

May 5, 2022
Planning Commission Meeting
Virtual Meeting
7:00 p.m.

Commissioners Present: Chairman Julie Jones, Commissioner Jan Kerr, Vice Chairman Marcus Wager, Commissioner Stephan Moss, Commissioner Beth Thompson, Commissioner Blake Broadhead

Commissioners Absent: Commissioner Ryan Vaughn

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

Others Present: Jim Flint, Don Warr, Gene Stephens, Gerald Wilson, Lynn Wilson, Jeannine Jensen, Isabell Gomez, Rudy Gomez

1. 6:00 p.m. - Work Session

A. Training for new Planning Commission Members

2. 7:00 p.m. - Call to Order and Opening Ceremonies

Chairman Julie Jones called the meeting to order at 7:01 pm

A. Declare Conflict of Interest, if any

None.

3. Action Items

A. Ordinance 22-D Zone Change from R1/3 and NC3 to DO (Development Overlay) Zone with a Development Agreement located at approximately 1100 W 3600 S Parcels #02-038-0069; 02-038-004; 02-038-0005; 02-038-0010 Applicant: Jim Flint/Gene Stephens

City Administrator Barnhill noted this was a legislative item. He said that this request for a zone change is to keep their current zoning but that they receive an overlay which authorizes them to use a Development Agreement as part of this property development. He reminded the members that any recommendation from Planning Commission on this action item will be presented to City Council for their final review. On the overhead screen, Mr. Barnhill showed an aerial map of the property for this request. He mentioned that since the plan was first presented the developers have purchased another five acres.

Mr. Barnhill recounted the concerns previously presented on this request. He mentioned there are many challenges regarding utilities for this development. He said that while culinary water is available, the water lines in that area are undersized. He said that work is scheduled to put in larger waterlines on 1200 W around City Hall. He noted that the developer will be required to upsize the mainline on 1200 W near the project. In addition, a gravity sewer main is required to be taken west to the city mainline along I-15. Lastly, there is not pressurized irrigation water from Pineview Irrigation in this area. The developer is proposing an HOA owned and operated secondary water system.

Mr. Barnhill continued with an explanation of a Development Agreement and what the developers are now proposing. He said with the additional five acres, the developers are asking for more density in the area. He asked the commissioners to review the changes on this proposal which was sent via e-mail to them. He then recited from the Staff Report the concerns and/or public feedback he received at the public hearing. (Staff Report, May 5, 2022). He then highlighted and explained a few changes in the updated proposal from the developer.

Chairman Jones asked if the HOA gets dissolved will the city need to take over managing and maintaining the secondary water. Mr. Barnhill said that the city probably will need to set up a special assessment area. (Meaning the people in this area will pay the HOA fee to the city instead of a private management company). In concluding his presentation, Mr. Barnhill pointed out a few things of concern on the layout map which they had previously discussed.

Chairman Jones opened the comments from the members by stating she wants more time to review the new layout before she makes a decision on it.

Commissioner Kerr said she is concerned with the Hargis Hill street connectivity. She and Chairman Jones shared their thoughts about traffic on this street but ultimately, they concluded that the city would have to work with UDOT before any decisions can be made.

Commissioner Moss likes that they are continuing a discussion on a better plan for Hargis Hill Road. He remarked that there is not adequate parking for the south to east green areas. He questioned the utility improvements on this development. He noted that the walking paths are not continuous, and they are too short. He also feels that the five foot setbacks of the houses would look better at eight feet.

Commissioner Wager agrees that the five foot setbacks are too close. Some of the main concerns he has are upsizing of the waterlines, connectivity of the trails, and wetlands delineated up front, so we are all cohesive on this plan.

Commissioner Broadhead agrees with the lack of trail connection throughout this development. Also, that the public trails line up with private property trails. He said that the city should not have to police where people can or cannot walk. He expressed that he does not like the match up on Hargis Hill and that there should be a better solution. He ended his comments by stating that he would prefer a larger gap between the house setbacks.

Commissioner Kerr said if UDOT put in deceleration turn lanes for the Hargis Hill it might work. Chairman Jones pointed out that the Willard City side of this road is squared up so we will need to talk to UDOT for this project.

Commissioner Thompson indicated that she worries about who will maintain the trails and retention ponds so they do not get inundated with weeds. She also wanted to know if the storm water ponds will be fenced. Mr. Barnhill commented that some of the maintenance would be the city's responsibility, but this issue needs to be addressed in the Development Agreement. He reminded the commission that some of these details matter. These details will change the way the trails' function and feel.

Commissioner Wager commented that the city should delineate the wetland right now.

Jim Flint said that the wetland consultant has already been on site, but it will take time to get the results. He noted that it is under a delineation study and that it is questionable if they can put trails in that area. He said because it could take several months, the developer still wants to move forward with the main process.

City Administrator Barnhill expressed that he would like to hear from the commissioners about the density issue on this project. Commissioner Moss suggested that if the developers changed the setbacks from five to eight feet and getting rid of the townhomes in wetland area it would help density. He indicated that since the project is 50 percent over density, he would like to see it be closer to 25 percent than 50 percent.

Commissioner Wager agrees with the comments to change the setbacks. However, he is okay with the overall density of this development as it is presently proposed.

The commission members continued a discussion of the patio homes setbacks and the design standards for these and the town homes. They next remarked on the lighting on the trails and electricity to bowery and restrooms. The conversation then turned to a discussion on the type and styles of fencing. They acknowledged that there are many questions and concerns that need to be addressed so they decided to make a motion on this action item.

MOTION: Commissioner Marcus Wager made a motion to table. Commissioner Moss seconded the motion.

Roll Call Vote:

Commissioner Kerr, Yes
Commissioner Jones, Yes
Commissioner Wager, Yes
Commissioner Moss, Yes
Commissioner Thompson, Yes
Commissioner Broadhead, Yes

Motion to table

B. Ordinance 22-F Land Use Chart and Associated Regulations

City Administrator Barnhill discussed the land use chart. He noted that uses mean the type of use for or on the land. Recently he has worked to update the Land Use Chart and these changes are now ready to be approved by the council. He explained how to interrupt the chart and mentioned that there are more changes that can be done. He said that there are businesses that are specific.

Chairman Jones asked if the city is able to limit the visual advertising for specific businesses. City Attorney Chris Crockett said he would look into the legality of this and get back with the commission.

The committee continued looking at and discussing the types of businesses on the chart. They asked questions to Attorney Crockett and Mr. Barnhill about businesses and regulations. Mr. Barnhill mentioned that there are trainings they can attend to learn more about commercial use regulations. He pointed out a few of the changes done for this action item. For example, he cited from the proposed updated Land Use Chart, Section 4.

This ordinance authorizes the relocation and reorganization of existing regulations pertaining to the uses shown in the land use chart within the Perry Municipal Code to include them in the same section as the land use chart. The regulations found in repealed section 15.050.70 shall be included with the updated land use chart.

MOTION: Commissioner Wager made a motion to approve the Ordinance 22-F Land Use Chart and Associated Regulations. Commissioner Kerr seconded the motion.

Roll Call Vote:

Commissioner Kerr, Yes
Commissioner Jones, Yes
Commissioner Wager, Yes
Commissioner Moss, Yes
Commissioner Thompson, Yes
Commissioner Broadhead, Yes

Motion Approved: 6 Yes 0 No

4. Approval of the Minutes

A. April 7, 2022 Regular Meeting

Commissioner Kerr pointed out a few typos and grammatical errors in the minutes. These errors are the following:

Line 72 a reversal to reimbursement; 73 from pressuring to pressurized; line 79 addresses to addressed specific developments; line 129 sites to sides; 226 processed to proceeded; line 264 processed to proposed; line 346 add is; line 418 stand to stands

MOTION: Commissioner Moss made a motion to approve the April 7, 2022 meeting minutes with the noted corrections. Commissioner Wager seconded the motion.

Roll Call Vote:

Commissioner Kerr, Yes
Commissioner Jones, Yes
Commissioner Wager, Yes
Commissioner Moss, Yes
Commissioner Thompson, Yes
Commissioner Broadhead, Yes

Motion Approved: 6 Yes 0 No

5. Discussion

A. Future Projects

Mr. Barnhill said he may have more land use chart ideas for them to review. He said that the approval procedure for site plans could be improved. He recommended a new or updated process such as the approval by staff engineers, or maybe the commission could look at the rules for the land development process as a whole and make it more efficient. Also, they could review and update (if needed) the process for developing larger subdivisions.

B. Report on past-approved Planning Commission Agenda Items

City Council approved ADU Ordinance as recommended by the Planning Commission.

Zone Change with the proposal for park money instead of open space in the new development was denied.

C. Report from Commissioner regarding last Council Meeting (April 14 meeting)

Commissioner Jan Kerr said she attended the meeting on April 14. However, the microphone on her computer was not working so she could not give the Planning Commission report. She said she did take notes to share at this meeting. She mentioned the different agenda items such as approval of the Sales Tax Bond, presentation of the budget, public hearing, and the mayor explained financing for the bond, Box Elder mayor elections, and the upcoming UDOT highway mass transit planning meeting.

D. Make Assignments for Representative to Attend City Council Meetings (May 12 and 26 Meeting)

Commissioner Thompson said she can go to the meeting on May 12th. Commissioner Broadhead said he will go to the meeting on May 26th.

6. Training

A. Staff

Mr. Barnhill showed the navigation tool for the new Planning Commission members. He pointed out the areas on the city website that could answer many questions they might have. (See perrycity.org)

7. Public Comment

None.

8. Review Next Agenda and Adjourn

A. Items for June agenda (next meeting June 2nd 2022)

- Site plan procedures – Nielsen –Apple Ridge
- Sub. Amendment Pointe Parkway

B. Motion to Adjourn

Motion: Commissioner Thompson made a motion to adjourn the meeting. Commissioner Broadhead seconded the motion.

All Commissioners were in favor. The meeting ended at 8:38 p.m.