided among 22 entities. The City is much more adept at bill collection than an HOA. It is common for a City to have a provision for water turn-off to a unit that doesn't pay it's sewer bill. For a 'private' situation, one offending, non-payment party can threaten termination for all parties, rather than just the isolated single unit being shut-off. Such also alleviates the other units from having to pay more, in order to defray the offending unit's non-payment and stave off utility discontinuance. In short, there are a host of billing collection and enforcement matters that the City is much more versed and capable of handling than an HOA. For these many reasons, it is sincerely requested that the water and sewer matters be public as is standard in individually-metered development projects. Streetlights are also requested to be maintained per standard City policies.

HOA Items

There are certain traditional items that would remain under HOA auspices: Common Area landscape maintenance, drainage pond maintenance, roof maintenance and townhome site-perimeter fencing up-keep.

In closing, the Miles Townhomes project isn't requesting a reduction in City public street, water or sewer main improvements, nor in individually-metered connections. The request is that these properly installed and constructed elements to public City standards be allowed to be publicly maintained as is traditional.

We appreciate your time and consideration of this request.

Respectfully,
HANSEN & ASSOCIATES, Inc.

A handwritten signature in cursive script that reads "Jim Flint". The signature is written in dark ink and is positioned above a horizontal line.

Jim Flint, PE / PLS

Staff Report

October 7, 2021

Perry City Planning Commission



Preliminary Subdivision – Brandt Miles, located at approximately 2200 S Hwy 89

Amendment

The Preliminary Application for this development was approved in August. At that time city staff reviewed this project with the requirement that the roadway and utility infrastructure (water, sewer, and storm drain) would be private. The city has required other recent multi-family projects to build private infrastructure wherever possible. If the city desires public streets to connect through the property, the streets and utilities have been allowed as private (See Orchard Hill, Perry Canyon, Perry Landing, and the Neff townhomes). The applicant is requesting Planning Commission to amend their decision to allow the roadway and utilities here to be public. The City's code allows Planning Commission the authority to dictate how roadways and utilities are to be constructed.

The applicant has submitted a letter requesting this change. This letter is included in your packet of information. The letter makes two main points:

1. Collecting HOA dues to maintain this infrastructure and pay the utilities collectively will be difficult. Based on significant personal and professional experience staff disagrees with this claim. It is also questionable whether such an item should influence this decision from the City's perspective.
2. Additionally the letter points out that they have planned for the access to be built to City standard widths. It is clear that the layout and design of this road was intended to have the same appearance as the City streets. Staff's response is simply that they may choose to build a road to City standards if they wish. The City's plan actually shows this road connecting through to 2250 S, in which case this through street would be required to be public. This connection was not possible and the road now functions as a private driveway or alley into this townhome development.

The most important consideration from staff's perspective is how to keep these decisions consistent from one development to the next. Staff believes consistency can be achieved by requiring such developments to build private infrastructure as a default, with a change to public infrastructure when there is a clear and compelling public interest. However, Planning Commission may have a different perspective and different ideas on how to maintain consistency.

Lastly, I would encourage Planning Commission to review other projects that have come through the City recently as well as existing projects and consider why their respective infrastructure is public or private and if a change in this regard would have been desirable.



Conditional Use Permit Application

***All sections of this application must be complete and fees paid upon submittal or application will be deemed incomplete.**

Project Title: Caliber Collision Address of Property: 1800 S Highway 89, Perry, UT 84302

TaxID/Parcel Number: 03-159-0074 Current Zoning: NC2

Existing Use of Property: Vacant Proposed Use Of Property: Auto Body repair with paint booths

Project Description (attach further descriptions and plans as necessary):

Develop proposed site and construct building for auto body repair with paint booths excluding: engine, tire & glass work

See attached plans

Name(s) of Applicant(s) or Authorized Agent(s): Victory Real Estate Development, LLC - Tim Kraftson

Mailing Address: 8201 Preston Rd. Suite 700 City, State, Zip: Dallas, TX 75225

Phone: 469-646-6191 Fax: _____ Email: tim.kraftson@vg-re.com

cc cristy@perigeeccivil.com

Name(s) of Property Owner(s) if other than applicant (include a notarized affidavit from the property owner acknowledging authorization to make this application): John W. Sale & Nancy L. Sale

Mailing Address: 567 E 800 N City, State, Zip: Ogden, UT 84404

Phone: 435-628-1609 Fax: _____ Email: greggm@naiaexcel.com - Gregg McArthur/Agent

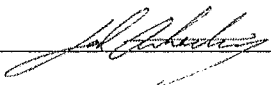
Name of Architect/Engineer: Jed Atherley Company: Perigee Consulting, LLC

Mailing Address: 9089 S 1300 W Ste 160 City, State, Zip: West Jordan, UT 84088

Phone: 801-910-3395 Fax: 801-590-6611 Email: jed@perigeeccivil.com

Applicant Certification:

I certify under penalty or perjury that this application and all information submitted as a part of this application is true, complete, and accurate to the best of my knowledge. I also acknowledge that I have reviewed the Perry City Code regarding this application and that items and checklists contained in this application are basic and minimum requirements only and that the other requirements may be imposed that are unique to individual projects or uses. I agree also to comply with any and all applicable City Ordinances in effect at this time. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that Perry City may rescind any approval, or take any other legal or appropriate action. I also agree to allow the Staff or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof. I also understand the property owner or the authorized agent will be billed for engineering fees in excess of one hour and will be responsible for repayment of those fees.

Signature:  Date: 8/9/2021

Office Use Only

Application# _____ Application Fee \$ _____ Date Received _____ PC Mtg _____ Receipt# _____

7/28/2021

To Whom it May Concern:

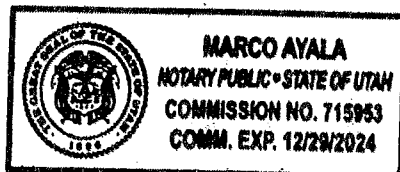
I, Nancy L. Sale, Property Owner or Authorized Representative for
Property Owner, give my consent for Victory Real Estate Development, LLC and its Authorized
Agent(s) to make the application for a conditional use permit with the city of Perry, UT.

By: Nancy L. Sale
Printed Name: Nancy L. Sale
Title: owner
Company: N/A

County Be Weber
State Utah

Sworn and subscribed to before me, a Notary Public, this 30 day of July, 2021, by
means of (☒) physical presence or () online notarization Nancy Leigh Sale
who is () personally known to me or (☒) produced the following identification UTDL 00817256 8 CA 10/01/2021

(Notary Seal)



[Signature]
Notary Public

June 29, 2021

To Whom it May Concern:

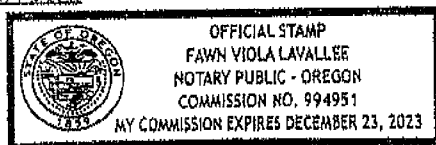
I, JOHN W. SALE, Property Owner or Authorized Representative for
Property Owner, give my consent for Victory Real Estate Development, LLC and its Authorized
Agent(s) to make the application for a conditional use permit with the city of Perry, UT.

By: John W. Sale
Printed Name: JOHN W. SALE
Title: N/A
Company: N/A

County ~~Oregon~~ Marron County
State Oregon

Sworn and subscribed to before me, a Notary Public, this 30 day of July, 2021, by
means of (X) physical presence or () online notarization John Warren Sale
who is () personally known to me or (X) produced the following identification OR DL B252159
Exp 4/18/2028

(Notary Seal)



Fawn Lavalier
Notary Public



Perry City

Perry City Fees

Utility Deposit: \$0.00 Item Subtotal: \$0.00

Park Rental: \$0.00 Item Subtotal: \$0.00

Park Name ☐ Anderson Park
☐ Mt. View Park
☐ Perry Park
☐ Dale Young Park
☐ Centennial Park

Dog Licenses: \$0.00 Item Subtotal: \$0.00

Pet's Name

Microchipped

Business Licenses: \$0.00 Item Subtotal: \$0.00

Business Name

Traffic School: \$0.00 Item Subtotal: \$0.00

Student's Name

Fines and Forfeitures: \$0.00 Item Subtotal: \$0.00

Permit Fees: \$300.00 Item Subtotal: \$300.00

☐ Excavation
☐ Fence
☐ Building
☐ Subdivision

Miscellaneous Fee: \$0.00 Item Subtotal: \$0.00

Description

Total: \$300.00

Personal Information:

Cristy Glade
Caliber Collision conditional Use permit

33

Your statement will describe your payment as 'CBT*PERRY CITY UT'
and the service fee transaction as 'CBT*SVC FEE PERRY CITY'.

Payment Information:

Account: V*6839

Submission Receipt:

Subtotal: \$300.00

Processing Fee: \$9.25

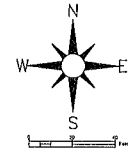
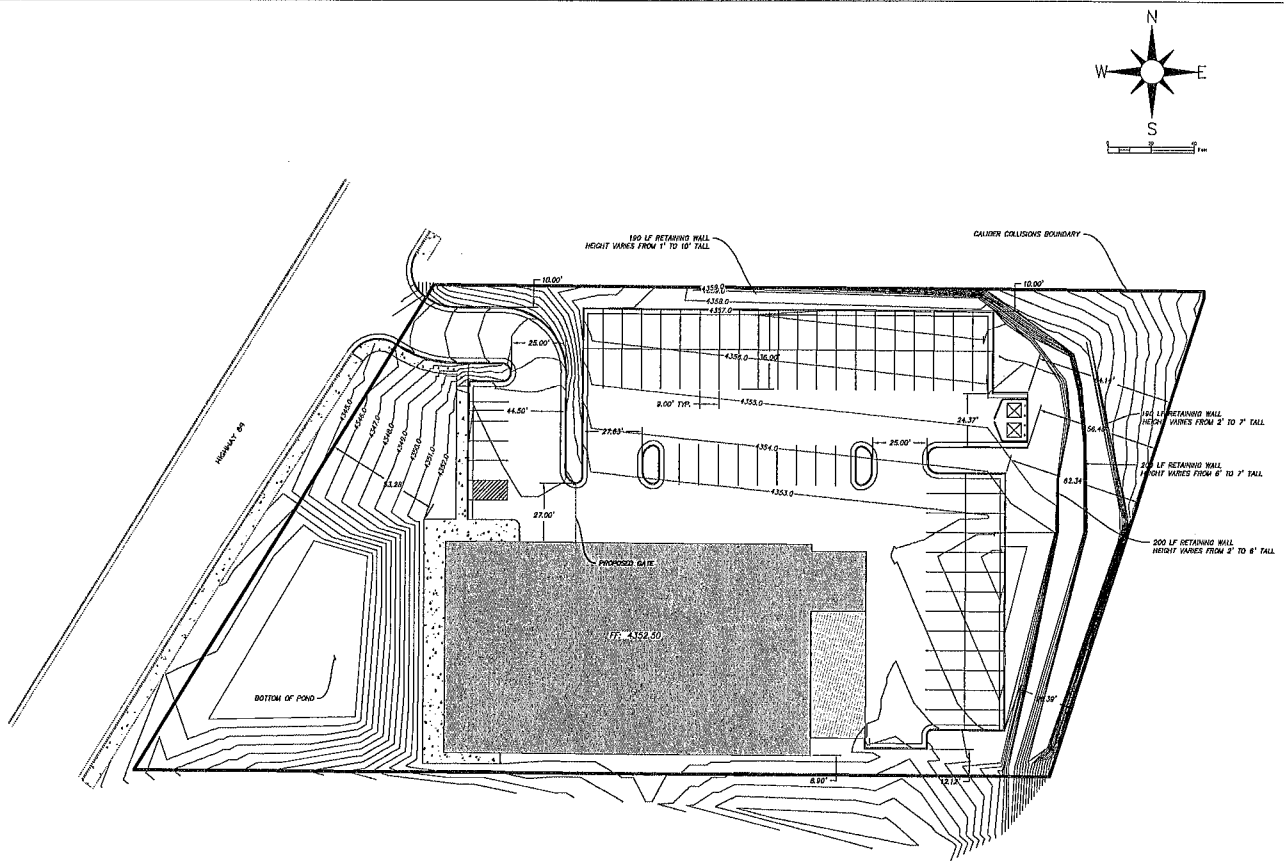
Total: \$309.25

Processing Date: 9 Aug 2021 12:08 pm MDT

Payment processed successfully.

Confirmation #: 61116f10-SIP-06363

Thank-you.



PERRY CITY

DATE	BY	CHKD	APPD

NO.	DATE	BY	CHKD	APPD
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CALIBER COLLISION
PLAN AND PROFILE - ROAD 06 AND
ROAD 07

SHEET NUMBER
2
OF 20 SHEETS
DRAWN BY
KMOI

Staff Report

October 7, 2021

Perry City Planning Commission



Conditional Use – Auto Body Shop, located at 1800 S Hwy 89

UPDATE

This application was tabled last month. The applicant was asked to provide better landscape screening adjacent to residential properties. It appears this has been addressed fairly well. There are, however, a couple of items worth noting.

- The columnar junipers called out on the plans are shown to grow 30' in height. Only one out of five sources I checked agreed with this height. The other four sources listed the mature height at 15-20'. The submitted plan may still be acceptable, but I wanted to point out the discrepancy and ensure the proposal was understood.
- The elevation details on the second page show the grasses planted in front of the junipers, which would be desirable. The plans actually show the grasses planted behind the junipers.

At the last meeting, it was realized that while PC is giving feedback to the applicant on some important site issues, the City Council is actually the final land use authority for site plans. Therefore, I thought it prudent to make CC aware of this Conditional Use application and see if any of them had thoughts to share. Three Council members reached out to me. Two were generally of the opinion that the design standards should be strictly enforced regarding the building location in relation to the street. In other words, they would require the building to be located closer to the highway. The other Council member also agreed with this sentiment, although they thought there could be some flexibility if the applicant provided other relevant street enhancement in lieu of the building location. The applicant should be aware that approval of the Conditional Use Permit in no way inhibits the City Council's authority to enforce the city code on the site plan application.

Summary

The property is approximately 2 acres in size and located in the NC2 zone along Highway 89. Our code lists "Body and Fender Shop" as a Conditional Use in the NC2 zone. The submitted site plans illustrate the intended facility, landscape, retaining walls, and parking areas.

Code Compliance

This Conditional Use Permit does not replace the site plan approval, nor does it contain all of the detailed information that would be included in the site plan such as storm water calculations, architectural details, and utility plans. This submittal will follow the Conditional Use Permit approval.

The plans do not include a 25' landscape buffer adjacent to the residential properties to the north and east (PMC 15.29.050.2 and 15.29.050.15). However the code does allow the applicant to propose other methods of screening. This aspect does not appear to be well addressed on the submitted plans.

Planning Commission should consider conditions related to the standards found in 15.29.040 of our code to mitigate any negative impacts of this business. Some of these considerations may revolve around compatibility with adjacent residential properties.

While this is not a site plan approval, it may be wise to provide feedback to the applicant regarding the location of the building. In this area our code requires the building to have a prominent relationship to the street with pedestrian enhancements. The designers working on this project claim this is not possible due to the slope of the site and due to their desire to keep the entire building and parking all on a single level.

Considerations and Recommendations

This is an administrative item that requires approval if requirements are met. Planning Commission is the Land Use Authority on this item and will make the final decision. Any proposed conditions should be clearly tied to an identified negative impact.

1 September 2, 2021
2 Planning Commission Meeting
3 Virtual Meeting
4 7:00 p.m.
5
6

7 **Commissioners Present:** Chairman Jan Kerr, Vice Chairman Julie Jones, and Commissioner Stephan Moss
8

9 **Commissioners Absent:** Commissioner Marcus Wager
10

11 **City Staff Present:** Robert Barnhill: City Administrator
12 Tyra Bischoff: Deputy Recorder
13

14 **Others Present:** Tim Kraftson, Jed Atherley, Kevin Pebley, and Tim Gallup
15

16 **1. 7:00 p.m. - Call to Order and Opening Ceremonies**

17 Chairman Jan Kerr called the meeting to order.
18

19 **A. Declare Conflict of Interest, if any**

20 None.
21

22 **2. Action Items**

23 **A. Public Hearing- Ordinance 21-P Zone Change from A (Agriculture) to RE1/2 (Residential) located**
24 **at approximately 1240 W 2250 S Parcel #03-157-0131 Applicant: Jose Ventura**

25 Robert Barnhill explained the zone change request. The property is approximately 0.8 acres in size and
26 is currently zoned Agricultural. The applicant is requesting a change to RE1/2 zoning district. The
27 parcel was created about five years ago without following the subdivision process and does not comply
28 with the 5 acre size requirement of the current zoning. The adjacent property to the west was granted
29 the RE1/2 zoning in the recent past. There is also AL and R1 zoning in the area. The RE1/2 would be a
30 good transitional zone as the surrounding area shows mainly agricultural with some residential. A few
31 months ago they brought a preliminary subdivision application that was approved with the condition
32 that they update the zoning. It appears that this request is in line with the general plan.
33

34 Chairman Kerr opened the public hearing at 7:05 p.m.
35

36 Kevin Pebley said that he will be building the house for the applicants and he is here to answer any
37 questions they may have regarding the zone change request on behalf of the applicants. There were no
38 comments or discussion.
39

40 Chairman Kerr closed the public hearing at 7:07 p.m.
41

42 **MOTION:** Vice Chairman Jones made a motion to recommend approval to City Council for Ordinance
43 21-P Zone Change from A (Agricultural) to RE1/2 (Residential). Commissioner Moss seconded the
44 motion.
45

46 **Roll Call Vote:**

47 Commissioner Kerr, Yes
48 Commissioner Jones, Yes

Commissioner Moss, Yes

Motion Approved: 3 Yes 0 No

This will go to City Council September 23rd.

B. Public Hearing – Conditional Use Permit Application for an auto-body shop located at approximately 1800 S Hwy 89 Parcel #03-159-0074 Applicant: Tim Kraftson

Mr. Barnhill discussed the conditional use permit application in detail. The property is approximately 2 acres in size and is located along Highway 89 across from the cinema and nursery. Conditional uses are permitted uses so long as any negative impacts can be mitigated. Mr. Barnhill explained that they have the option to identify any negative impacts and place conditions on the permit accordingly. This is in the NC2 zone. He explained that this is different than a site plan approval, the applicants have included a lot of details, but there will be more information forthcoming as the site plan approval comes through. The Planning Commission will want to consider if they comply with conditional use requirements and if there are any negative impacts that may need to be addressed. Mr. Barnhill explained the plan the applicants submitted in detail. The only specific provision for conditional uses he found that would be worth addressing is a required 25' landscape buffer adjacent to the residential properties to the north and east that is not met. The code does allow an exception to the 25' buffer if the applicant provides other methods of screening (shrubs or other things). Chairman Kerr asked if there were room to add a 25' buffer to the north. Mr. Barnhill said that is a good question and they have to consider that if the use cannot accommodate it, then the use may not be approved unless they feel there is sufficient buffering. He stated that what the applicants have proposed is what they would prefer to do. The Planning Commission discussed the area including the retaining wall between the properties. Mr. Barnhill explained again that this is not the site plan approval but the applicant needs clarity to move forward. The challenges are the slope on the property, the size of the building, and the amount of parking they need. Mr. Barnhill explained that the City Engineer's perspective to accommodate this plan (while also enforcing the code) is that it would take money, cost more, and may not fit the use perfectly, but it would be within feasibility to accommodate it. Mr. Barnhill added that maybe there would be a way to compromise with other street or pedestrian enhancements. He said the two items that would be worth discussing are the 25' landscape buffer that is required in code as well as the placement of the building in relationship to the highway.

Chairman Kerr opened the public hearing at 7:22 p.m.

Jed Atherly, the site civil engineer, said that this site is unique in the sense that it has 30 feet of grade from front to back that they have been trying to work with. The first issue with the north set back, they tried to reduce the amount of parking as much as possible but they have to have a certain amount of storage for the vehicles they are working on. The retaining wall in that corner (of the north side) being 10 feet tall would be an additional buffer in that area that tapers down. The other thing they did to try and mitigate that was to put the building on the other property line so the townhome units would not be looking right into a commercial building. Another requirement was working with Highway 89 and having the building pushed more forward. The storm water detention (needing to be put at a low point) had to be put where they have it on the drawing (closer to the highway).

Tim Kraftson, the applicant, said that they have been looking at this for at least 3 months and this is the 4th or 5th version of this site plan. They have tried everything they can think of and felt this was the best

they can come up with for the challenging site. He said there is a demand in Perry for Calibur (the auto body shop). He said if they could have found another site that did not have the elevation issues, they would have. They want to make this work and feels they are close to that. As far as the landscape buffer at the top, if it is a hard line of having 25', it kills the deal because they cannot go to less parking. He said they are willing to do whatever they can do though. If they want some evergreen shrubs or something to help buffer they are willing to do that. He feels this would be a nice addition to the community and meet a need.

Commissioner Moss expressed concern that a tow truck would have a hard time turning the corner to get into the property. Chairman Kerr asked how they came up with the number of parking stalls they need. Mr. Kraftson said they have to have this number of parking stalls minimally to make a store operational and profitable. Concerning the trucks being able to turn into the property, he said they do it all the time (making that kind of turn). Vice Chairman Jones asked if the sidewalk in the front was customer area. Mr. Kraftson said that area would be the offices and would look like an office building from the front.

Kevin Pebley said this is a challenging site. He likes where the building is off the road. He added that if he lived on the north side, he would want a tall fence for the buffer that is required there. He wondered if there was another option there to provide more privacy for the people living there.

Mr. Kraftson said that some of the privacy would be provided from the 10 foot grade separation there. He said they could possibly add a wall on top of the vertical grade separation there but is not sure if that would be what they would want.

Chairman Kerr closed the public hearing portion of the meeting at 7:35 p.m.

Vice Chairman Jones said she likes the business idea and it is a needed thing. Her concern is that if she lived in those townhomes or residences near that, she would want some screening. She does not feel comfortable with just a 10 foot retaining wall. She said she has empathy for the challenges with the engineering on this property but the most important thing is to protect the residences around it. She feels there could be more screening, especially on the south end. Commissioner Moss said the other thing to consider is that the wall is not 10 feet all the way across on the north side, it goes from 1 foot to 10 feet. Chairman Kerr asked if there could be more screening on top of the wall with shrubs or trees to create more of a barrier. The applicants said they would be willing to do shrubs, trees, or fencing in that space. Mr. Barnhill added that all commercial site plans next to residential require a 6 foot opaque fence. He feels that there could be opportunity for more focus on screening and buffering from the landscape side of things.

Mr. Barnhill clarified that right now this conditional use permit only goes to planning commission, they are the land use authority. The site plan would still go to city council and they will be the final land use authority. He will want to make them aware of their decision today.

Vice Chairman Jones thinks the 25 foot buffer and only being 10 feet will be problematic. She thinks a larger buffer is necessary especially with the townhomes so close to the property. Commissioner Moss said that it sounds like if they make the 25 foot buffer a must, this won't happen. If they don't approve this, what will possibly come in its place. He thinks the way around it is adjusting the 1 to 10 foot wall and using some kind of evergreen trees that won't lose leaves and would provide buffer all year round.

The applicant said the property is currently zoned for this use, if they met the 25 foot buffer, the resident's would not have any sort of say in this. It is not a surprise to any of the residents that they are next to an industrial area. He asked how much difference 10-15 feet makes in the site line. If they weren't asking for a condition, they could do anything. They need this condition for their plan to work. They are willing to put in a fence, a living screen in front of the fence, or make it so the neighbors never see a thing.

Chairman Kerr said what they are saying makes sense, however there is a code with those buffers in place for a reason. They don't want to deprive them from developing it but want to look for solutions to make it work. She asked Mr. Barnhill if the recommendations they make today are binding. Mr. Barnhill said this is a permitted use and allowed in the zone. He said this is not an industrial zone but is neighborhood commercial. He said they can place certain conditions that require certain vegetation or height requirements.

Vice Chairman Jones said she thinks the depth of the greenery matters. Without the greenery, that is a gigantic wall to look at. With the greenery buffer, it would soften the look of that. She personally does not feel comfortable with how close it is. She also understands the need for parking for the auto body shop, but feels there needs to be more of a buffer. The building being next to the road does not bother her. The applicant said that the people to the north would only see the fence, because they would be retaining down not up. The rock wall and fence would be on the side of the business not the side of the residents (they would only see the 6 foot fence in their site line).

The Planning Commission and Mr. Barnhill discussed the business location and front façade of the building. The applicant showed the Planning Commission members pictures of other buildings they have built that would be similar to what they are proposing. They also discussed the type of greenery they would like to see as part of the landscape buffer. The applicant stated they would be willing to do any combination of trees or shrubs to accommodate what the City wants. Vice Chairman Jones suggested coming back with plans of tall enough trees for screening. The applicant said as long as it would not be trees with massive root systems that would affect the integrity of their retaining wall, they would be willing to do that. Commissioner Moss added that he would like to see the trees toward the end of the wall to go all the way to the end (to create a full greenery barrier on the north side).

MOTION: Vice Chairman Jones made a motion to table the Conditional Use Permit application until the next meeting to see drawings in place at minimum of green wall and trees all along the north side and the possibility of trees with height and screening along the east side. Commissioner Moss seconded the motion.

Roll Call Vote:

Commissioner Kerr, Yes
Commissioner Jones, Yes
Commissioner Moss, Yes

Motion Approved: 3 Yes 0 No

C. Public Hearing – Ordinance 21-E Amending the Density Map

Mr. Barnhill explained that this is a suggestion from staff. The apartment development (Bear River Landing) was approved (at Pointe Perry). He had the Engineer lay that out on the GIS map and where the

buildings ended up falling in relation to the density map. The thought here is to amend the density map to match the number that was approved to eliminate any leftovers. He believes that Council would not like to see someone come in and try and squeeze in 20 units randomly out there. They would like to see this development come in, see if this works, and what the demand is on the utilities in real time. They would like to make it 200/200 on the density map. Chairman Kerr said she agrees with this and Vice Chairman Jones agreed.

Chairman Kerr opened the public hearing at 8:25.

Kevin Pebley asked for clarification on what is being proposed.

Mr. Barnhill explained that the location is out by Tractor Supply and Maverik. He showed Mr. Pebley the map with the location. Chairman Kerr added that the apartment complex there has already been approved. Mr. Barnhill gave a brief history on the area. He said that for a long time City Council has held out for retail in this area. There was strong and consistent interest in apartments out there so they thought if they took the furthest west part of the property and add some rooftops, that maybe it would jump start some interest there.

Mr. Pebley said he realizes Perry has had a lot of growth bumps in the road. He said that as a resident, people have to come to that area (at Pointe Perry). He feels that the area that is being developed across from the cinema is a mess (a multi-family housing area being developed now) and that there are way too many units for an upscale residential area and he thinks it is a huge mistake. He feels that the area (at Pointe Perry) is where the multi-family housing needs to be.

Chairman Kerr explained that the area being discussed tonight has been approved for apartments already and that they are proposing capping the amount of allowed multi-family housing in that area for now to what has already been approved (to have a chance to see how things come together and see if there are any issues). Mr. Barnhill added that any part of the density map may be addressed with the action item tonight. The staff's recommendation was specifically for that area but with the way it was noticed on the agenda, any part of the density map may be addressed.

Chairman Kerr closed the public hearing at 8:32 p.m.

Vice Chairman Jones feels that it (west of the freeway at Pointe Perry) should be limited to what has been approved for now, even if it needs to be amended later. She has some comments/thoughts on other areas in town. She wanted to see the area that Mr. Pebley was talking about. Mr. Barnhill brought up that area on the map and explained what is still allowed in that area on the density map. Vice Chairman Jones discussed the general plan and the density map. Her thoughts are that when they start expanding away from the highway (multi-family housing), the intent was to have it more scattered instead of having all of the allowed housing (from the grid) to be in one area, that it will not feel like that. Her suggestion is to spread out the number of allowed housing within each grid.

Mr. Barnhill explained how the numbers on the grid were chosen from the Council, they looked at the whole map and decided to put some general numbers on it and take a step back and see where it goes (as discussing each area in detail would be difficult). The Planning Commission and Mr. Barnhill discussed different options that may be possible with multi-family housing.

Chairman Kerr asked if it was a state wide mandate that we allow multi-family type of housing. Mr. Barnhill stated that it was not a state wide mandate to allow it however the legislature did mandate us to adopt certain strategies for affordable housing. Vice Chairman Jones added that there does need to be affordable housing for people and the grid pattern is great, but feels it needs to be consistent throughout the whole area (with a smaller number). Chairman Kerr disagreed, saying it may be appropriate for smaller numbers in the traditional single family housing areas but a higher number allowed may be more appropriate in certain areas (where no development is happening). Vice Chairman Jones agreed with Chairman Kerr with the smaller number in the existing single housing family areas and the higher density allowed in other areas. She said that maybe adding to code that in any grid they are scattered throughout the grid to prevent clumping in single family home areas. Chairman Kerr said that there is more to discuss with the density map (more than can be figured out tonight), she suggested focusing on what was proposed tonight and then discussing the density map in more detail later. Mr. Barnhill suggested taking a look at some of the things that have been approved already and see what things they may want to implement to make things transition more smoothly and avoid friction. The Planning Commission discussed property rights, zoning laws, and the density grid map.

MOTION: Commissioner Moss made a motion to approve Ordinance 21-E amending the density map at Pointe Perry to cap out 220 to 200/200 and the 0/20 to 0/0. Commissioner Jones seconded.

Roll Call Vote:

Commissioner Kerr, Yes
Commissioner Jones, Yes
Commissioner Moss, Yes

Motion Approved: 3 Yes 0 No

3. Discussion Items

None.

4. Approval of the Minutes

A. August 5, 2021 Regular Meeting Minutes

MOTION: Vice Chairman Jones made a motion to approve the August 5, 2021 meeting minutes. Commissioner Moss seconded the motion.

Roll Call Vote:

Commissioner Kerr, Yes
Commissioner Jones, Yes
Commissioner Moss, Yes

Motion Approved: 3 Yes 0 No

5. Discussion

A. Future Projects

None.

B. Report on past-approved Planning Commission Agenda Items

Chairman Kerr said that City Council approved the items sent to them.

283
284 **C. Report from Commissioner regarding last Council Meeting**
285 **(August 12th & August 26th)**

286 Vice Chairman Jones said that on August 12th they discussed emergency drought rates which was
287 tabled. They also discussed the sign ordinance that was passed. Chairman Kerr said that at the August
288 26th meeting they discussed curb and gutter. Council Member Ostler wanted to encourage more green
289 space and encourage developers to take more advantage of conservation subdivisions. She added that
290 they approved the emergency drought rates with the exception of it being the Council's decision
291 instead of the Mayor.
292

293 **D. Make Assignments for Representative to Attend City Council Meetings**
294 **(September 9th & September 23rd)**

295 Commissioner Moss said he might be able to attend September 9th. No one would be able to attend
296 September 23rd but Mr. Barnhill will be at both meetings.
297

298 **6. Training**

299 **A. Staff**

300 Mr. Barnhill briefly discussed the auto body shop (that was discussed tonight) and suggested thinking
301 about the rules that are in place and questioned how strongly they should hold to those rules (referring
302 to how close to the street they can be and still provide what they need). He said that there are always
303 going to be reasons why certain things don't work for developers and encouraged them (the Planning
304 Commission) to be consistent with everyone (when working with requests from developers).
305

306 **7. Review Next Agenda and Adjourn**

307 **A. Items for October Agenda (next meeting October 7, 2021)**

308 Tyra Bischoff, Deputy Recorder, said that the Ventura zone change from tonight has applied for their
309 final plat application and will be on the next agenda.
310

311 **B. Motion to Adjourn**
312

313 **Motion:** Commissioner Moss made a motion to adjourn.
314

315 All Commissioners were in favor. The meeting ended at 9:19 p.m.
316
317
318
319
320