

**Perry City Planning Commission Meeting Thursday, June 2, 2011  
7:00PM Perry City Office Building-City Council Room  
3005 South 1200 West, Perry Utah**

**Planning Commissioners Present:** David Curtis, Dave Walker, Don Higley, Todd Bischoff, Steven Pettingill

**Others Present:** Codey Illum, Perry City Building Official; Lorin Gardner, Perry City Engineer; Susan K Obroy, Minutes Clerk; Mike Fife; Bob Thurgood

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

**A. Pledge of Allegiance**

The Pledge of Allegiance was conducted by Chairman Curtis

**B. Declare Conflict if any**

Declare conflicts initiated by Chairman Curtis

There were no conflicts of Interest

**C. Review and Adopt Agenda**

**MOTION:** Commissioner Pettingill moved to recommend removal of 4C from the agenda. Seconded by Commissioner Walker. All in favor.

**2. Approx. 7:05p.m.-Public Hearings and Public Comments**

There were no Public Hearings

**A. Public Comment(s)**

Mike Fife addressed the Commissioners stated he is a subscriber of Digis Internet Service and pays around \$40 for 7 meg per month and only gets 6% of the 7. He understood that the City owns the conduit that Utopia put in. There are two other service providers in the area: Comcast and Qwest. He stated he is an electrical engineer and knows that the fiber optic and the coaxial cable could coexist in the conduit. He felt the city should check into this and try to interest other providers. He was also concerned about the lack of street lights in the Cherry Ridge area. His concern was for people who walk early in the morning. Codey Illum stated we are not the owner of the conduit ,we are only share holders. Mr. Illum stated there is a list of streetlights that need to be put in, in the city. He stated we don't have money in the budget to put in street lights. Commissioner Pettingill stated Mr. Fife needed to talk to Councilmember Walker who is over streetlights.

**3. Land Use Applications(Administrative Action**

**A. Amended Site Plan (Preliminary and or Final Design Review) for a proposal Assisted Living on the northeast corner of Highway 89 and 1550 South Street**

Mr. Thurgood stated he was not happy with the first building that was submitted, he did not like the way it sat on the lot, and the parking was in the front of the building. This is a new plan and the parking has been changed to the side of the property. It is a shorter roof line and blends better in the project. There are still 16 rooms, same type of facility. Commissioner Walker asked if Mr. Thurgood was aware of Lorin Gardner's comments. Mr. Thurgood stated Greg at Hansen and Assoc. is working on those comments. Chairman Curtis asked if the neighboring people were notified. Mr. Illum stated they were notified when the first plan was submitted and it is not required to do it again. Mr. Illum stated we followed state laws and ordinances when notifying the adjoining neighbors. Mr. Gardner stated the main issues were the slope of the lot and the way the building was being laid.

**MOTION:** Commissioner Pettingill moved for final approval and to recommend to the City Council with the recommendations made by Lorin Gardner. Commissioner Walker seconded the motion.

Commissioner Pettingill yes                      Commissioner Bischoff yes  
Commissioner Walker yes                      Commissioner Higley yes  
Chairman Curtis yes

**Motion Approved:** 5 yes 0 no

**4. Land Use Ordinances, Zoning, Design Guidelines, General Plan, Etc.**

**A. Ordinance Regarding Historical Signs**

Mr. Illum stated the old Kathy's Café sign has been abandoned for a year and our ordinance states that the sign needs to be removed. Moore's Restaurant is coming into the old Kathy's Café and wants to use the sign. The way the ordinance reads now, they would not be able to use the sign. The Mayor and Council have decided to create an ordinance to preserve historic signs in Perry City. The proposed ordinance states that historical signs have to be in continuous existence for 40 years, with proof that it is an historical sign. This is a first draft of the ordinance. Commissioner Pettingill stated that there needs to be some kind of exit strategy added in the ordinance that if the sign is un-kept or a nuisance then the sign will be removed. It is Codey's (Building Official's) responsibility to make sure it is up to code. There will be a public hearing on this item.

**B. Ordinance Regarding Amending the Land Use Chart Regarding the C1 Commercial Zone**

Chairman Curtis stated this was recommended by the City Council for consideration. The concerns are they want primarily sales tax revenue. The City Council wants to remove anything in the C1 that does not generate revenue for the city. Codey went through some of the items in the C1 zone that are permitted now. Codey stated there needs to be input from the Planning Commission and a public hearing will be held. Commissioner Walker stated he sees a danger in telling people what they can do with their property. Chairman Curtis stated we have very little revenue generated property and it is all around Wal-Mart. All of the uses that we are taking off along Wal-Mart can be put along the Highway. Chairman Curtis stated every time we change a zone we are changing people's property. Commissioner Pettingill stated some of the things the past commissioners looked at were money generated businesses. He stated you want to put businesses together that complement each other, for examples Walker Cinemas and Maddox. Chairman Curtis stated maybe there needs to be a ratio of revenue generating businesses or an attraction with the commercial.

**C. Ordinance for Subdivision Procedures (Placement on Planning Commission Agenda for Final Approval after certain requirements are met)**

Will be put on the July 7<sup>th</sup> meeting.

**5. Training, Handouts, and Reports**

**A.** Report by Councilmember Tom Peterson  
Councilman Peterson was not in attendance

**B.** Approve May 4, 2011 Minutes

**MOTION:** Commissioner Walker moved to approve the minutes as amended (adding Commissioner Walker in attendance to the minutes). Seconded by Commissioner Bischoff. All in favor.

C. Training to be held at the July 7<sup>th</sup> meeting Regarding Open Meetings Act and Metes and Bounds Subdivision

**6. Review Next Agenda and Adjourn**

A. Add Agenda Items requested by the Planning Commission  
Commissioner Pettingill would like to talk about site plans  
(Review Environmentally Sensitive Map at July 7<sup>th</sup> Meeting)  
Amended map for LW's Truck Stop

**B. Motion to adjourn**

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