

MINUTES OF THE MARCH 20, 2007, ROY CITY COUNCIL MEETING

1. Approval of March 6, 2007, minutes
2. Consideration of a petition from Clarence H. Painter to rezone approximately 1.68 acres located at approximately 5840 South 2000 West from Regional Commercial to R-3
  - a. Consideration of Ordinance No. 982 approving a rezone of property located at approximately 5840 South 2000 West, Roy, Utah from a Regional Commercial designation to an R-3 designation
3. Consideration of a conditional use permit and site plan for multi-family dwellings located at approximately 5840 South 2000 West
4. Consideration of preliminary approval of the Painter Park Place Condominiums located at approximately 5840 South 2000 West
5. Public comments
6. City Manager's report
7. Mayor and Council reports
8. Adjourn
9. Summary of actions charged

Minutes of the Roy City Council Meeting held March 20, 2007, at 6:00 p.m. in the City Council Room of the Roy City Municipal Building.

The meeting was a regularly scheduled meeting designated by resolution. Notice of the meeting was provided to the *Standard Examiner* at least 24 hours in advance. A copy of the agenda was posted.

The following were in attendance:

Mayor Pro-Tem Marge Becraft	City Attorney Andrew Blackburn
Councilman Larry Peterson	Secretary Michelle Drago
Councilman Tommy Smith	
Councilman Michael Stokes	
Councilman Dave Tafoya	

Excused: Mayor Joe H. Ritchie  
Chris Davis, City Manager

Also present were: Tony Reynolds, Community Services Director; Mark Larson, Planner; Bert Visser; Kim Dunn; Cloy Child; Elton Yost; and Boy Scout Troop 477.

Moment of Silence: Councilman Peterson

Pledge of Allegiance: Boy Scout Troop 477

1. APPROVAL OF MARCH 6, 2007, MINUTES

**Councilman Smith moved to approve the minutes of March 6, 2007, as written. Councilman Peterson seconded the motion. Council members Becraft, Peterson, Smith, Stokes, and Tafoya voted "aye." The motion carried.**

2. CONSIDERATION OF A PETITION FROM CLARENCE H. PAINTER TO REZONE APPROXIMATELY 1.68 ACRES LOCATED AT APPROXIMATELY 5840 SOUTH 2000 WEST FROM REGIONAL COMMERCIAL TO R-3

Tony Reynolds stated that Item Nos. 2, 3, and 4 were all part of one project. He reminded the City Council that final approval of the condominium plat would be an administrative matter just like final approval of a subdivision would be. Both the rezone and conditional use permit/site plan should be subject to final approval and recordation of the condominium plat.

Mr. Reynolds stated that the overall project consisted of three parcels. There was a large, center parcel which was already zoned R-3 and which contained three existing fourplexes. There was an L-shaped parcel behind it. The third parcel was long, narrow and

extended to 1900 West. Only a portion of the third parcel was part of the rezone. The portion along 1900 West would remain Regional Commercial. Before the condominium plat was recorded, a lot line adjustment would be completed to separate the portion along 1900 West from the proposed project. Mr. Reynolds said the completed project could consist of the three existing fourplex, six duplexes, and two new fourplexes. The maximum density in an R-3 Zone was 12 units per acre. The proposed density was 11.4 units per acre. The existing fourplexes would be converted to condominium units. The large access and parking area in the middle of the existing fourplexes would be removed and replaced with landscaping. Access to the development would be in a one-way, U-shaped driveway. The carports adjacent to the existing fourplexes would be converted to garages. The exterior of the existing fourplexes would be updated to integrate with the new units. Mr. Reynolds said the proposed project met the City's parking requirements and the amount of landscaping proposed exceeded the City's landscaping requirements. The existing chain link fence around the site would be removed and replaced with a solid, white, 6-foot vinyl fence. The existing power pole in the rear of the site would be replaced with underground lines.

Mr. Reynolds stated that both the Planning Commission and Development Review Committee recommended approval of the rezone, the conditional use permit, site plan, and the preliminary condominium plat based on the following findings:

1. The proposed development is consistent with the goals and policies set forth in the General Plan and Zoning Ordinance.
2. The proposed development will be compatible with the existing development and surrounding neighborhood.
3. The proposed development complies with the City Standards and Specifications and the State Condominium Code.

The Planning Commission and Development Review Committee recommended approval of the rezone, conditional use permit, site plan, and preliminary condominium plat subject to the following recommendations:

1. The Engineering, Fire Marshal and Public Works recommendations be resolved prior to approval of the final plat.
2. The Development Services comments be addressed prior to approval of the final plat.

3. The Roy Secondary Water recommendations be resolved prior to approval of the final plat.
4. The Rocky Mountain Power requirements be met for the proposed underground power conversion and easements shown in the final plat prior to recording.
5. City and State Condominium requirements be met prior to recording the final plat, condominium declaration, and CC&R's.
6. That approval of the rezone, conditional use permit, and site plan be subject to final approval and recording of the condominium plat.

Mayor Pro-Tem Becraft asked how large the rezone actually was. The staff reports contained two different sizes: 1.68 acres and 1.78 acres. Tony Reynolds said the legal description of the rezone listed 1.68 acres.

Councilman Larry Peterson asked if the Planning Commission's additional recommendations for the condominium plat should be included. Tony Reynolds felt those additional recommendations should be attached to the conditional use permit and site plan rather than the condominium plat.

Councilman Tafoya asked if Ordinance No. 982 should include language indicating the rezone was subject to final approval of the condominium plat. Andy Blackburn felt it should.

Councilman Tafoya moved to approved Ordinance No. 982 approving a rezone of approximately 1.68 acres located at approximately 5840 South 2000 West from a Regional Commercial designation to an R-3 designation based on the staff's findings and subject to the recommendations of the Planning Commission and the Development Review Committee and the ordinance including language indicating the rezone was subject to final approval and recordation of the Painter Park Place Condominium plat. Councilman Stokes seconded the motion. A roll call vote was taken. Council members Smith, Stokes, Peterson, Becraft, and Tafoya voted "aye." The motion carried. (Copy filed for record).

3. CONSIDERATION OF A CONDITIONAL USE PERMIT AND SITE PLAN FOR MULTI-FAMILY DWELLINGS LOCATED AT APPROXIMATELY 5840 SOUTH 2000 WEST

Councilman Peterson moved to approve a conditional use permit and site plan for multi-family dwellings located at approximately 5840 South 2000 West subject to the recommendations of the Planning Commission and Development Review Committee, including the recommendations of the Planning Commission regarding the Painter Park Place Condominium plat, and based on the findings indicated in the staff report . Councilman Tafoya seconded the motion. Council members Becraft, Peterson, Smith, Stokes, and Tafoya voted "aye." The motion carried.

4. CONSIDERATION OF PRELIMINARY APPROVAL OF THE PAINTER PARK PLACE CONDOMINIUMS LOCATED AT APPROXIMATELY 5840 SOUTH 2000 WEST

Councilman Smith moved to approve the preliminary plat of the Painter Park Place Condominiums located at approximately 5840 South 2000 West subject to the recommendations of the Planning Commission and the Development Review Committee and based on the findings listed in the staff report. Councilman Peterson seconded the motion. Council members Becraft, Peterson, Smith, Stokes, and Tafoya voted "aye." The motion carried.

5. PUBLIC COMMENTS

Bert Visser, 4833 South 2500 West, asked about the rules for changing the City's Master Plan. For 60 years, the City's Master Plan called for a 80-foot road from the north end of Roy to the south end of Roy to keep traffic off of 1900 West and Midland Drive. However, UTA was only planning to build a 66-foot road. Where did the authority to change the width of the road come from? Mr. Visser was also concerned that the road alignment proposed by UTA would make it difficult for Leon Wilson to build a home on one of his lots. He felt UTA could adjust the location of the station to accommodate Mr. Wilson. Andrew Blackburn said that the staff could meet with Mr. Visser and explain the amendment process to him. There was also a public hearing about this matter before the Planning Commission on March 29<sup>th</sup> that Mr. Visser was welcome to attend.

Mayor Pro-Tem suggested that staff contact Steve Myer with UTA about repeating the presentation made before the Planning Commission on March 13<sup>th</sup> and the public hearing on March 27<sup>th</sup>.

Cloy Child, 3883 South 2275 West, was concerned about the traffic that would end up on 4000 South if 2675 West was not extended. He approached the City Council about this last year and was disappointed that the Council hadn't put pressure on UTA to complete 2675 West. If the road was extended, traffic would have access to 4400 South and 4800 South when slow freight trains blocked 4000 South. He also suggested that the City Council look at using existing rights-of-way to access the frontage road.

Joe Taylor, Weber County Soil Conservation, asked for the City's financial assistance in eradicating Dire's Wode, a noxious weed. Andy Blackburn said the matter would have to be placed on a future agenda for discussion.

#### 6. CITY MANAGER'S REPORT

Mayor Ritchie was excused as he was out of town.

Chris Davis was excused due to a family illness.

#### 7. MAYOR AND COUNCIL REPORTS

Mayor Pro-Tem Becraft reminded the City Council about the appreciation luncheon at the Public Works Department on Friday, March 23<sup>rd</sup>, at 11:30 a.m. The Council asked that the staff let them know if they were cooking or simply attending.

Councilman Tafoya updated the City Council on the North Davis Sewer District study regarding fees. Beginning July 1<sup>st</sup>, impact fees would be raised from \$1500 to \$3,000; user fees would increase \$0.60 per month. Commercial impact fees would increase as well. The District had not increased fees for 15 years. The increase would help offset the cost of expansion and future build out.

Councilman Smith asked the staff to schedule a workshop to update the City Council on the building renovation and RAMP.

Tony Reynolds invited the City Council to attend UTA's public hearing before the Planning Commission on March 27<sup>th</sup>.

8. ADJOURN

**Councilman Peterson moved to adjourn at 6:43 p.m. Council members Becraft, Peterson, Smith, Stokes, and Tafoya voted "aye." The motion carried.**

8. SUMMARY OF ACTIONS CHARGED

1. Staff to ask Steve Myer to repeat the presentation he made to the Planning Commission on March 13<sup>th</sup> at the public hearing on March 27<sup>th</sup>.
2. Staff to let the City Council know if they were cooking at the March 23<sup>rd</sup> luncheon.
3. Staff to schedule a workshop to update the Council on the building renovation and RAMP.

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Marge Becraft  
Mayor Pro-Tem

Attest:

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Michelle Drago  
Secretary