

PERRY CITY PLANNING COMMISSION MEETING THURSDAY, February 3, 2011
7:00 P.M. PERRY CITY OFFICE BUILDING—CITY COUNCIL ROOM
3005 S. 1200 W. PERRY, UTAH

PLANNING COMMISSIONERS PRESENT: David Curtis (Chair), Steven Pettingill, Harlan Brewer, Jerry Nelson, Mark Anderson, David Walker

Others Present: Duncan Murray, City Administrator, City Attorney; Codey Illum, Perry City Building Official; Tom Peterson, Councilman; Susan K. Obray, Minute Clerk; Lani Braithwaite, Stanton Allen, Shirlene Peck, Tiesha Erickson, Mike Jensen, Hansen & Associates; Lorin Gardner, Perry City Engineer; Todd Bischoff

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

A. Pledge Allegiance to the U.S. Flag

Conducted by Chairman Curtis

B. Declare Conflicts of Interest, IF any

Questions initiated by Chairman Curtis. None existed.

C. Review and Adopt the Agenda

MOTION: Commissioner Brewer moved to adopt the agenda. Commissioner Anderson seconded the motion. All in favor.

2. Public Hearings and Public Comments

Rules: **(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 may not be taken during this meeting if the item is not specifically on the agenda.

A. Public Hearing regarding a Conditional Use Permit for a home business (with visiting clientele) to be managed by Steven and Tiesha Erickson at their residence at 2560 South 500 West in Perry. The name of the proposed business is "Regenerative Health and Wholeness."

MOTION: Commissioner Walker moved to close the regular meeting and open the public hearing. Seconded by Commissioner Anderson. All in favor.

Tom Peterson: Mr. Peterson stated he was approached by some of the neighbors with a concern about the parking for this business.

MOTION: Commissioner Walker moved to close the public hearing and open the regular meeting. Commissioner Brewer seconded the motion. All in favor.

B. Public Comment

No public comment.

parking lot or a permanent structure placed on it. Mr. Gardner stated the applicants have provided 80 feet from the south right of way to the north end of the hammerhead. There will be drive approaches one on each end to accommodate the lot. Commissioner Walker asked what the options are for the secondary water. Shirlene Peck stated the secondary water is paid through impact fees from the people buying the lots. Mr. Gardner stated that another option would be to have a deferral agreement signed by the developer or have it put in escrow until such time the secondary water can be installed. Mr. Murray stated the difficulty of having an escrow agreement when there are not imminent improvements is it becomes a burden on the city to track it for a lot of years. Chairman Curtis asked Lorin Gardner if everything on his recommendation list have been addressed. Mr. Gardner stated all the major issues have been addressed. Commissioner Pettingill stated he did not know the use of the property the road is going into. Shirlene Peck stated it is the Desert Industries. His concern is at what point do we connect 1500 South with 1550. He stated this road affects the property equation in the future. He stated a recommendation from the city engineer on the road alignment would be useful. Mr. Gardner stated 1550 would come along the south boundary in phase 4. Mr. Gardner stated there will be a dog leg street. Shirlene Peck stated she has an agreement with the church to put in a second access into the property. She stated they had to provide 1200 south all the way over to 450 west and that took all of the money. Shirlene stated they still needed to give the church a second access into the property. Chairman Curtis asked if there were ever any plans for 1500 South to go all the way through or has it always been 1550 and a dog leg. Lorin stated 1550 is an extension and the dog leg exists because of the location of 1500 south. Commissioner Pettingill recommended not have the extension of the street. Commissioner Pettingill stated we are building a road for a single use; we are not building it for circulation. Commissioner Walker asked if this is a road that Perry City would have to maintain. Lorin stated it would be a public dedicated street. Commissioner Pettingill stated our job as commissioners is to determine where the roads will be before development happens and make them put the roads there.

Commissioner Anderson stated he felt the road should be a drive way and not a dedicated road. Shirlene Peck stated she has an agreement when more development come in 1500 south will go down and connect. Mike Jensen with Hansen and Associates stated his concern is they have been working on this project for 6 months and it should have been addressed then. Chairman Curtis stated we have given preliminary approval and let them go ahead in thinking this was appropriate and it would be unfair to change directions at this point. Commissioner Pettingill stated the road is being built should go someplace, it goes to a dead end into a parking lot, and he stated he is disappointed that the commission does not have more information from the developer. Commissioner Anderson asked if the commission had been told about the road coming down into Commerce Way. Lorin stated it was the first proposal. Commissioner Pettingill stated he did not agree that we are serving a parking lot with a Perry City street. Commissioner Nelson stated we asked them to put in 1200 West to go over 450 West, in exchange for the stub street. Shirlene stated they were going to put in a temporary turnaround on 1200 west and both cities said they would like it to go to 450 west to make another entrance. The city committed themselves to this road layout in exchange for the 1200 west going all the way through. Mr. Murray stated in the future we need to look more closely to the circulation guide. Chairman Curtis stated in the motion it could be stated that at the time 1550 South street goes in and abuts the back end of the property, the city could abandon the street and allow the access to come off of 1550. Codey Illum stated, as a maintenance issue, you do not want to do that because our utility

lines are in there and would cause a lot of money and time. Lorin stated it could be a future consideration to abandon the dog leg road. Commissioner Pettingill recommended doing a deferral agreement. Codey Illum stated as part of the motion, it needs to be recommended to the City Council that Mrs. Peck's old building be torn down or submit a building permit for her new building.

MOTION: Commissioner Anderson moved to recommend to the City Council for final approval for Canyon Gate Subdivision Phase 5, provided a deferral agreement for the secondary water be put in place when the water becomes available and the temporary building be torn down or a building permit submitted and paid for, with the hammer head turnaround be approved as submitted. Commissioner Pettingill seconded the motion. Roll call vote.

Commissioner Pettingill yes
Commissioner Brewer yes
Commissioner Nelson yes

Commissioner Anderson yes
Commissioner Walker yes
Chairman Curtis yes

Motion Approved: yes 6 no 0

Ordinances, Zoning, Design Guidelines, General Plan, Etc.
(Planning and Quasi-Legislative Action)

A. None

4. Training, Handouts, and Reports

A. City Council Report-Tom Peterson

Councilman Peterson stated the council voted to revert the Billing's property back to 1/3 acre from ½ acre. The council voted to approve the codification of the code books.

B. Approve Minutes of January 6, 2011

Commissioner Walker stated he was not listed as part of the attendees.

MOTION: Commissioner Brewer moved to approve the minutes as amended.

Commissioner Nelson seconded. All in favor.

C. General Discussion Regarding Residential Lot Sizes

Commissioner Pettingill stated we have a lot of lots in the city that are ½ acre lot sizes. We need to look at them and what they will do for our city. He stated if you have 10 acres and make ½ acre lots you would have 17 lots (excluding the roads and sidewalks). If you subdivided 10 acres at ¼ acre lot size, you would get 27 lots. He stated to look at what it means to our city in impact fees. He stated he is on the sewer board and there is going to be a lot of infrastructure improvements at the sewer plant if the state of Utah make us take

out phosphorous that will be over a million dollars. The additional people will pay additional sewer fees and water fees. These additional fees help pay for the infrastructure for our city. He stated this is a healthy monetary condition for the city to be in. Codey Illum stated the only impact fee that changes for ½ acre lots the storm drain impact fee all other impact fees are the same for different sized lots. Commissioner Nelson stated you just can't cookie cutter out a city; we have plenty of ¼ acre lots, 1/3 acre lots and some ½ acre lots. Just to say were going to get more money is not a wise move. You need to consider money and the type of community you want to live in, a balance of both. Councilman Peterson stated impact fees are a "one time" fee. He stated there needs to be some balance. He feels ½ acre lots are important to keep our identity. Mr. Murray stated, from the studies he has read, the smaller lots do better paying for themselves than the bigger lots. Mr. Murray stated we need to have some locations that potentially pay for themselves.

Review Next Agenda and Adjourn

A. Add Agenda Items requested by Planning Commission

- 1) Proposed ordinance for the secondary water
- 2) Circulation guide

Codey Illum stated there is a dental office coming in, some storage units, restaurant, church, assisted living facility.

Chairman Curtis asked if there needs to be a commissioner at the city council meeting. Tom Peterson stated he attends the planning commission meetings so he can report to the city council.

B. Motion to Adjourn

MOTION: Commissioner Pettingill moved to adjourn. Commissioner Brewer seconded the motion. All in favor.

