

**February 7, 2019**  
**Planning Commission Meeting**  
**3005 South 1200 West Perry UT 84302**  
**7:00 p.m.**

**Commissioners Present:** Chairman Stuart Grover, Vice Chairman Michelle Drago, Commissioner Jan Kerr, Commissioner Tresa Peterson (came at 8:05 p.m.), and Commissioner Nicole Butler

**City Staff Present:** Susan K. Obray: City Recorder, Robert Barnhill: City Planner

**Others Present:** Mayor Kevin Jeppesen, Todd Meyers Maverick Representative

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

- A. Thought, Reading, or Invocation-**Commissioner Jan Kerr
- B. Pledge of Allegiance to the U.S.A-**Chairman Stuart Grover
- C. Declare Conflict of Interest, if any-**  
None.

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

- A. Public Comment**  
No public comment received.

**3. Land Use Applications**

- A. None.**

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

- A. Discussion/Action with Recommendation to the City Council to amend Ordinance 15.27.050.17 signage for Pointe Perry Development.**

Bob Barnhill reviewed the background information regarding Maverick purchasing the LW truck stop and as part of that, they need a new sign. Maverick felt that the sign code was a bit restrictive. Bob discussed the question being brought up about if the reason for the lower sign was due to the wetlands near the location. He stated that the original developer had a permit with the Army Core of Engineers. As part of their permit, the sign would be required to have height limitations although there was not a set specification of height. Bob said that the mitigation did not occur, the permit was not approved, and it is considered void. He informed the Commissioners that there are some CC&R's recorded on the property that do limit the height to 40 feet. He discussed that there are various opinions about the CC&R's on the property, the City Engineer thought that Perry City didn't need to enforce those and should move ahead with Perry City code. However, our City Attorney felt differently and that it is something that we could and should look at because Perry City owns several properties at the Pointe Perry Project, as does Maverick, and could work together to have the code amended. Bob then suggested the Planning Commission could present to City Council both options. Commissioner Grover asked about it being two independent matters. Commissioner Kerr asked who wrote the original CC&R's and there was discussion about the origination of it and who is responsible to rewrite the CC&R. Bob

then stated what Maverick proposed for their sign parameters, a height of 110 feet with a copy area of 700 square feet per face for single tenant sign and 1100 square feet for multi-tenant sign, or a three-sided portion of 425 square feet. Bob showed the Commission examples to view of what the signs would look like and what Maverick is proposing. There was discussion about what the sign would look like with some input from the Maverick representative Todd Meyers. Bob explained what Perry City's current code is and compared to Brigham City and Willard City's code. Bob encouraged the Commission to look at this not just for Maverick specifically but as a zone. Todd Meyers from Maverick discussed other stores and signs and what visibility there is for people looking to getting gas. He also brought up how it may increase business for other places in Perry. Commissioner Drago wondered about the ordinance regarding the wording of a corner lot, if they can have more than one sign. Bob stated that the ordinance does allow for more than one sign and that if needed the Commission could look at changing that with the amendment. There was discussion about the safety and how the wind would affect the sign. Commissioner Butler wanted to see the whole zone that this would affect. Bob showed the map to the Commission and showed it being west along the freeway. Chairman Grover discussed the ordinance wording and what he researched with other signs with Bob and the Commissioners. Commissioner Butler brought up form-based code and what they may be trying to accomplish in the future of Perry City. The Commissioners discussed updating the reference code number and adding a sentence to the ordinance that would limit the second sign allowed with corner lots to a smaller monument style.

**Motion:** Commissioner Kerr moved to recommend to City Council the approval of the amendments of the IC zone with changes as discussed. Commissioner Drago seconded the motion.

**Commissioner Grover,** Yes

**Commissioner Peterson,** Abstained

**Commissioner Drago,** Yes

**Commissioner Butler,** Yes

**Commissioner Kerr,** Yes

**Motion Approved:** 4 Yes 1 Abstained

**B. Discussion and recommendation to the City Council to amend the Perry Municipal Code regarding Business License, Appeal and Variance Authority and other general land use code.**

Commissioner Grover reviewed the main changes that were being addressed. Commissioner Drago questioned the new language regarding solicitors and home businesses. Bob Barnhill explained that what she was reading were mostly definitions that had been moved and not changed. Bob brought up a question that Commissioner Peterson had regarding non-conforming uses. Bob stated that it used to be special uses and appeals board that would authorize special uses. Bob suggested it should be staff, city council, or planning commission to review enlarging or moving a structure that is non-conforming so that someone could appeal to special uses if needed. The Commission reviewed and discussed who should approve the non-conforming use and whether public should be notified. Commissioner Peterson brought up the wording of home business license section of foot traffic and how they could make it clearer. The Commission discussed what should be included or removed with the wording regarding home businesses.

**Motion:** Commissioner Peterson recommended Ordinance 18 E to the City Council with the amendments that have been noted.

**Commissioner Grover,** Yes

**Commissioner Peterson,** Yes

Commissioner Drago, Yes  
Commissioner Kerr, Yes  
Motion Approved: 5 Yes 0 No

Commissioner Butler, Yes

**5. Approval of the Minutes**

**A. January 3, 2019 Regular Meeting Minutes**

**MOTION:** Commissioner Peterson moved to approve the January 3, 2019 Planning Commission Meeting Minutes with the correction of adding Commissioner Drago. Commissioner Drago seconded the motion. Roll call vote.

Commissioner Grover, Yes  
Commissioner Drago, Yes  
Commissioner Kerr, Yes  
Motion Approved: 5 Yes 0 No

Commissioner Peterson, Yes  
Commissioner Butler, Yes

**B. Report by commissioner regarding last Council Meeting.**

Commissioner Butler went to the January 10<sup>th</sup> meeting and stated that the City Council discussed purchasing property by Perry City Park. Bob showed the Planning Commission the property that was discussed. She told the Commission about the Fiscal Year report that was given at the meeting. She also stated they approved the Wasatch Hills Subdivision zone change that the Planning Commission had sent to the Council. Commissioner Drago attended the January 24<sup>th</sup> meeting and discussed that Maverick had come to that meeting to apply for a business license and the presentation. She talked about the land swap at Pointe Perry being approved. She stated the City has received a JAG grant. Chief Hancey hired some police officers the City had a need for. She also informed the Commission that they are looking for someone to volunteer to help with July 4<sup>th</sup>.

**C. Make Assignments for Representative to Attend City Council Meetings (February 28, 2019)**

Commissioner Grover stated that he would go to the City Council meeting on February 28<sup>th</sup>.

**6. Discussion**

**A. Future Projects**

Commissioner Grover discussed the number one priority on the Planning Commissions list they made is the zone descriptions and land use charts clean-up. He highlighted the areas that he felt needed attention. Commissioner Grover asked the Planning Commission to look at the highlighted areas and made suggestions as they discussed the pertinent sections. He would like the opinions from the Commissioners on which way they would like to go after they have a chance to look through the list. The Commission discussed how to make the zone description in the Perry Municipal Code easier to read and format more simplified.

**B. Report on past-approved planning Commission Agenda Items**

None.

**7. Training**

**A. Staff/Open Meetings Review**

None.

**8. Review Next Agenda and Adjourn**

**A. Items for March agenda**

- Paul Nelson Subdivision

**B. Motion to Adjourn**

**MOTION:** Commissioner Butler moved to adjourn. Commissioner Kerr seconded the motion.

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