

April 2, 2020
Planning Commission Meeting
Virtual Meeting
7:00 p.m.

Commissioners Present: Chairman Michelle Drago, Vice Chairman Jan Kerr, Commissioner Tresa Peterson, Commissioner Marcus Wager and Commissioner Julie Jones

City Staff Present: Bob Barnhill: City Planner
Susan Obray: City Recorder
Christopher Crockett, City Attorney

Others Present: Brian Loveless, Todd Eskelson, Shela Harper, Mike Harper, Mike Harper, Brinton Neff, and Rick Scadden

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

- A. Invocation or thought-
None
- B. Pledge of Allegiance to the U.S.A-
None
- C. Declare Conflict of Interest, if any-
None

2. Land Use Applications

A. Public Hearing regarding for Ordinance 20-H zone change from R1A to R1 or R 1/3 at 2045 S 100 W, applicant: Bryan Loveless

Bob Barnhill reviewed Ordinance 20-H regarding a zone change from R1A to R1 or R 1/3. He stated the property is approximately 10 acres. He explained the applicant is seeking to have smaller lot requirements for their proposed development. He reviewed the surrounding zoning and land uses of the property.

Mr. Barnhill reviewed some of his insights on possibly splitting the property into two zones. He said after reviewing this application he feels it matches the intent of the General Plan.

Todd Eskelson stated he owns the property immediately to the south and is in the process of installing an irrigation system for a working orchard. He said his property is split zoned between R1 and R1A. He said they are seeking to zone the entire property in agricultural and wants to make sure the changes being made to the Loveless property will not affect his agricultural plans for his property.

Mr. Barnhill explained that this zone change will strictly apply to the Loveless property and will not apply or impact Mr. Eskelson's property (which is currently grandfathered for agricultural use). He said this development will have stub roads, one possibly to the south, but it will not extend beyond the Loveless property. He stated if Mr. Eskelson wants to continue the stub road on his property that would be at his discretion.

Mr. Eskelson inquired if this decision would alter the decision process or the requirements of the Planning Commission for this area.

Mr. Barnhill stated he didn't think it would, he said the only major change here is the lot size available to the developer.

The Commission noted that the General Plan shows residential in this area, but it is up to the property owner how they utilize their property.

Mr. Barnhill reviewed the process regarding the subdivision development process with Mr. Eskelson.

No other public comment was received.

Chairman Drago closed the public hearing.

Bryan Loveless stated his preferred zone change is an R1 on the west side and an R 1/3 on the east side of the road.

MOTION: Commissioner Peterson made a motion to recommend approval to the City Council of Ordinance 20-H with the zone change of R1 on the west side of the road [100 West] and R 1/3 on the east side of the road. Commissioner Jones seconded the motion. Roll call vote.

Discussion: The Commission and Staff agreed to clarify the motion by using 100 West the division between zones.

Commissioner Kerr Yes
Commissioner Jones Yes
Commissioner Drago Yes

Commissioner Peterson Yes
Commissioner Wager Yes

Motion Approved: 5 Yes 0 No

B. Public Hearing for Ordinance 20-I zone change from NC2 and R1A (parcel is in two zones) at 1875 S Hwy 89, Applicant: Brinton Neff

Mr. Barnhill reviewed Ordinance 20-I regarding a zone change for a currently vacant lot which is currently zoned in two zones. He said the applicant is asking to have the entire parcel be zoned NC2 to allow the development of townhomes. He noted this plan goes along with the intention of the General Plan. He reviewed the surrounding land uses and zoning of the property. He stated the property is approximately 2.6 acres.

Shela Harper stated she is a neighboring property owner and asked if there are any ordinances which would require fencing to separate the townhomes from the single-family homes.

The Commission and Staff noted the fencing and setback requirements in the new codes regarding multifamily housing. They also noted the height maximums for these townhomes.

Brinton Neff clarified another reason for the zone change is due to the small size of the property.

Chairman Drago closed the public hearing portion of the meeting.

The Commission reviewed the overlay zone and whether this application would fit the current number of allowable units.

MOTION: Commissioner Wager made a motion to recommend approval to the City Council of Ordinance 20-I to rezone the entire property to NC2 zone. Commissioner Kerr seconded the motion. Roll call vote.

Commissioner Kerr Yes
Commissioner Jones Yes
Commissioner Drago Yes

Commissioner Peterson Yes
Commissioner Wager Yes

Motion Approved: 5 Yes 0 No

C. Public Hearing for Ordinance 20-G amending PMC Title 14 regarding Subdivision Regulations

Mr. Barnhill reviewed Ordinance 20-G regarding the amendment to the Subdivision Regulations in Title 14. He reviewed the adjustments to the document from Council Member Ostler (further expanding/clarifying language).

The Commission felt the Council should have the final say regarding Subdivision Improvements.

MOTION: Commissioner Wager made a motion to recommend approval to the City Council of Ordinance 20-G for Subdivision Regulations. Commissioner Kerr seconded the motion. Roll call vote.

Commissioner Kerr Yes
Commissioner Jones Yes
Commissioner Drago Yes

Commissioner Peterson Yes
Commissioner Wager Yes

Motion Approved: 5 Yes 0 No

D. Public Hearing for Ordinance 20-E amending PMC 15.33.020.2 regarding Daycares and Preschools

Mr. Barnhill reviewed Ordinance 20-E regarding Daycares and Preschools with the Commission. He reviewed and discussed the current code with the Commission (State Licensure for both Preschools and Daycares, maximum of 12 children with two providers, etc.). He reviewed the process and requirements of State Licensure with the Commission.

He said there has been a concern from a public member, who has previously run a Preschool, about the requirement of State Licensure and the maximum number of 12 children. He reviewed some of the requirements from other cities regarding Preschools, and stated it really is up to what the Commission feels is in the best interest of the City.

The Commission expressed their support of the current code with requiring State Licensure and discussed whether 12 or 16 children would be the best maximum for Perry Preschools.

MOTION: Commissioner Jones made a motion to recommend to City Council the approval of Ordinance 20-E with the amendment of a 16 child maximum with two providers for Preschools and keeping the requirement of State Licensure for Preschools. Commissioner Wager seconded the motion. Roll call vote.

Commissioner Kerr Yes
Commissioner Jones Yes
Commissioner Drago Yes

Commissioner Peterson Yes
Commissioner Wager Yes

Motion Approved: 5 Yes 0 No

E. Amending Suncrest Subdivision Phase 3. Located 165 W 1900 S Lot 23.

Mr. Barnhill reviewed the amendment for Suncrest Subdivision Phase 3. He said Lot 23 has an irrigation ditch on the west side. He said due to this they would like to reduce the easement from 15 ft. to 10 ft. He said the property owner has the understanding that it would be 10 ft. from the center of the ditch versus from the property line. He said the Perry Irrigation is okay with the 10 ft. from the center of the ditch. He said the applicant would like some more space to allow more flexibility in building a home on the lot.

Mr. Barnhill suggested adding the requirement for the western lot line be cleaned up following the west side of the ditch with the proposed amendment.

Mr. Barnhill stated the neighboring lot owner has expressed that they are not in support of this easement being decreased.

The Commission and Staff discussed and clarified the easement size and having the drawings redone to reflect the easement from the center of the ditch.

The Commission and Staff discussed if they would be able to require the western lot line to be cleaned up as part of the amendment.

MOTION: Commissioner Kerr made a motion to recommend approval to the City Council to allow the Amendment to Suncrest Subdivision, allowing the easement to be relocated 10 Ft. from the center of the ditch and to include dedication of the undesignated portion of the partial to the Mathews lot. Commissioner Jones seconded the motion. Roll call vote.

Commissioner Kerr Yes
Commissioner Jones Yes
Commissioner Drago Yes

Commissioner Peterson Yes
Commissioner Wager Yes

Motion Approved: 5 Yes 0 No

F. Approval of a Subdivision Concept Plan for Bryan Loveless located at 2045 S 100 W

Mr. Barnhill reviewed the subdivision concept plan for Bryan Loveless, which does not require approval but allows the applicant to receive feedback from the Commission on the proposed concept.

He explained the extension of 2000 S requires coordination with the neighbor, he stated the City would like something worked out with this other property owner when the applicant comes back with preliminary.

He noted there are four flag lots proposed in this concept which is not typically seen. He said typically they would require a stub road to the east but, in this situation, there is no reason because the land to the east is public lands.

He reviewed the comments from the City Engineer regarding this concept plan.

The Commission and Staff discussed the option of a road instead of flag lots and which would be the most efficient for this area.

The Commission felt there were no major concerns at this point with the concept plan.

The Commission and Staff discussed some of the requirements for the preliminary and the removal of the existing building on the property or rework the boundary lines by the building.

MOTION: Commissioner Peterson made a motion to approve the Subdivision Concept Plan for Bryan Loveless located at 2045 S 100 W with the inclusion of comments from the City Engineer. Commissioner Kerr seconded the motion. Roll call vote.

Commissioner Kerr Yes
Commissioner Jones Yes
Commissioner Drago Yes

Commissioner Peterson Yes
Commissioner Wager Yes

Motion Approved: 5 Yes 0 No

G. Preliminary Application for Perry Canyon Subdivision Phase 1-1st Amendment, Applicant: Rick Scadden, Location 143 W 1550 S.

Mr. Barnhill reviewed the preliminary application for Perry Canyon Subdivision Phase 1. He reviewed the comments from the City Engineer regarding this application (landscaping plans, storm water concerns, etc.).

The Commission and Staff discussed and clarified the location of the front setback for this development and that the standard front setback in the design review is 20 ft.

Mr. Barnhill noted that this application predates the design standards so the applicant is not required to follow them, but the Planning Commission can encourage the applicant to do so.

Commissioner Peterson stated she felt this item should be tabled as there are so many comments from the City Engineer regarding this item.

Rick Scadden (applicant) stated he received this list yesterday after waiting six weeks to hear back from the City Engineer. He said he is struggling that this item is going to be tabled due to this. He stated most of the comments from the Engineer have already been addressed. He asked if there could be a motion to approve preliminary based on him meeting all the comments from the City Engineer. He stated he felt he would be able to meet all these comments by next week (as they have already met most of them). He reiterated he is confident that he will be able to meet every comment on the list. He stated he is willing to meet all the required setbacks from the design standards. He said he is hoping to come back for final approval when all his drawings meet the Engineer's comments (hopefully by the next meeting) if preliminary is approved tonight.

MOTION: Commissioner Kerr made a motion to recommend to approval of the preliminary application for Perry Canyon Subdivision Phase 1 based on the requirement of the applicant meeting all the City Engineer's comments. Commissioner Wager seconded the motion. Roll call vote.

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| Commissioner Kerr Yes | Commissioner Peterson No |
| Commissioner Jones Yes | Commissioner Wager Yes |
| Commissioner Drago No | |

Motion Approved: 3 Yes 2 No

4. Administrative Items

A. February 6, 2020 Regular Meeting Minutes

There was a noted correction of removing Commissioner Peterson from attendance.

MOTION: Commissioner Wager made a motion to approve the February 5, 2020 Work Session Minutes. Commissioner Kerr seconded the motion. Roll call vote.

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| Commissioner Kerr Yes | Commissioner Peterson Abstain |
| Commissioner Jones Yes | Commissioner Wager Yes |
| Commissioner Drago Yes | |

Motion Approved: 4 Yes 1 Abstain

B. March 5, 2020 Regular Meeting Minutes

Tabled.

C. Report by Commissioner regarding last Council Meeting

Mr. Barnhill reviewed the last City Council Meetings with the Commission.

D. Make Assignments for Representative to Attend City Council Meetings (April 9, 2020 and April 23, 2020)

Commissioner Peterson stated she would attend the April 9th meeting and Commissioner Jones stated she would attend the April 23rd meeting.

6. Discussion

A. Future Projects

- Zoning Ordinance Updates

B. Report on past approved Planning Commission Agenda Items.

None.

7. Training

A. Staff- Christopher Crockett gave a training on Covid-19 and due process.

8. Review Next Agenda and Adjourn

A. Items for next agenda (May 7, 2020)

- Discussion Title 15 Projects

B. Motion to Adjourn

Motion: Commissioner Wager moved to adjourn. All commissioners were in favor.