

Perry City is inviting you to a scheduled Zoom meeting.

Topic: Planning Commission Meeting

Time: Jul 1, 2021 07:00 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/82848288857?pwd=ZzAzK1ZmNVR0a3VJVUNpWHBrMkUxQT09>

Meeting ID: 828 4828 8857

Passcode: 656477

One tap mobile

+13462487799,,82848288857#,,,,\*656477# US (Houston)

+16699006833,,82848288857#,,,,\*656477# US (San Jose)

Dial by your location

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

Meeting ID: 828 4828 8857

Passcode: 656477

Find your local number: <https://us02web.zoom.us/j/kcQezlnmhW>

# **PERRY CITY PLANNING COMMISSION REGULAR MEETING AGENDA**

**July 1, 2021**

**7:00 pm regular meeting**

**3005 S 1200 W Perry, UT**

The meeting will be open to the public with eight people maximum. Meeting will also be held online.

“Electronic Meeting” Web/Teleconferencing will be used.

The Perry City Planning Commission will hold an electronic meeting on the Thursday identified above, starting at approximately 7:00 PM, via web/teleconference. Go to [www.perrycity.org/whats-new.htm.htm](http://www.perrycity.org/whats-new.htm.htm) for meeting access instructions. Agenda items may vary depending on length of discussion, cancellation of scheduled items, or agenda alteration.

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

**A. Declare Conflicts of Interest, If any**

**2. Action Items**

**A. Final Plat Application for Bear River Landing located at 1685 W 1100 S Parcels: 03-236-0035 & 03-155-0059 Applicant: Tanner Hiatt**

**B. Public Hearing – Ordinance 21-J Zone Change from IC (Interstate Commercial) to M/IL (Mixed Use Light Industrial) Location: 950 S 1600 W Parcels: 03-236-0027 & 03-236-0026 Applicant: Marc Fletcher**

**3. Discussion Items**

**A. Road Sections**

**B. Land Use Chart**

**4. Approval of the Minutes**

**A. June 3, 2021 Regular Meeting**

**5. Discussion**

**A. Future Projects**

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

**C. Report from Commissioner regarding last Council Meeting (June 10<sup>th</sup> & 24<sup>th</sup> meetings)**

**D. Make Assignments for Representative to Attend City Council Meetings**

**(July 8<sup>th</sup> & 22<sup>nd</sup>, 2021 Meetings)**

**6. Training**

**A. Staff**

**7. Review Next Agenda and Adjourn**

**A. Items for August agenda (next meeting August 5, 2021)**

**B. Motion to Adjourn**

**Certificate of Mailing**

The undersigned duly appointed official hereby certifies that a copy of the foregoing agenda was sent to each member and alternate member of the Planning Commission and other designated City Officials, and was posted in these locations: The Perry City Offices, Centennial Park, Perry City Park; Box Elder News Journal; Perry City Website; and State Website; on this 15th day of June. Any individual requiring auxiliary services should contact the City Offices at least 3 days in advance (435-723-6461).

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Tyra Bischoff, Deputy Recorder

**Rules for Public Hearings:**

- (1) Please speak only once (maximum of 3 minutes) per agenda item.
- (2) Please speak in a courteous and professional manner.
- (3) Do not speak to specific member(s) of the Planning Commission, staff, or public (please speak to the Chair or to the Commission as a group).
- (4) Please present possible solutions for all problems identified.
- (5) Action will not be taken during this meeting if the item is not specifically on the agenda.

**Bear River Landing**

05/26/2021 - 05/25/2022

2175994

**Subdivision: Final Plat  
Application**

0ce5b5a0-bd7b-11eb-8d43-edd96b92af43

Subdivision: Final Plat Application

Active

Under Review

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**Application Review Status**

Pre-Review	Approved	
Community Development	Not Reviewed	05/25/2021
Final-Review	Not Reviewed	

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**Fees**

Subdivision: Final Plat Application	\$425.00
<b>Total Fees</b>	<b>\$425.00</b>
<b>Amount Paid</b>	<b>\$425.00</b>

**Payments**

05/26/2021	Card VISA	\$425.00
<b>Total Paid</b>		<b>\$425.00</b>

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**Application Form Data**

(Empty fields are not included)

Applicant First Name

Tanner

Applicant Last Name

Hiatt

Applicant Email

tanner@summaterraventures.com

Applicant Phone Number

(479) 586-5017

Applicant Address

79 W 900 N

City

Springville

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State

**UT**

---

Zip

**84663**

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Is the applicant the Property Owner?

**No**

---

Property Owner's First Name

**Nate**

---

Property Owner's Last Name

**Mueller**

---

Property Owner's Email

**muellercorporation@gmail.com**

---

Property Owner's Phone

**(801) 721-0350**

---

Property Owner's Address

**3448 Spring Cir**

---

City

**Mtn Green**

---

State

**UT**


---

Zip

**84050**

---

Authorized Owner/Agent Affidavit

 **Owner's Permission to Entitle.pdf**

---

Engineer/Surveyor Name or Company

**Apex Engineering**

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Engineer/Surveyor Email

**erich@apex20.com**

---

Engineer/Surveyor Phone Number

**(801) 310-6121**

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Subdivision Name

**Bear River Landing**

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Property Address

**1685 West 1100 South, Perry, UT**

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Property Serial #

**03-236-0035**


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Total Number of Lots/Units

**1**

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Final Drawings and Submittals

 **Plat 5-4-21(1).pdf**

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Acknowledgement: Prior to Perry City accepting this application as complete you will need to submit a mylar plat to the City offices with signatures of the owner(s) and City Engineer.

**true**

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Acknowledgement: Prior to Perry City accepting this application as complete you will need to fund you Escrow account to guarantee installation of required improvements. You will also need to pay the direct costs required by code (seal coat and GIS).

**true**

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## Signature

I hereby certify that all information provided herein is true and correct. I understand and agree to comply with the applicable codes, standards, and the rules listed below.

1. All sections of this application must be complete and will not be reviewed until fees have been received.
2. The payment of fees does not guarantee a certain result and fees are not refunded due to the lack of favorable results.
3. Fees are an estimate of the costs for the City to administer the Subdivision review and approval process. Perry City reserves the right to bill the applicant for administrative costs that go beyond the estimated fees collected at the time of application.
4. Complete application and approval requirements can be found in Perry Municipal Code Titles 14 and 15.

**Paul Poteet - Invalid date**

# Staff Report

July 1, 2021

Perry City Planning Commission



**Bear River Landing, Final Plat:** 240 apartment located at approximately 1685 W 1100 S

## Summary

The proposed development is on about 9.5 acres and includes 240 apartment units. The project is on the west side of the Pointe Perry development area at the end of 1100 S. They have proposed two points of access, one to the north on 1100 S and one to the east on 1600 W. The development will include sports courts and pool. There will also be an area of wetlands that will be preserved.

## Code Compliance

Staff, our City Engineer and City Fire Marshall have reviewed the submitted plans and the requested corrections have been made. The submitted plans are extensive and are not included in this packet. However they are available for your detailed review prior to the meeting or at the meeting if you have any questions or concerns.

## Considerations and Recommendations

At this time it appears the submittals meet our requirements and the application is ready for approval. Following approval the applicant will have ninety days to fund their escrow account and record the plat.



**Marc Fletcher**

06/10/2021 - 06/09/2022

6289191

**Zone Change Application**

Zone Change

b0a6d370-ca11-11eb-9ae4-61e5f6313c37

Under Review

Active

## Application Review Status

Pre-Review	Received	
Community Development	Not Reviewed	06/10/2021
Final-Review	Not Reviewed	

## Fees

Zone Change	\$400.00
<b>Total Fees</b>	<b>\$400.00</b>
<b>Amount Paid</b>	<b>\$412.25</b>

## Payments

06/10/2021	Card *5890	\$400.00
<b>Total Paid</b>		<b>\$412.25</b>

## Application Form Data

(Empty fields are not included)

Name

**Marc Fletcher**

Phone Number

**(801) 971-3695**

Email

**marclfletcher@gmail.com**

Mailing Address

**4039 Buck Hollow Lane**

Interest in Property

**Agent or Authorized Representative**

Owner Agent Authorization

 **Owner Agent Authroization.pdf**



Property Address

950 South 1600 West Perry Utah

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Property Serial #

032360027 & 032360026

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Current Zoning Designation

Interstate Commercial

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Proposed Zoning Designation

Light Industrial (Mixed use Retail and Storage)

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Purpose of Request

The purpose of our request is to change the zoning to accommodate our mixed use retail and storage project. The Promontory Crossings Project will compliment the current businesses in the area and provide a great well planned project with consistent sales tax and property tax revenue for the City of Perry. We feel this project will be a huge asset to the city and benefit the community as well as the current property owners. We have reached out to the current business owners in the area and have their support for our project as well.






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Conformance with the Perry City General Plan

The Promontory Crossings mixed use plan should conform with the General Plan and compliment the development of the area as well as current businesses nearby

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Additional Information

-  Promontory pt bldg pad 1.pdf
  -  PERRY INDUSTRIAL-C-1 - SITE PLAN.pdf
  -  coffee elev.pdf
  -  prom storage rendering.pdf
  -  Promontory Crossing Pad #2.pdf
- 

Will the zone change request be tied to a specific development plan?

Yes

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## Signature

I agree that the facts stated in this application are true, and upon changes I will provide notification as needed.

Marc Fletcher - 06/10/2021 11:31 am

## **NOTICE OF PERRY PLANNING COMMISSION PUBLIC HEARING**

Notice is hereby given that the Perry Planning Commission will hold, in the City Council Chambers at 3005 South 1200 West in Perry (limited to (8) public attendees in order to meet CDC social distancing requirements) as well as electronically via zoom.com web/teleconferencing, a public hearing to receive public comment regarding Ordinance 21-J Zone Change from IC (Interstate Commercial) to M/IL (Mixed Use Light Industrial) Parcels 03-236-0027 & 03-236-0026. Members of the public may view the meeting via Zoom using a link and instructions on the city web page at: <https://www.perrycity.org/whats-new.htm.htm> or attend in person within capacity limitations. The public hearing will be held in conjunction with the Perry City Planning Commission Meeting, which starts at 7:00 p.m. on Thursday, July 1, 2021. All interested persons shall be given the opportunity to be heard. Written concerns are welcome. Any Individual requiring auxiliary services should contact the City Offices at least 3 days in advance (435-723-6461). By: Tyra Bischoff, Deputy Recorder.

Please publish on June 23rd

SCHNO	OWNERNAME	OWNERADDRESS	Situs Address
03-155-0027	SOUTHERN PACIFIC TRANSPORT	1400 DOUGLAS ST M/S 1640	
03-155-0038	USA	550 E SOUTH TEMPLE	
03-236-0021	AMPJ HOSPITALITY INC	21636 N 26TH AVE	1033 S 1600 W PERRY UT 84302
03-236-0024	RANDALL PEAK CORP	3315 S 1900 W	1010 S 1600 W PERRY UT 84302
03-236-0025	CROSS COUNTRY EQUITY LLC	3138 N 1250 W	980 S 1600 W PERRY UT 84302
03-236-0026	CROSS COUNTRY EQUITY LLC	3138 N 1250 W	950 S 1600 W PERRY UT 84302
03-236-0027	CROSS COUNTRY EQUITY LLC	3138 N 1250 W	910 S 1600 W PERRY UT 84302
03-236-0028	CROSS COUNTRY EQUITY LLC	3138 N 1250 W	995 S 1600 W PERRY UT 84302
03-236-0029	CROSS COUNTRY EQUITY LLC	3138 N 1250 W	945 S 1600 W PERRY UT 84302
03-236-0017	PERRY CITY CORP.	PERRY, UT 84302	
03-236-0023	PERRY CITY	3005 S 1200 W	
03-236-0031	PERRY CITY	3005 S 1200 W	
03-236-0032	CROSS COUNTRY EQUITY LLC	3138 N 1250 W	
03-155-0037	USA	550 E SOUTH TEMPLE	
03-155-0061	PERRY CITY	3005 S 1200 W	

June 15, 2021

## Notice of Planning Commission Public Hearing

July 1, 2021

3005 S 1200 W

Perry, Utah 84302

**Application:** Zone Change from IC (Interstate Commercial) to M/IL (Mixed Use Light Industrial)

**Applicant:** Marc Fletcher

**Location:** 950 S 1600 W (03-236-0027; 03-236-0026)

Dear Property Owner:

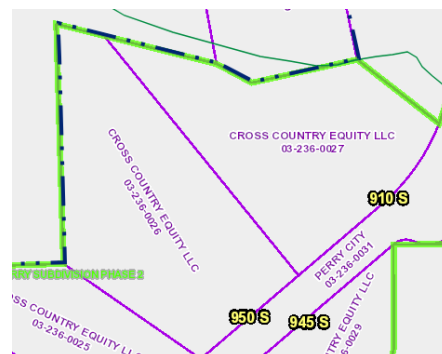
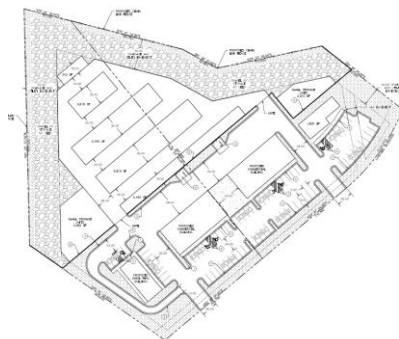
As required by ordinance, you and all other property owners within 300 feet of the above referenced location are being notified of the application referenced above. Interested persons are invited to attend the upcoming Planning Commission Meeting and provide public comment during the public hearing. All comments are welcome and we encourage your participation.

The public hearing will be held in conjunction with the regular Perry City Planning Commission meeting, which starts at 7:00 p.m. on Thursday July 1, 2021. You can access this meeting via zoom by going to <https://perrycity.rainadmin.com/whats-new.htm.htm>, or you may also attend in person. A final recommendation by the Planning Commission regarding this application will most likely occur during this meeting. This application will likely be reviewed by the Perry City Council on Thursday July 22, 2021 at 7:00 p.m.

Any individual requiring auxiliary services should contact the City Offices at least 3 days in advance (435-723-6461). Feel free to contact our planning staff or office staff should you have any questions.

Sincerely,

Tyra Bischoff  
Perry City Deputy Recorder



# Perry City Planning Commission

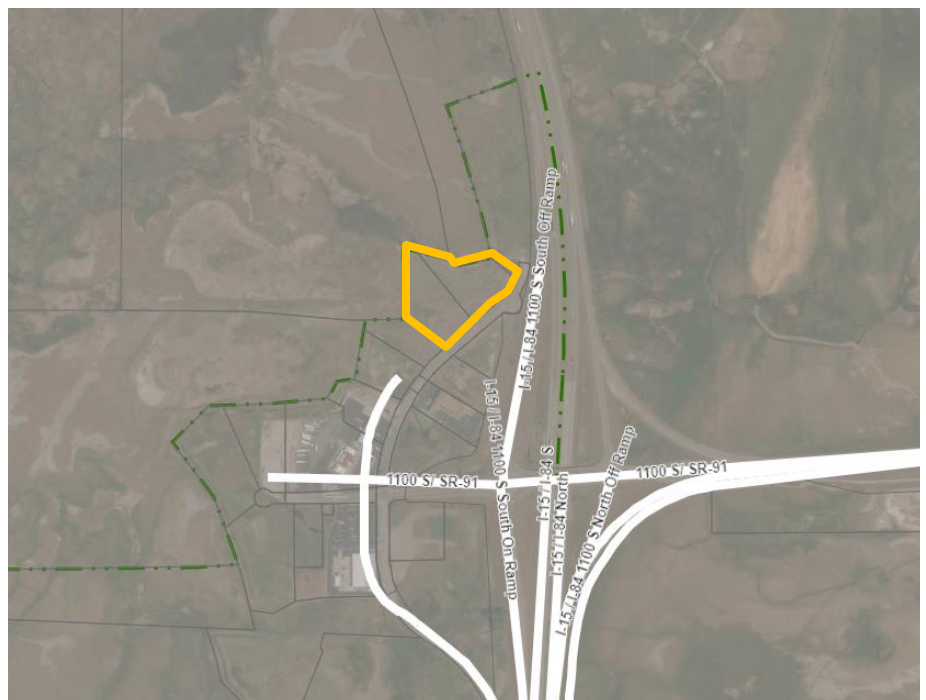


## Summary

The intent of this request is to allow storage units in the area along with some retail development. The current zoning does not permit storage units and the Light Manufacturing and Industrial zoning district would be needed to accommodate their desired development. The applicant has included several plans and drawings that are included with this packet of information.

The future land use map shows this area to be commercial and states, *“Primarily commercial, these areas may have retail, service, office, and business uses in general. Light manufacturing may also be allowed in these areas. Multifamily residential uses should be selectively allowed in these areas, especially in areas transitioning between commercial and residential uses.”* The General Plan also states the following about Manufacturing and Industrial areas. *“Manufacturing and industrial zoning should be located in the south west area of the City along the freeway.”* Overall, the General Plan does not appear to directly and clearly support this request.

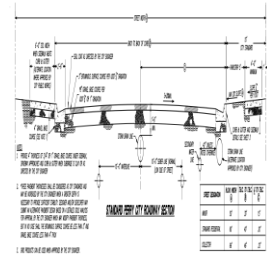
As a legislative item Planning Commission may take any information or opinion into consideration when making a decision on this zone change. If this request were recommended for approval it should be with the submitted plans attached to the zone change with a specific timeline for completion and a statement regarding what aspects of the plan are required contingencies attached to the zone change.



# Staff Report

July 1, 2021

Perry City Planning Commission



## Street Sections

### Summary

We have been working with our Public Works Department and Brett Jones, our engineer, to update our Public Works Standards. Part of the Standards is providing the details for how we build our roads. Prior to finalizing this update to the standards we wanted to get your feedback regarding various road sections.

There are many things to consider, but specifically for local roads we would like to consider minimizing the asphalt width. This does a few things including:

- Less construction cost
- Less maintenance cost
- Less storm water runoff
- Subjectively better neighborhood aesthetics with a more intimate neighborhood feel.
- Less wasted space and more space for sidewalks and planting strips

We often find that excess asphalt width becomes subsidized storage space for trailers and boats. We may need to require 'No Parking' signs with narrower roads. We can also have parallel stalls 'pop-out' to provide clear areas for parking.

The minimum width for fire access is 26'. This measurement can include two feet on both sides in the gutter.

I have included our current road section detail. The table on the bottom right shows the measurements. We can explore some additional idea during the meeting via Google images and Google street view.



June 3, 2021  
Planning Commission Meeting  
Virtual Meeting  
7:01 p.m.

**Commissioners Present:** Chairman Jan Kerr, Commissioner Marcus Wager, and Commissioner Stephan Moss

**Commissioners Absent:** Vice Chairman Julie Jones

**City Staff Present:** Robert Barnhill: City Administrator  
Chris Crockett: City Attorney  
Tyra Bischoff: Deputy Recorder

**Others Present:** Bryan Loveless, Charlie, Melanie Barnhill

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

Chairman Jan Kerr called the meeting to order.

**A. Declare Conflict of Interest, if any.**

None.

**2. Action Items**

**A. Final Plat Application for Mount Pleasant Estates Phase 3 located at 1975 S 100 W Parcel: 03-159-0254 Applicant: Bryan Loveless**

Robert Barnhill reviewed the final plat application. This is a 4.5 acre six lot single family subdivision. The preliminary application has already been approved. Mr. Barnhill and Brett Jones, City Engineer, have reviewed and approved the design and engineering application for this subdivision. This will include the construction of 100 W connecting the Suncrest subdivision down to 2000 south. The cost estimate for the escrow account has been received and everything appears ready for approval. Commissioner Wager asked if lot 17 and 18 have an easement to get back to them. Mr. Barnhill said they are not easements but actually part of their lot (these are flag lots).

**MOTION:** Commissioner Wager made a motion to approve the Final Plat Application for Mount Pleasant Estates Phase 3 final plat. Commissioner Moss seconded the motion.

**Roll Call Vote:**

Commissioner Kerr Yes  
Commissioner Wager Yes  
Commissioner Moss Yes

**Motion Approved:** 3 Yes 0 No

Mr. Barnhill stated that this subdivision is approved and they have 90 days to record the plat and fund the escrow.

**B. Subdivision Amendment – Lot Line Adjustment moving Eastern Boundary 20 feet. Located at 3057 S 1450 W Parcels: 02-091-0013 and 02-034-0112 Applicant: Amber Nielsen**

Mr. Barnhill discussed this plat amendment and showed the Planning Commission where it is located on the map. The applicant would like to add 20 feet which would be purchased from the Young family parcel which is adjacent to the property. The Young family parcel (which is the next item on the agenda requesting a zone change) is in the agricultural limited zone which requires 2 acres. It is currently only 1.5 acres and was grandfathered in. Mr. Barnhill said that they should not approve something that makes something less conforming than it is (and this is why the zone change request on the next agenda item is happening and will bring it into conformance). He added that the city engineer has not had time to review the plat document, although there are no other concerns Mr. Barnhill has with it. He suggested adding making it contingent on the zone change request being approved and the engineer reviewing it in the motion.

Commissioner Wager noted that on the letter sent to the neighbors it said public hearing instead of public meeting. It was clarified that the public hearing is for the next agenda item and that it was a mistake in wording on the letter. Chairman Kerr allowed for public comment to be made but there were none.

**MOTION:** Commissioner Wager made a motion to approve the Orchard Creek Estates plat amendment with the condition that the Young family receive approval from the City Council for the re-zone and that the engineer approves the whole amendment. Commissioner Moss seconded the motion.

**Roll Call Vote:**

Commissioner Kerr Yes  
Commissioner Wager Yes  
Commissioner Moss Yes

**Motion Approved:** 3 Yes 0 No

**C. Public Hearing – Ordinance 21- H Zone Change from Agriculture to R1 and R1A. Location approximately 3030 S 1355 W Parcel: 02-034-0105 Applicant: Stanford Young**

Mr. Barnhill said that there are two adjacent parcels of property asking for a zone change. He discussed the surrounding property and uses including single-family, agricultural, and manufacturing industrial. The current zoning for both properties is AL (agriculture limited). Both properties do not meet the 2 acre minimum size requirement. The applicant would like to change the smaller property on the corner to R1 with a parcel boundary adjustment making it a .25 acre lot to be sold for a home to be built on. They are requesting the larger property be changed to R1A (a transitional zone between agricultural and residential which requires a 1 acre lot size).

Commissioner Moss asked if the smaller lot would be less than .5 acre. He also asked if it would be affected by being in a zone where the other lots are .5 acre. Mr. Barnhill said that is why they would like the R1 acre zone, which allows for .25 acre lots. He added that the area around this is moving toward residential so this request would be supported by the general plan.

Chairman Kerr opened the public hearing at 7:21 p.m. There were no comments given. She closed the public hearing at 7:21 p.m.



**MOTION:** Commissioner Wager made a motion to recommend approval to City Council Ordinance 21-H zone change request from agriculture to R1 and R1A. Commissioner Moss seconded the motion.

**Roll Call Vote:**

Commissioner Kerr Yes  
Commissioner Wager Yes  
Commissioner Moss Yes

**Motion Approved:** 3 Yes 0 No

Mr. Barnhill said he anticipates this to be on the City Council agenda on June 24<sup>th</sup>.

**3. Discussion Items**

**A. Night Sky Lighting**

Mr. Barnhill explained that night sky lighting is the concept of light polluting the sky, making it difficult to see the stars as well as possibly causing problems with neighbor lighting (shining onto a neighboring property).

Charlie, from Weber County, gave a presentation on the Night Sky ordinance that was put in place in the Ogden valley. He explained dark sky lighting, how to make a dark sky ordinance, understanding light pollution, and how to make something easy to administer yet providing great protection for the night sky. Other things he discussed included:

- What lumens are
- Direct artificial light
- Shielding – directing light to exactly where you want it to be
- Approved lighting devices
- Light trespass
- Color temperature
- Permitted color range 150-300 Kelvins
- Standards of compliance
- Canopy/parking lot/recreation activity area and sign lighting

Chairman Kerr asked if this was something they had been asked to look at. Mr. Barnhill said that it came up in discussion and may be something they want to look at in the future.

**B. Land Use Chart**

Mr. Barnhill said due to time, he will email the updates to the Planning Commission to review.

**4. Approval of the Minutes**

**A. May 6, 2021 Regular Meeting Minutes**

**MOTION:** Commissioner Wager made a motion to approve the May 6, 2021 meeting minutes. Commissioner Moss seconded the motion.

**Roll Call Vote:**

Commissioner Kerr Yes  
Commissioner Wager Yes  
Commissioner Moss Yes

**Motion Approved:** 3 Yes 0 No

5. Discussion

A. Future Projects

None.

B. Report on past-approved Planning Commission Agenda Items

These items were discussed during the report from last Council meeting on the next agenda item.

C. Report from Commissioner regarding last Council Meeting  
(May 13<sup>th</sup> and May 27<sup>th</sup>)

The May 13<sup>th</sup> meeting was cancelled and rescheduled to May 20<sup>th</sup>. Commissioner Jones attended the May 27<sup>th</sup> meeting and is not present to report on it.

Mr. Barnhill said that both of the meetings on the 20<sup>th</sup> were mainly budget items. Commissioner Moss was appointed to Planning Commission. The zone change for Grant and Nola Young was approved. The code amendment for the additional town home was also approved.

D. Make Assignments for Representative to Attend City Council Meetings  
(June 10<sup>th</sup> & June 24<sup>th</sup>)

No one is able to attend the June 10<sup>th</sup> meeting. Chairman Kerr will attend the June 24<sup>th</sup> meeting.

6. Training

A. Staff

Mr. Barnhill reviewed some of the resources available for the Planning Commission. The resources included:

- The Perry City Website – [www.perrycity.org](http://www.perrycity.org)
- Map of the City
  - Zoning
  - Layers
  - Future land use
  - Old land use chart
  - Multi-family housing grid
- General Plan
- Municipal Code
  - Title 14 – subdivisions
  - Title 15 – land use – zoning code, land use charts, area requirements, design/landscape standards, ADU's
  - General provisions/definitions
- Books – takes you to city engineer website for detailed engineer requirements
- Flow Chart

7. Review Next Agenda and Adjourn

188        **A. Items for July Agenda (next meeting July 1, 2021)**

- 189            • Bear River Landing Apartments Final

190  
191        **B. Motion to Adjourn**

192  
193        **Motion:** Commissioner Moss made a motion to adjourn.

194  
195        All Commissioners were in favor. The meeting ended at 8:26 p.m.

196  
197  
198

DRAFT