

1 **April 5, 2018**
 2 **Planning Commission Meeting**
 3 **3005 South 1200 West Perry UT 84302**
 4 **7:02 p.m.**

5
 6 **Commissioners Present:** Chairman Devin Miles, Vice Chairman Stuart Grover, Commissioner Blake
 7 Ostler, Commissioner Tresa Peterson, and Commissioner Nicole Butler

8
 9 **City Staff Present:** Susan K. Obray: City Recorder

10
 11 **Others Present:** Allen Chambers, Jeannine Jensen, Jerry Jensen, Evelyne Wood, Thomas Wood,
 12 Amber Nielsen, Aaron Nielson, Christine Olsen, Greg Hansen, Rolin Hinrichsen, and Esther
 13 Montgomery

14
 15 **1. 7:00 p.m. - Call to Order and Opening Ceremonies**

16
 17 **A. Invocation-**

18 Chairman Miles gave the invocation.

19 **B. Pledge of Allegiance to the U.S.A-**

20 Commissioner Ostler led the Pledge of Allegiance.

21 **C. Declare Conflict of Interest, if any-**

22 None

23 **D. Review and Adopt the Agenda**

24 Chairman Miles stated that it has been requested by the applicant to remove item 2A and 3A
 25 from this meetings agenda.

26
 27 **MOTION:** Commissioner Grover moved to adopt the April 5, 2018 Planning Commission Meeting
 28 agenda with the amendment of item 2A and 3A being struck from the agenda. Commissioner Butler
 29 seconded the motion. Roll call vote.

30 **Commissioner Ostler, Yes** **Commissioner Peterson, Yes**
 31 **Commissioner Grover, Yes** **Commissioner Butler, Yes**
 32 **Commissioner Miles, Yes**

33
 34 **Motion Approved: 5 Yes 0 No**

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 36 **2. Public Comments and/or Public Hearings**

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 38 **MOTION:** Commissioner Peterson moved to open the public hearing section of the meeting.
 39 Commissioner Grover seconded the motion. Roll call vote.

40 **Commissioner Ostler, Yes** **Commissioner Peterson, Yes**
 41 **Commissioner Grover, Yes** **Commissioner Butler, Yes**
 42 **Commissioner Miles, Yes**

43
 44 **Motion Approved: 5 Yes 0 No**

45
 46 **A. Public Hearing regarding Pettingill Subdivision No. 2 Location: Behind 3110 Hwy 89 Perry**
 47 **UT. Applicant Steven Pettingill**
 48 Removed from agenda.

49
 50 **B. Public Hearing regarding ADL Storage Site 2. Location: 1150 W 3600 S Perry UT 84302.**
 51 **Applicant: Aaron and Amber Nielsen**

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Barney Olsen stated he is representing Diana Olsen who is a residential property owner, located directly south from the proposed ADL Storage Site property. He stated Ms. Olsen hopes the hours of operation will be considered for the neighbors (between 7am-9pm), good quality landscaping will be maintained, and the use of dark sky lighting utilized to be considerate of neighbors.

Allen Chambers stated he is representing the Chambers Family Trust whose property is located directly north of the proposed ADL property. He stated the two main concerns they have are: the elevation change on the northwest corner (how it's going to be handled to prevent dirt sluff-off) and the chain-link fence between the two properties (They would like a cement barrier to keep weeds out of their property).

Thomas Wood stated he is a property owner neighboring this proposed ADL property. He stated one of the factors they considered in recently purchasing their property was that this neighboring area was zoned non-commercial. He inquired if the zoning had been changed or not and if it had not, how this rezone would take place.

Jerry Jensen stated he lives directly across the street from this proposed ADL property. He explained his main concern is the road between the two properties was promised to be updated, and he would like to see those updates take place. He stated he is not concerned with the ADL Storage; his main concern is having the road be widened, updated, and not raised any more.

Jeannine Jensen further expounded the details which were promised in updating the road between her and her husband's property and the proposed ADL property. She explained it is supposed to be a 50 ft. road, with sidewalks, curb, and gutter. She stated her concern is that if they have the ADL Storage already installed when this updating of the road takes place, they will widen the road into the residential properties instead of the ADL property. She said she wants to know if the ADL Storage is taking into consideration these future updates in planning their storage units. She also stated she is concerned with the size of vehicles coming in and out of the ADL Storage unit.

Evelyn Wood stated she is a property owner who neighbors the proposed ADL Storage property. She explained her concern is the increase of traffic that ADL Storage will bring on the currently narrow road, and how it will affect her children's safety. She said she was also concerned with the aesthetics of the proposed ADL Storage and explained she felt it was not currently being handled professionally.

Rolin Hinrichsen stated he is a property owner who also neighbors the proposed ADL Storage property. He said his main concerns are the open storage aspect of this project, the current state of the site, traffic increase, and how it will affect his home's property value.

Christine Olsen stated she is a property owner who also neighbors the proposed ADL Storage property. She stated she supports what concerns have been expressed by the others and explained her main concern is the lighting and light pollution at night. She would

99 like to have dimmable lighting, dark sky lighting, or motion sensor lighting that wouldn't
100 disturb all of the residential neighbors.

101

102 **C. Public Hearing regarding the Conservation Ordinance**

103 Commissioner Ostler reviewed this proposed ordinance, which would be an option for
104 developers to set aside a certain amount of the land for open space, in exchange for higher
105 density in their subdivision.

106

107 No public comment was received.

108

109 **MOTION:** Commissioner Ostler moved to close the public hearing section of the meeting and reopen
110 the regular meeting. Commissioner Butler seconded the motion. Roll call vote.

111 **Commissioner Ostler, Yes**

Commissioner Peterson, Yes

112 **Commissioner Grover, Yes**

Commissioner Butler, Yes

113 **Commissioner Miles, Yes**

114

115 **Motion Approved:** 5 Yes 0 No

116

117 **D. Public Comments**

118 No public comment was received.

119

120 **3. Land Use Applications**

121 **A. Application for Preliminary and Final Approval with Recommendation to City Council for**
122 **Pettingill Subdivision No. 2. Location: behind 3110 S Hwy 89 Perry UT 84302. Applicant:**
123 **Steven Pettingill**

124 Removed from agenda.

125

126 **B. Application for Preliminary Approval for ADL Storage Site 2. Location: 1150 W 3600 S Perry**
127 **UT 84302. Applicant: Aaron and Amber Nielsen.**

128 Mr. and Mrs. Nielsen addressed the concerns expressed in the public hearing: they will
129 consider restricted hours of operation, the landscaping will be maintained, they will look
130 into dark sky lighting, the elevation of their property will not be higher than the road, the
131 fencing will have a 12 inch mow strip, they have incorporated the 50 ft. wide road in their
132 plans, the open storage are mostly campers, there is only one entrance option and two exit
133 options, they would like a rural road agreement until the City is ready to update the road,
134 the aesthetics will be as nice as it can be within their budget, businesses can use the units
135 as extra storage but not as an on-site business location, there will be no live-in units, and the
136 police will have a code to the entrance gate to be able to monitor.

137

138 Mr. Nielsen reviewed their response to the concerns they received from the City Engineer
139 with the Commission: road size, rural road agreement, leveling their property, utilities are all
140 connected, retention pond with river rock, water pressure, parking, etc.

141

142 **Commissioner Grover asked for clarification on the rural road agreement.**

143

144 **Mr. and Mrs. Nielsen** clarified that the rural road agreement is an agreement between
145 property owners and the City, that when the road is updated the property owner will cover
146 a portion of the cost for the curb, gutter, and sidewalk adjacent to their property.

147

148 The Commission discussed and clarified with the applicant their questions and concerns
149 regarding what they have presented.

150
151 The Commission discussed and clarified their concerns, especially in regards to the road
152 issues.

153
154 Commissioner Ostler noted that some of the public comments hit upon concerns which the
155 Commission and City have no jurisdiction over.

156
157 **MOTION:** Commissioner Peterson moved to approve the preliminary approval with the conditions
158 that the City will look into the discussed items, especially in regards to the road, the changes will be
159 made on the plans which the applicant has verbally noted, the concerns of the engineer will be met,
160 and the applicant will be compliant with City Codes. Commissioner Ostler seconded the motion. Roll
161 call vote.

162	Commissioner Ostler, Yes	Commissioner Peterson, Yes
163	Commissioner Grover, No	Commissioner Butler, Yes
164	Commissioner Miles, Yes	

165
166 **Motion Approved: 4 Yes 1 No**

167
168 **C. Application for Preliminary Approval for Suncrest Subdivision Phase 3. Location: 100 W**
169 **1900 S and 100 W and 1925 S Perry UT, 84302. Applicant: Randy Matthews.**

170 Greg Hansen reviewed with the Commission the plans for the preliminary approval for
171 Suncrest Subdivision Phase 3. He stated they have addressed all the concerns given by the
172 City Engineer, which were mostly cosmetic.

173
174 The Commission discussed and clarified their questions and comments with Mr. Hansen
175 regarding this application (utilities, water pressure, road connection location, and rocky
176 mountain power concerns)

177
178 **MOTION:** Commissioner Ostler motioned to approve the preliminary approval for Suncrest
179 Subdivision Phase 3, location 100 W. 1900 S and 100 W. and 1925 S. in Perry, applicant Randy
180 Matthews. Commissioner Peterson seconded the motion. Roll call vote.

181	Commissioner Ostler, Yes	Commissioner Peterson, Yes
182	Commissioner Grover, Yes	Commissioner Butler, Yes
183	Commissioner Miles, Yes	

184
185 **Motion Approved: 5 Yes 0 No**

186
187 **D. Application for Preliminary Approval for 3000 S Street Church Subdivision. Location:**
188 **Approx. 835 W 3000 S Perry UT 84302. Applicant: Ned Stephenson.**

189 Gary Tyler stated he is representing the applicant. He explained they are proposing to build
190 a chapel for The Church of Jesus Christ of Latter-Day Saints on this property. He stated they
191 have met with the City Engineer and the City Staff.

192
193 He reviewed with the Commission the comments they received from the City Engineer.

194
195 He asked if the Commission would pass this as a final approval with any conditions that need
196 to be attached, instead of as a preliminary approval.

197

198 The Commission discussed and reviewed their questions with Mr. Tyler regarding this
199 application (size of the building and parking).

200
201 The Commission and Staff discussed with Mr. Tyler whether they could or could not do a
202 final approval on this item in this meeting.

203
204 The Commission and Staff discussed whether it is within their jurisdiction to make a decision
205 on if the roadway should be widened or left as is.

206
207 The Commission and Staff further discussed and agreed it would not be appropriate to
208 approve this item as final with it being noticed on the meeting agenda as a preliminary
209 approval. They agreed with Mr. Tyler to set up a special meeting on April 12th to consider
210 approving this item for final approval.

211

212 **MOTION:** Commissioner Grover motioned to approve the preliminary approval for the 3000 S Street
213 Church Subdivision located at 835 W 3000 S Perry, with the condition that the issue of the road being
214 54 ft. or 60 ft. be resolved with the City Engineer and City Attorney. Commissioner Ostler seconded the
215 motion. Roll call vote.

216 **Commissioner Ostler, Yes** **Commissioner Peterson, Yes**
217 **Commissioner Grover, Yes** **Commissioner Butler, Yes**
218 **Commissioner Miles, Yes**

219

220 **Motion Approved: 5 Yes 0 No**

221

222 The Commission and Staff clarified that this item will need to go to the City Council after the
223 proposed special meeting with the Commission on April 12th.

224

225 **E. Application for Concept Approval for Two Peaks Townhomes. Location: Parcel numbers**
226 **02-029-0025, 02-028-0058 (Gary Walker Property). Applicant: Dane Bollwinkel.**

227 Tabled as applicant was not present.

228

229 **4. Land Use Ordinances, Zoning, Design Guidelines, General Plan, Etc. -Recommendation to the**
230 **City Council.**

231 **A. Discussion/Action and Recommendation to City Council for final approval of the**
232 **Conservation Zone Ordinance.**

233 Commissioner Ostler stated this item was not ready for action at this time but would
234 hopefully be ready at their next meeting.

235

236 **5. Approval of the Minutes**

237 **(a) March 1, 2018 Work Session**

238 **MOTION:** Commissioner Grover moved to approve the March 1, 2018 Work Session. Commissioner
239 seconded Commissioner Peterson the motion. Roll call vote.

240 **Commissioner Ostler, Yes** **Commissioner Peterson, Yes**
241 **Commissioner Grover, Yes** **Commissioner Butler, Yes**
242 **Commissioner Miles, Yes**

243

244 **Motion Approved: 5 Yes 0 No**

245

246 **(b) March 1, 2018 Regular Meeting**

247 **MOTION:** Commissioner Peterson moved to approve the March 1, 2018 Regular Meeting Minutes
 248 with stated corrections. Commissioner Grover seconded the motion. Roll call vote.

249 **Commissioner Ostler, Yes** **Commissioner Peterson, Yes**
 250 **Commissioner Grover, Yes** **Commissioner Butler, Yes**
 251 **Commissioner Miles, Yes**

252
 253 **Motion Approved: 5 Yes 0 No**

254
 255 **(c) Report by Commissioner regarding last Council Meeting**

256 Commissioner Grover reported on the City Council Meeting he attended from March
 257 22nd. He updated the Commission on the business licenses which were approved
 258 (Amanda's Place) and tabled (Quickhatch Armory) by the City Council (which the
 259 Commission recommended to the City Council). He said the City Council approved the
 260 pay structure for a City Planner/ Office Administrator.

261
 262 Susan Obray updated the Council that the City has hired Bob Barnhill to fill this position
 263 of City Planner/Office Administrator.

264
 265 Commissioner Ostler reported on the City Council Meeting he attended from March 8th.
 266 He stated the aggregate ordinance was discussed at this meeting.

267
 268 Commissioner Grover stated that this aggregate ordinance was approved at the March
 269 22nd meeting. He explained City Attorney, Craig Hall counseled the City Council on
 270 stream lining the business license process.

271
 272 **(d) Make Assignments for Representative to Attend City Council Meetings (April 12, 2018**
 273 **and April 26, 2018)**

274 Chairman Miles stated he would attend the April 12th City Council Meeting and the April
 275 26th meeting had been cancelled.

276
 277 **6. Discussion**

278 **A. Discussion on the Business License Process**

279 Commissioner Ostler asked for a work session to review the redlined draft he emailed with
 280 the Commission.

281
 282 The Commission agreed that this would be the best direction to move this item forward.

283
 284 **B. Discussion on the Subdivision Ordinance**

285 The Commission discussed the need to streamline and better define this ordinance for
 286 better understanding of both the applicants and the Commission.

287
 288 **C. Discussion on the Conservation Subdivision Ordinance**

289 Tabled.

290
 291 **D. Form Based Code**

292 The Commission discussed and reviewed the information they received from the work
 293 session regarding Form Based Code.

294
 295 **E. Conditional Use Permits**

296 Commissioner Ostler reviewed with the Commission a proposed updated Conditional Use
297 Permit Application (for commercial purposes) he has put together to better fit City Codes.
298

299 **7. Training**

300 **A. May 19th Training in Brigham City**

301

302 **8. Review Next Agenda and Adjourn**

303

A. Next Agenda:

304

- ADL Storage for Final Approval

305

- Discussion/ Action Conservation Subdivision Ordinance

306

- Discussion/Action on Business License Process (Work Session 6pm)

307

- Discussion on Agricultural Zone

308

- Discussion on Form Based Codes

309

- Discussion on Subdivision Ordinance

310

B. Motion to Adjourn

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313 **MOTION:** Commissioner Grover moved to adjourn.

314

315 **Motion Approved:** All Commissioners were in favor.

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