

**Perry City Planning Commission Meeting
3005 South 1200 West
7:00 PM November 3, 2016**

Members Present: Chairman Blake Ostler, Commissioner Stuart Grover, Vice Chairman Travis Coburn, Commissioner Vicki Call, Commissioner Lawrence Gunderson, and Commissioner Devin Miles

Others Present: Mayor Karen Cronin, Greg Westfall, Perry City Administrator; Brett Jones, Perry City Engineer; Susan K. Obray, Minutes Clerk, Deloris Dorius, Council Member Toby Wright, Angie Hawkins, Catherine Pommier, Dean Stokes, Ryan Stokes, Council Member Esther Montgomery, Council Member Jim Taylor, Richard Nuffer, and Jennifer Reyes

1. 7:00 p.m. – Call to Order and Opening Ceremonies
The meeting was called to order by Chairman Blake Ostler.
 - A. Invocation**
The Invocation was given by Travis Coburn
 - B. Pledge Allegiance to the U.S. Flag**
The Pledge was led by Stuart Grover
 - C. Declare conflicts of Interest, If any**
There were no conflicts of interest. Chairman Ostler asked that it be noted that his daughters take dance from Jennifer Hurd.
 - D. Review and Adopt the Agenda**
One Amendment – Only item 3 applies to City Council.
Motion: Vicki Call motioned to Adopt the Agenda for the November 3, 2016 Planning Commission Meeting. The motion was seconded by Stuart Grover. All Commissioners voted in favor of the motion.
 - E. Approval of the September 29, 2016 Minutes**
Motion: Stuart Grover motioned to adopt the September 29, 2016 with corrections. The motion was seconded by Commissioner Call. All Commissioners voted in favor of the motion.
 - F. Make Assignments for Representative to Attend City Council Meeting (November 10, 2016).**
Commissioner Gunderson will attend the November 10, 2016 City Council Meeting.
2. **Public Hearings & Public Comments**
Council Member Montgomery suggested that the commissioners attend the upcoming land use 101 training put on by the Utah League of Cities and Towns.
3. **General Plan Discussion**
Commissioner Ostler stated that meetings were held on October 5 & 6 to get input from the citizens on the General Plan. Mayor Cronin presented the results of the meetings and led the discussion. About fifty or sixty residents came each night. Citizens can still give their input as the prioritization sheet will be mailed

to all citizens with the newsletter. (General Plan Input and Green Dot Results an input activity conducted during the subject public meetings are attached).

4. Land Use Applications

A. Preliminary Application Approval for Beehive Homes of Perry #2. Located at 143 West 1550 South, Perry, UT. Applicant Richard Nuffer.

Richard Nuffer presented the preliminary plan for Beehive Homes of Perry #2 and requested preliminary approval. Mr. Nuffer presented a concept of this project to the Planning Commission in a prior meeting. The plan has changed showing that there will be no second story. There will be basements due to the slope of the ground and the roof lines will be lower. Other changes are sidewalks added and also parking and two accesses for 1550 South and 125 West.

Commissioner Grover was concerned about parking on the neighborhood side. Commissioner Miles was concerned about 16 parking stalls and if they meet the ordinance. Vicki Call was concerned that the duplexes will be divided off and rented out. Chairman Ostler stated that per ordinance, the wall height of the south fence needs to be six feet minimum. With respect to Vicki Call's concern about the duplexes. Greg Westfall stated that Beehive Homes will only have one water and sewer hookup for the facility and restrictions will be set. If someone comes and requests separate meters, the city would know it has been sold off.

Brett Jones of Jones & Assoc., Perry City Engineer stated that the access from Hwy. 89 is safer farther east from the highway. The building will have fire sprinklers, the culinary water is adequate for the area and secondary water will be used. Mr. Jones stated that he is concerned about the storm drainage onto the highway. Vice Chairman Coburn asked where the lowest point on the lot is located. Brett Jones stated the low point is the northwest corner. Vice Chairman Coburn asked if there was a sub-drain at the low point. Mr. Jones stated that they are actually draining their top water at that point. Brett Jones stated that more research on the drainage needs to be done and the problem needs to be resolved before the application is accepted. Mr. Jones suggested that the retaining walls could be staggered to meet the ordinance.

Commissioner Gunderson was concerned with the duplexes and wondered why they are allowed and asked if single family dwellings were ever considered. Vice Chairman Coburn loves the design and feels it will be great for Perry. His only concern is about drainage. Commissioner Call stated she is ok with duplexes as they are allowed by ordinance in the NC2 zone. She feels the plan is a good transition from business to residential. Chairman Ostler referred to the General Plan 52F which states that accessory residential units may be included with projects in the NC2 zone. Commissioner Grover stated this is a good design and a zone change would be needed to allow subdividing.

Greg Westfall stated that this business would fall under design review each year. Before the final plan is approved, all issues need to be addressed, then a public hearing will be held. After it is approved by the Planning Commission, it will be sent to City Council for approval.

Deloris Dorius was concerned about the fencing on the south side. Mr. Nuffer said the fence will be rod iron. They will remove the existing fence if it is on their property.

Jennifer Reyes didn't feel the transition from commercial to residential was good and she was concerned about the duplexes. Mr. Nuffer stated that the duplexes were for independent, long term residents, age 65 or older. Mrs. Reyes asked if the independent duplexes were linked to the residents at the facility or could anyone apply to live there. Mr. Nuffer replied that anyone could apply to live there. Mrs. Reyes stated when they bought their property it was residential and so when they purchased their lot they thought that they would have single family dwellings next to them. She commented that later on it was re-zoned to commercial. She said that they were told that whatever was going to be put there would have lots of green space. Mrs. Reyes stated that her concern with the duplexes is that it seems really jumpy. She said it goes from commercial to duplexes to residential. She realizes that it may be looked at as a buffer and it might be if there were more of that type of thing.

MOTION: Commissioner Grover motioned to grant preliminary approval of Beehive Homes Perry #2 with the condition that the City Engineers questions and comments are resolved to the satisfaction of the Planning Commission. Commissioner Call seconded the motion. Roll call vote.

Commissioner Gunderson – No
Vice Chairman Coburn – No
Commissioner Grover – Yes

Commissioner Call – Yes
Commissioner Miles – Yes
Chairman Ostler – Yes

Motion Approved: 4 Yes 2 No

B. Business License Approval for Clue Inn Escape. Located at 1810 South Hwy. 89 (Alpine Garden). Applicant Catherine Pommier.

Catherine Pommier explained her business and referred to the information in the Planning Commission packet. She is asking for a temporary, 45-day permit for a mobile unit at Alpine Gardens parking lot. The hours will be 4 p.m. to 11 p.m. on weekdays and 1 p.m. to 11 p.m. on Saturdays. The trailer is 20 feet long and there will be a maximum of six to eight people at a time in the trailer for safety reasons. The parking is adequate and the trailer has an outdoor spotlight and Christmas lights for lighting. She stated the trailer is run by the quietest generator she could find. Commissioner Call stated that there is an occupied residential home just down between them and Maddox. The Applicant said that the generator is advertised for camping and is more

quiet than most. Commissioner Call asked if there were fire codes or capacity regulations for trailers. Catherine stated as far as she knows there are no codes in Box Elder County for inspections or other related items for a trailer. She said that she has done business in Brigham City and she had Brigham City Fire Marshall and Inspector go through the trailer and inspect it. Catherine Pommier stated that the Fire Marshall suggested that she move the fire extinguisher from the inside to the outside of the trailer. She said she has a smoke alarm and the electrical system is done to the manufacturer specifications. She stated that trailer has no water or restroom and is ADA accessible.

MOTION: Vice Chairman Coburn motioned to recommend the business license for Clue Inn Escape to the City Council. The motion was seconded by Commissioner Gunderson. Roll call vote.

Commissioner Gunderson – Yes
Vice Chairman Coburn – Yes
Commissioner Grover – Yes

Commissioner Call – Yes
Commissioner Miles – Yes
Chairman Ostler – Yes

Motion Approved: 6 Yes 0 No

C. Design Review Application approval for DSC Shop. Located at 2825 South Hwy. 89 Perry, UT 84302. Applicant Dean Stokes.

Ryan Stokes presented a plan for the DSC Shop located at the previous Matthews Fruit Stand. It is a 3000 square foot building and they propose to have a dance studio in the front and the back will be used for personal storage. They will not store big equipment and there will not be outside storage. There are 14 parking stalls and two accesses to the building from the road. Mr. Stokes stated that the existing sign will come down and they would like to incorporate two signs one with DSC business and the other for the dance studio in the same square footage. He said that will be the next step. He said they are in the works having someone design the sign. The Fire Marshall has not been there to do the inspection but they do have one scheduled. Dean Stokes stated that he is the owner of the property. Greg Westfall stated that the only concern he had was regarding the dance studio big performances and no adequate parking. Jennifer Hurd stated that they perform at the High School.

The Planning Commission discussed liked businesses that are allowed in the NC2 zone. Greg Westfall stated that the staff's opinion is that the DSC shop fits in this zone.

MOTION: Commissioner Gunderson motioned to approve and recommend to the City Council the DSC Shop pending the Fire Marshall's approval. The motion was seconded by Commissioner Coburn. Roll call vote.

Commissioner Gunderson – Yes

Commissioner Call – Yes

Vice Chairman Coburn – Yes
Commissioner Grover – Yes

Commissioner Miles – Yes
Chairman Ostler – Yes

Motion Approved: 6 Yes 0 No

D. Business License approval for Diversity Dance. Located at 2825 South Hwy. 89 Perry UT 84302. Applicant Jennifer Hurd.

Jennifer Hurd, the owner of Diversity Dance, stated she has been in business for eight years and would like to relocate from the current location to a bigger, better location- the DSC Shop building that is the subject of agenda item 4C. There are two classes held at a time for 60 – 90 minutes. The class size will never exceed 15 students and there are 10 to 12 classes held per day. There is adequate parking with 14 stalls in the front and additional parking behind the building. The students will be dropped off and picked up but the parents can stay and watch in the student lounge area. The big performances will be at the High School.

Greg Westfall stated that the staff is satisfied with the amount of parking.

MOTION: Commissioner Coburn motioned to approve the Business License for Diversity Dance and recommend it to the City Council pending the Fire Marshall approval. Commissioner Gunderson. Roll call vote.

Commissioner Gunderson – Yes
Vice Chairman Coburn – Yes
Commissioner Grover – Yes

Commissioner Call – Yes
Commissioner Miles – Yes
Chairman Ostler – Yes

Motion Approved: 6 Yes 0 No

5. Discussion

A. Discussion Regarding the R-2 Zone

Commissioner Call will research the current areas with the R-2 zone, the commission will create and discuss a draft of revised ordinances related to the R2 zone, a public hearing will be held, and then the ordinance will be recommended to the City Council for approval.

6. Training

A. None

7. Review Next Agenda and Adjourn

A. Motion to Adjourn

Commissioner Coburn moved to adjourn. Commissioner Gunderson seconded the motion. Roll call vote.

Commissioner Gunderson – Yes
Vice Chairman Coburn – Yes
Commissioner Grover – Yes

Commissioner Call – Yes
Commissioner Miles – Yes
Chairman Ostler – Yes

Motion Approved: 6 Yes 0 No