

PERRY CITY PLANNING COMMISSION MEETING THURSDAY, May 5, 2011
7:00 P.M. PERRY CITY OFFICE BUILDING—CITY COUNCIL ROOM
3005 S. 1200 W. PERRY, UTAH

PLANNING COMMISSIONERS PRESENT: David Curtis, Harlan Brewer, Don Higley, Jerry Nelson, Mark Anderson, Todd Bischoff, Dave Walker

Others Present: Duncan Murray, Perry City Attorney/Administrator; Lorin Gardner, Perry City Engineer; Susan K. Obray, Minutes Clerk; Roy Morin, Lani Braithwaite, Jeannine Jensen, Doug Ayotte, Amy Ayotte, Kristin Barlow, Kierstin Nelson, Leah Brightenburg

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

- A. Pledge Allegiance to the U.S. Flag
Pledge of Allegiance was conducted by Chairman Curtis
- B. Declare Conflicts of Interest, IF any
Declare conflicts initiated by Chairman Curtis
Commissioner Bischoff no
Commissioner Higley no
Commissioner Nelson no
Commissioner Brewer no
Commissioner Anderson no
Chairman Curtis no
- C. Review and Adopt the Agenda

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

MOTION: Commissioner Anderson moved to closed regular meeting and open the public hearing portion of the meeting. Commissioner Nelson seconded the motion.
All in favor.

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

- A. Conditional Use Permit for a home business license for Amy's Kindergarten Prep(Name changed to Smarty Pants Preschool a preschool to be owned and operated by Amy Ayotte located at 1255 West 2950 South)
Ms. Ayotte stated she has taught for 7 years. She stated it will be for 4 and 5 year olds. She stated it will be Monday through Friday 9:00 a.m. to 11:00 a.m. Ms. Ayotte explained that she is very academic minded and the children will be taught math and literacy based. She believes in challenging kids. She will charge \$100.00 a month. She stated she will be getting them ready for kindergarten.

No public comment.

- B. Proposed Ordinance 11-I which would allow for special hours of operation for gravel pits under certain circumstances. Mr. Murray stated the special circumstances are a public emergency or a state or federal requirements and then the Mayor has the authority to approve of the hours of operation. There is an appeals provision added. The appeals authority is the City Council. The Planning Commission is the final authority to make changes to the conditional use permit.

There was no public comment.

- C. Woodland Subdivision (Amended), including adding Lot 2 for an existing house and separating there from a remainder parcel near 1200 West and 3600 South, in Perry (parcel numbers 02-038-0057 and 02-038-0058).

Leah Brightenburg stated she is working with Cliff and Lisa Woodland to separate the existing house from the remaining parcel. This is for tax purposes only.

No public comment.

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

- D. Public Comment

There was no public comment.

2. Land Use Applications (Administrative Action)

Rules: (1) Documentation must be submitted to the planning staff two weeks in advance. (2) The applicant or a representative must be present for action to be taken.

- A. Conditional Use Permit for a home business license for Amy's Kindergarten Prep (Name changed to Smarty Pants Preschool)

Commissioner Walker asked about parking. Doug Ayotte (Amy's husband) stated there is ample parking for people to pull up and let the kids out. There will only be 8 students. There will be no hired staff. Commissioner Brewer asked where she had taught before. Ms. Ayotte stated she taught kindergarten at Foothill Elementary in Brigham City and Creekview Elementary in Price. The property owner is Bill Walker and he does not have a problem with this business.

MOTION: Commissioner Walker moved to approve Smarty Pants Preschool for a conditional use permit and special business license. Commissioner Nelson seconded the motion.

Commissioner Bischoff yes

Commissioner Brewer yes

Commissioner Walker yes

Commissioner Nelson yes

Commissioner Higley yes

Chairman Curtis yes

Motion Approved: 6 yes 0 no

- B. Final Site Plan for Starstruck Dance and Performing Arts (2895 South Hwy 89)
Lorin Gardner, Perry City Engineer stated the comment he had was the sizing of the underground storage and said it appeared it was undersized for what water would be generated. He stated to have their engineer look at it and give him some feedback on how that will be addressed. Mr. Gardner also stated there was a conflict on the existing sewer running east and west and their detention basin pipe that is underground (there is a vertical conflict). Roy Morin, contractor for Starstruck Dance and Performing Arts stated these conflicts have been resolved. The memo was sent to Codey Illum, Perry City Building Inspector.

MOTION: Commissioner Walker moved to approve Starstruck Dance and Performing Arts, with the items that were addressed, and send it to the City Council for final approval. Commissioner Brewer seconded the motion.

Commissioner Bischoff	yes	Commissioner Brewer	yes
Commissioner Walker	yes	Commissioner Nelson	yes
Commissioner Higley	yes	Chairman Curtis	yes

Motion Approved: yes 6 no 0

The 2 week waiting period was recommended to be waived; this item goes to the next City Council meeting.

- C. Amended Woodland Subdivision (3600 south/1200 West), Parcel Numbers 02-038-0057 and 02-038-0058, with possible final approval pursuant to PMC Section 52.01.050(1)
Commissioner Anderson asked if all the recommendations have been met from our engineer. It was stated that they have. Duncan Murray stated this will need to be recommended to the City Council by the Planning Commission. There will also need to be a rural road agreement signed by the property owners.

MOTION: Commissioner Walker moved to approve the amendment to the Woodland Subdivision and recommend it to the city council. Commissioner Nelson seconded the motion.

Commissioner Bischoff	yes	Commissioner Brewer	yes
Commissioner Walker	yes	Commissioner Nelson	yes
Commissioner Higley	yes	Chairman Curtis	yes

Motion Approved: yes 6 no 0

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

- A. Ordinance 11-I to allow for Special Hours of Operation for Gravel Pits under certain circumstances

MOTION: Commissioner Walker moved to approve Ordinance 11-I to allow for Special Hours of Operation for the Gravel Pit and to send it to the City Council for approval. Commissioner Higley seconded the motion.

Commissioner Bischoff yes

Commissioner Brewer yes

Commissioner Walker yes

Commissioner Nelson yes

Commissioner Higley yes

Chairman Curtis yes

Motion Approved: yes 6 no 0

4. Training, Handouts, and Reports

A. City Council Report-Tom Peterson

Councilman Peterson was not in attendance.

B. Approve Minutes of April 7, 2011

MOTION: Commissioner Nelson moved to approve the April 7, 2011 Planning Commission Minutes. Commissioner Higley seconded the motion. All in favor.

5. Review Next Agenda and Adjourn

A. Add Agenda Items requested by Planning Commission

1. Final plat can't be brought to the Planning Commission until all of Lorin Gardner's and the Planning Commission recommendations are met.
2. Environmentally Sensitive Zone Map
3. Land Use Chart for C1 Commercial Zone
4. Training: Metes and Bounds

The road committee will consist of:

Councilman Bill Walker

Commissioner Dave Walker

Staff Member Paul Nelson

Perry resident, Greg Hansen

These members will be appointed at the next city council meeting.

B. Motion to Adjourn

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