

**March 2, 2017
Planning Commission Meeting
3005 S 1200 West Perry UT 84302
7:00 p.m.**

Commissioners Present: Chairman Travis Coburn, Vice Chairman Devin Miles, Commissioner Blake Ostler, Commissioner Vicki Call, and Commissioner Stuart Grover.

Commissioners Excused: Commissioner Lawrence Gunderson

City Staff Present: Greg Westfall: Perry City Administrator, Susan K. Obray: City Recorder, Brett Jones: Perry City Engineer, Melani Nish: Minutes Clerk.

Others Present: Jim Flint: Hansen & Associate, Brad Wilkinson, and Randy Matthews.

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

A. Invocation-

Vice Chairman Miles gave the invocation.

B. Pledge of Allegiance to the U.S. Flag-

Commissioner Ostler led the Pledge of Allegiance.

C. Declare Conflict of Interest, if any-

None.

D. Review and Adopt the Agenda-

Commissioner Ostler requested to add to the agenda two discussions (under Section Five) regarding the Conservation Subdivision and the Procedure for Updating City Code.

MOTION: Commissioner Call moved to adopt the March 2, 2017 Planning Commission Meeting agenda with the amendments under Section Five. Vice Chairman Miles seconded the motion. Roll call vote.

Chairman Coburn, Yes

Vice Chairman Miles, Yes

Commissioner Call, Yes

Commissioner Ostler, Yes

Commissioner Grover, Yes

Motion Approved: 5 Yes 0 No

E. Approval of the Minutes

(a) February 2, 2017 Planning Commission Minutes

MOTION: Commissioner Grover moved to approve the February 2, 2017 Planning Commission Meeting minutes with the noted and discussed corrections. Commissioner Call seconded the motion. Roll call vote.

Chairman Coburn, Yes

Commissioner Call, Yes

Vice Chairman Miles, Yes

Commissioner Ostler, Yes

Commissioner Grover, Yes

Motion Approved: 5 Yes 0 No

F. Make Assignments for Representative to Attend City Council Meetings (March 9, 2017 and March 23, 2017).

Commissioner Grover will attend the March 9, 2017 City Council Meeting and Commissioner Call will attend the March 23, 2017 City Council Meeting.

2. Public Comments

None.

3. Land Use Applications

A. **Application and Approval for Randy Matthews Subdivision for Parcels: 02-025-0006, Location: 2530 South Hwy 89, Perry UT.**

This application was removed from the Agenda (due to County line queries) and will be reviewed further by the staff.

B. **Preliminary Approval for Suncrest Subdivision Phase 2 Applicant: Randy Matthews.**

Tabled until next meeting upon City staff recommendation and agreement by application, due to scheduling issues which created an inability to fully present the information needed regarding the future road placement.

C. **Preliminary Approval for Pheasant Hollow Subdivision Phase 1 Applicant: Randy Matthews.**

Randy Matthews briefly explained the current plan regarding Pheasant Hollow Subdivision.

Jim Flint (Hansen & Associate Representative) explained he and Brett Jones (Perry City Engineer) have approached this Preliminary Approval as a Final Plat setting. He explained there are some issues which he would like to address to the Commission. He directed the Commission to the Pheasant Hollow Subdivision packet, (page one being a letter from Mr. Jones). Mr. Flint requested the Commission to focus and give direction on the *judgment call* items.

Mr. Flint reviewed and explained the Preliminary Plat items to the Commission, he requested discussion on Item Five (In the Remainder Parcel *Phase 2* roadway layout, 1450 West should extend to the northern boundary of the parcel to match the City's street master plan.) He explained the proposal to the Commission is to have the current 1450 West Street (found in the existing Orchard Creek Subdivision to the north) extended straight to connect with the future 1500 West Street.

Greg Westfall (City Administrator) inquired if the distance was known from the current 1450 West Street and the proposed 1500 West Street. Mr. Flint replied it was not known at this time. It was estimated by Commissioner Ostler to be about 250 ft.

Brett Jones (Perry City Engineer) interjected as they looked over the plans they realized there were varying options of connection between these two roads, each with pros and cons. He explained this is why they desired the thoughts from the Commission on what they believed would be the best placement of connection.

Mr. Westfall inquired about the need for the connection to tie into the current 3030 South Street. He felt it would not make sense to have this connection and the proposed connection so close together. He also inquired if Mr. Jones had reviewed the City's Master Plan in regards to this connection. Mr. Jones affirmed he had but he would again review it as he was unsure regarding the connection on 3030 South Street.

Mr. Westfall explained he was inquiring on this matter because if the 3030 South Street connection is in the Master Plan, then the connection proposal in this application is asking the Commission to alter the Master Plan.

Commissioner Call stated when the Commission created the Master Plan it was acknowledged by each member it was a notional plan and not fixed.

Mr. Flint interjected as this application is addressing the Commission on Phase 1 tonight, the decision of connection does not need to be made tonight.

Commissioner Call inquired if the Phase 1 only included the small enclosed section found on the Preliminary map found in the packet. Mr. Flint affirmed this.

Mr. Flint returned to reviewing the items on page 1 of the packet. He addressed Item 7 (The proposed storm drainage system appears to end on the west extremity of Phase 1 with a bubble-up storm drain box. This will need to be replaced by a temporary detention or retention basin with an outlet draining to an existing ditch or storm water conveyance west of the subdivision. Ultimately, we recommend an improved detention or retention basin for both phases immediately east of the railroad tracks on the west end of the subdivision. Temporary detention system provided.)

Mr. Flint explained there is a large slope within Phase 1 which needs to be addressed. He continued they are proposing to place a temporary detention pond in the lower areas and storm drain piping, as needed, in the higher areas. He explained the use of piping or ditches in this lower area would interfere with the existing operations. He continued the detention pond would increasingly be expanded and moved in a westward direction as needed.

Mr. Jones explained the reasoning behind the placement of the detention pond on the west side of Perry versus the east side. He stated the east side must have finished, completed detention ponds, whereas, the west side allows for more of a temporary facility as long as it meets the City standards.

Mr. Westfall interjected that from his perspective, on an administrative level, it would need to be required to have a detention basin accommodated for, before Phase 2 could move forward. He continued the City has a requirement that detention ponds are to be landscaped, which is a lot of cost for a temporary structure. He continued, usually, when a detention pond is completed it is deeded to the City, however, with a temporary pond it would need to stay in the ownership of the land owner until it is eventually completed.

This led to a small discussion between Commissioner Grover, Mr. Westfall, and Mr. Jones regarding the need of an easement in using this land for the purpose of a detention pond. An easement would protect the detention pond if it doesn't get finished or if the owner sells the property before completion. Also discussed was the need to have a final future time determined and stated of when the detention pond must be completed. Having these things in place will help with the desired outcome, but will also protect the liability of the City.

Mr. Flint returned to reviewing the items found on page 1, addressing Item 9 (Storm drainage piping should extend to the perimeter of the subdivision in order for future developments to connect per City Standards.) He explained it is required by the City for storm piping to be brought up to the east side of 1200 West Street to help with storm drainage.

A discussion ensued among the Commission regarding Item 10 (Perry City may want to investigate the possibility of paying the difference to upsize the minimum storm drainage piping diameters required for the development in order to serve future developments east and north of the subdivision.) It was explained as there is a large amount of eastward land yet to be developed having a larger storm drain system would be beneficial for those future developments.

Mr. Flint returned to reviewing the items found on page 2, addressing specifically Item 20 (3225 South is being constructed over some existing drainage and flood irrigation culverts and other boxes and structures. The improvement drawings should indicate how these conflicts will be addressed.)

Randy Matthews (Land Owner) stated the large irrigation structure found in the middle of the future road will be removed. (It was also established this structure is not a Pineview Reservoir perpetuation structure.)

Mr. Flint returned to reviewing the items found on page 2, addressing Item 22 (3225 South is crossing an existing Rocky Mountain Power Easement. Permission for the new right-of-way crossing should be obtained from them.) He acknowledged that they will research more about the Rocky Mountain Easement. He explained they will handle this issue with the Rocky Mountain Easement exactly as Cherry Ridge Subdivision has. He believed it shouldn't be an issue as it wasn't for Cherry Ridge Subdivision.

Mr. Flint explained Item 23 (Roadway improvements on 1200 West Street should extend to the new roadway centerline and ensure asphalt properly connects and grades with the existing roadway.) He explained the current road does not fall directly in the middle of the right of way, but is strongly favoring the west side of the right of way. He explained the intent is to make the future connection to this road similar to the connection of Cherry Ridge Subdivision. This will be less than the standard of 24 ft. of pavement but it has worked well for Cherry Ridge Subdivision.

Mr. Flint stated they felt this was more than enough information for a preliminary approval and if the Commission had any questions they would be happy to discuss them.

Commissioner Call inquired about Item 12 (The Perry City water system is currently deficient in source capacity. We are working with staff and City should be able to provide enough source water for Phase 1. This work should be completed around May or June of this year.) She expressed concern over this water issue risk.

Mr. Westfall explained every time a subdivision is proposed/established, City staff makes the applicant aware of this water availability issue. He continued this issue is being worked on right now but the City won't know the answer until the well work is completed.

Mr. Jones stated that Item 13 had been updated from what's in the packet. It concerns the water flow in the Fire Hydrants being slightly shy of the standard. This means it would be up to the Fire Marshall's discretion on if the current flow is allowable or not.

Commissioner Ostler questioned Item 5 which created a discussion on either changing the Master Plan with the current proposal or using the current Master Plan for development.

Commissioner Ostler wondered if Item 7 (storm drainage) could be resolved by not phasing he proposed development. It was explained it was more cost effective to do phase areas than to complete the entire subdivision at once.

Commissioner Ostler inquired about Item 23 and why the existing right-of-way was not being fixed to match the Master Plan. This led to a discussion of where the right-of-way road is on the map and where the road physically is. It was stated this applicant is fulfilling their legal part of the road and the City would be the party who would need to adjust the right-of-way to match the Master Plan.

Commissioner Ostler asked if what was being proposed included the trail which is planned along the 1200 West Street. Mr. Jones replied at this time they have planned for this section of the trail to be a standard sidewalk (4 feet).

MOTION: Commissioner Call moved to approve the Preliminary Plan for the Pheasant Hollow Subdivision Phase 1. Commissioner Grover seconded the motion. Roll call vote.

Chairman Coburn Yes	Vice Chairman Miles Yes
Commissioner Call Yes	Commissioner Ostler Yes
Commissioner Grover Yes	

Motion Approved: 5 Yes 0 No

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

A. None.

5. **Discussion**

A. **Procedure for Updating Codes**

Commissioner Ostler inquired if there was anything the Commission could do to assist in updating Codes. He explained he noticed in Mr. Jones' letter regarding Pheasant Hollow Subdivision that the area of this proposed development had not been updated from an AL Zone to an R1 zone. He stated this zoning change was approved a few months ago by the Commission and yet it had not been received by Mr. Jones.

Mr. Westfall explained once it is approved by the Commission it is valid, however, usually cities gather multiple approvals before they send them to be codified (to check the legality of the approvals). He expounded this is due to cost effectiveness. He continued, the City can update its map after approvals and that will allow for more efficient communication of approvals between the Commission and the Applicants.

B. **Conservation Subdivision Ordinance**

Commissioner Ostler stated he is looking into having a Conservation Subdivision Ordinance in Perry City. He explained this ordinance would allow incentives to developers in having higher density concessions in residential zones and, in return, the developers would reorganize their developments to have more green/ open space. He began looking into this

ordinance a couple of years ago due to the large amount of orchard property for sale in the City at that time.

Mr. Westfall inquired if there had been any discussion on having residential opportunities other than single family dwellings. Commissioner Ostler stated there had not been but it would be something worth investigating.

Commissioner Ostler explained it is possibly more advantageous for a developer to have the option of selling more lots of a smaller size than fewer lots of a larger size. He continued, this is the incentive for developers to develop a Conservation Subdivision, but the City can then (with this ordinance in place) state you must use "x" amount of the development area for green/ open space.

Mr. Westfall asked who gains ownership of these green spaces upon completion. Commissioner Ostler stated it could go to the City or other interested entities (such as HOA.) He continued the ordinance requires this matter of green space ownership to be in place before development begins.

Mr. Westfall inquired about the land use options of this green/ open space. Commissioner Ostler answered there are multiple options including agricultural, parks, pasture, etc.

Commissioner Ostler invited the Commission to reference the Davis Creek Subdivision documentation he received from Farmington City, Utah. He explained on page 2 of the documentation that a developer was allowed to adjust 1 acre lots to half acre lots. He continued, this particular developer paid a fee-in-lieu of providing the green space. The City could then use this money to put green space in areas in the City that made more sense to have green space.

Commissioner Ostler explained page by page the Davis Creek Subdivision documentation with the Commission. The Commission discussed the option of utilizing a Conservation Subdivision here in Perry City.

Commissioner Grover inquired where the City is at in the reconstructing of the General Plan and if the Conservation Subdivision Ordinance could be woven into it. Mr. Westfall stated the City is in the process of working through the General Plan and plans on continuing forward in that meticulous process.

Commissioner Ostler advised that developers are developing land in Perry City without the General Plan being finished or the Conservation Subdivision Ordinance in place. He suggested that the City is losing opportunities to provide for conservation subdivisions and it will continue to do so until these ordinances are in place. It was agreed by the Commission to move forward with the Conservation Subdivision Ordinance.

6. Training

- A. Open Meeting Act- moved to next meeting.

7. Review Next Agenda and Adjourn

- a. **Open Meeting Act**

- b. **Two Business Licenses- Foot Zone Business and a Fingernail Business**
- c. **Conservation Subdivision Ordinance**
- d. **Civic and Restoration Zone Ordinance**
- e. **Preliminary Approval for Suncrest Subdivision Phase 2 Applicant: Randy Matthews**

A. Motion to Adjourn

MOTION: Vice Chairman Miles moved to adjourn. Commissioner Call seconded the motion.

Motion Approved: All Commissioners were in favor.